

## House Bill 13

By: Representatives Franklin of the 39<sup>th</sup>, Coan of the 82<sup>nd</sup> and Joyce of the 1<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 39 of the Official Code of Georgia Annotated, relating to the  
2 regulation of the employment of minors, so as to delete certain provisions requiring the  
3 issuance of employment certificates as a condition of employment for minors; to provide that  
4 minors between the ages of 12 and 16 years shall have the written permission of parents or  
5 guardians before employment and shall submit proof of age; to provide for related matters;  
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

8 Chapter 2 of Title 39 of the Official Code of Georgia Annotated, relating to the regulation  
9 of the employment of minors, is amended by striking in its entirety Code Section 39-2-11,  
10 relating to requirements for the issuance of employment certificates, and inserting in lieu  
11 thereof the following:

12 "39-2-11.

13 (a) No minor between the ages of 12 and 16 years shall be employed by or permitted to  
14 work for any person, firm, or corporation unless a certificate, showing the true age of such  
15 minor and that such minor is not less than 12 years of age and is physically fit to engage  
16 in the employment sought to be obtained, shall be issued by the school superintendent or  
17 by some member of his staff authorized by him in writing, in the county or city where the  
18 minor resides or, if a student at a licensed private school, by the principal administrative  
19 officer thereof or by some member of his staff authorized by him in writing. A certificate  
20 shall also be required for employment of minors between the ages of 16 and 18:

21 (b) The certificate provided for in subsection (a) of this Code section must show that the  
22 minor is 16 years of age to qualify such minor to work between the hours of 9:00 P.M. and  
23 6:00 A.M. and to be employed in any of the occupations covered by Code Section 39-2-2.  
24

1 ~~(c) No employment certificate shall be issued to any minor until he shall have submitted~~  
 2 ~~to the issuing officer:~~

3 ~~(1) A certified copy of a birth certificate or birth registration card, and~~

4 ~~(2) A statement from the prospective employer indicating that if he were furnished with~~  
 5 ~~a certificate from the school superintendent as required by law, he could employ the~~  
 6 ~~minor immediately and describing the type of employment offered. It shall be understood~~  
 7 ~~that the prospective employer, by furnishing such statement, does not undertake to~~  
 8 ~~employ the minor for any specific period of time.~~

9 ~~(d) A like certificate, a copy of which shall be made a part of the minor's school file, shall~~  
 10 ~~be issued in cases of all minors between the ages of 16 and 18. The certificate must show~~  
 11 ~~that the minor is fully 16 years of age in order to qualify the minor to work between the~~  
 12 ~~hours of 9:00 P.M. and 6:00 A.M. and to be employed in any of the occupations covered~~  
 13 ~~by Code Section 39-2-2. In addition to the certificate, the superintendent of schools, or~~  
 14 ~~some member of his staff authorized by him, shall issue an identification card to each~~  
 15 ~~minor in this category of employment. The identification card will certify that the minor~~  
 16 ~~is eligible for employment. The minor shall be exempt from future filings of employment~~  
 17 ~~certificates unless his certificate is revoked by the Commissioner of Labor. written~~  
 18 ~~permission for such employment is given by the parents, guardian, or other person having~~  
 19 ~~custody of such minor and evidence of the minor's age is submitted to the employer in the~~  
 20 ~~form of a certified copy of a birth certificate or birth registration card.~~"

## 21 SECTION 2.

22 Said chapter is further amended by striking in its entirety Code Section 39-2-11.1, relating  
 23 to the employment of minors 14 years of age or older during school vacation months for care  
 24 of lawns, gardens, and shrubbery, and inserting in lieu thereof the following:

25 "39-2-11.1.

26 Notwithstanding any other provision of this chapter or any rule or regulation of the  
 27 Commissioner of Labor adopted pursuant to the provisions of Code Section 39-2-2 to the  
 28 contrary, a minor 14 years of age or over may be employed during the months of vacation  
 29 from school in the care and maintenance of lawns, gardens, and shrubbery owned or leased  
 30 by the employer of such minor, including the operation of equipment in connection  
 31 therewith, provided the minor is covered by an accident and sickness insurance plan or a  
 32 workers' compensation insurance policy or plan provided by the employer, the minor  
 33 presents the employer with the certificate written permission for employment required by  
 34 Code Section 39-2-11, and the minor is permitted by the employer to care for and maintain  
 35 only those lawns, gardens, and shrubbery owned or leased by the employer. The work

1 authorized by this Code section includes the care and maintenance of lawns, gardens, and  
2 shrubbery on the grounds of mills or factories described in Code Section 39-2-1 and on the  
3 grounds of any other factory, mill, or business where employment of the minor within the  
4 factory, mill, or business might be prohibited by this chapter or by rules and regulations of  
5 the Commissioner of Labor."

6 **SECTION 3.**

7 Said chapter is further amended by striking and reserving in their entirety Code Section  
8 39-2-12, relating to the contents of employment certificates, Code Section 39-2-13, relating  
9 to the disposition of employment certificates upon termination of employment, and Code  
10 Section 39-2-14, relating to the revocation of employment certificates by the Commissioner  
11 of Labor.

12 **SECTION 4.**

13 All laws and parts of laws in conflict with this Act are repealed.