

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2502

Session of
1988

INTRODUCED BY COHEN, BELFANTI, PRESSMANN, CARN, KASUNIC,
FREEMAN, KOSINSKI, HUGHES, HOWLETT, DeLUCA, LEVDANSKY,
JACKSON AND MERRY, MAY 24, 1988

AS REPORTED FROM COMMITTEE ON LABOR RELATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 14, 1988

AN ACT

1 Amending the act of May 13, 1915 (P.L.286, No.177), entitled, as
2 amended, "An act to provide for the health, safety, and
3 welfare of minors: By forbidding their employment or work in
4 certain establishments and occupations, and under certain
5 specified ages; by restricting their hours of labor, and
6 regulating certain conditions of their employment; by
7 requiring employment certificates or transferable work
8 permits for certain minors, and prescribing the kinds
9 thereof, and the rules for the issuance, reissuance, filing,
10 return, and recording of the same; by providing that the
11 Industrial Board shall, under certain conditions, determine
12 and declare whether certain occupations are within the
13 prohibitions of this act; requiring certain abstracts and
14 notices to be posted; providing for the enforcement of this
15 act by the Secretary of Labor and Industry, the
16 representative of school districts, and police officers; and
17 defining the procedure in prosecutions thereunder, and
18 establishing certain presumptions in relation thereto;
19 providing for the issuance of special permits for minors
20 engaging in the entertainment and related fields; providing
21 penalties for the violation of the provisions thereof; and
22 repealing all acts or parts of acts inconsistent therewith,"
23 further providing for special permits for temporary
24 employment of minors; AND FURTHER PROVIDING FOR PENALTIES. <—

25 The General Assembly of the Commonwealth of Pennsylvania
26 hereby enacts as follows:

27 Section 1. Section 7.1(a.1) of the act of May 13, 1915
28 (P.L.286, No.177), known as the Child Labor Law, added June 7,

1 1980 (P.L.211, No.62), is amended to read:

2 Section 7.1. * * *

3 (a.1) In addition to any permit authorized by subsection
4 (a), the department shall be authorized to issue special permits
5 for the temporary employment of minors[, age seven and under age
6 eighteen,] as part of the performing cast in the production of a
7 motion picture, if the department determines that adequate
8 provision has been made for the educational instruction,
9 supervision, health and welfare of the minor. Unless the
10 department determines that more restrictive conditions are
11 necessary, special permits authorized by this subsection shall
12 authorize minors[, age seven and under age eighteen,] to work as
13 part of the performing cast for forty-four hours in any one week
14 and eight hours in any one day. Time spent on the set or on
15 location while on call shall be excluded from any calculation of
16 the maximum number of hours authorized by this subsection if the
17 department determines that adequate provision has been made for
18 the child's education, supervision and welfare during such
19 intervals. The department may restrict the number of hours which
20 may be spent on call by the minor. The department may waive, in
21 whole or in part, restrictions contained in this act and in any
22 other act, on the time of day or night allowed for engaging in
23 the employment authorized by this subsection, if the department
24 determines that such waiver is necessary to preserve the
25 artistic integrity of the motion picture and further determines
26 that such waiver will not impair the educational instruction,
27 supervision, health and welfare of the minor. Special permits
28 authorized by this subsection shall be valid for a period of
29 time not to exceed six months. AN ISSUED PERMIT SHALL STATE THAT <—
30 NO MINOR, ALLOWED UNDER THE PERMIT TO BE TEMPORARILY EMPLOYED,

1 MAY BE ALLOWED ON A SET DURING, OR MAY OTHERWISE WATCH, THE
2 FILMING OR REHEARSAL FOR FILMING OF ANY SEXUAL ACT. NOTHING IN
3 THIS SECTION SHALL BE CONSTRUED TO SUPERSEDE OR REPEAL IN PART
4 18 PA.C.S. § 5903 (RELATING TO OBSCENE AND OTHER SEXUAL
5 MATERIALS) OR 6312 (RELATING TO SEXUAL ABUSE OF CHILDREN).

6 * * *

7 SECTION 2. SECTION 23 OF THE ACT, AMENDED AUGUST 23, 1961 <—
8 (P.L.1107, NO.494), IS AMENDED TO READ:

9 SECTION 23. ANY PERSON, OR ANY AGENT OR MANAGER FOR ANY
10 PERSON, WHO SHALL VIOLATE ANY OF THE PROVISIONS OF THIS ACT, OR
11 WHO SHALL COMPEL OR PERMIT ANY MINOR TO VIOLATE ANY OF THE
12 PROVISIONS OF THIS ACT, OR WHO SHALL HINDER OR DELAY ANY OFFICER
13 IN THE PERFORMANCE OF HIS DUTY IN THE ENFORCEMENT OF THIS ACT,
14 SHALL, UPON CONVICTION THEREOF, BE SENTENCED TO PAY A FINE, FOR
15 A FIRST OFFENSE, OF NOT LESS THAN [FIFTY (\$50.00) DOLLARS] ONE
16 HUNDRED (\$100.00) DOLLARS NOR MORE THAN [TWO HUNDRED (\$200.00)
17 DOLLARS] THREE HUNDRED (\$300.000) DOLLARS, AND, ON A SUBSEQUENT
18 OFFENSE, TO PAY A FINE OF NOT LESS THAN [ONE HUNDRED (\$100.00)
19 DOLLARS] TWO HUNDRED FIFTY (\$250.00) DOLLARS NOR MORE THAN
20 [THREE HUNDRED (\$300.00) DOLLARS] ONE THOUSAND (\$1,000.000)
21 DOLLARS, OR TO UNDERGO AN IMPRISONMENT OF NOT MORE THAN TEN
22 DAYS, OR BOTH, AT THE DISCRETION OF THE COURT.

23 Section ~~2~~ 3. This act shall take effect in 60 days. <—