

## LEGISLATIVE BILL 906

Approved by the Governor April 2, 2024

Introduced by Riepe, 12.

A BILL FOR AN ACT relating to child labor laws; to amend sections 48-311 and 48-312, Reissue Revised Statutes of Nebraska; to change penalties; to provide enforcement powers for the Department of Labor; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 48-311, Reissue Revised Statutes of Nebraska, is amended to read:

48-311 Whoever employs a child under sixteen years of age and whoever, having under his or her control a child under such age, causes or permits such child to be employed in violation of sections 48-302 to 48-313 is guilty of a Class I ~~II~~ misdemeanor. Whoever continues to employ any child in violation of any of such sections, after being notified by an attendance officer or by the Department of Labor or by its assistants or employees, is, for every day thereafter that such employment continues, guilty of a Class I ~~II~~ misdemeanor.

The failure of an employer of child labor to produce, upon request of a person authorized to demand the same, any employment certificate or list required by such sections shall be prima facie evidence of the illegal employment of any child whose employment certificate is not produced or whose name is not listed. Any corporation or employer retaining employment certificates in violation of such sections is guilty of a Class I ~~II~~ misdemeanor.

Every person authorized or required to sign any certificate or statement prescribed by such sections who knowingly certifies or makes oath to any material false statement therein or who violates any of the provisions of such sections is guilty of a Class I ~~II~~ misdemeanor.

Every person who refuses admittance to any person authorized to visit or inspect any premises or place of business under the provisions of such sections and to produce all certificates and lists he or she may have when demanded, after such person shall have announced his or her name and the office he or she holds and the purpose of his or her visit, or otherwise obstructs such persons in the performance of their duties prescribed by such sections is guilty of a Class I ~~II~~ misdemeanor.

Sec. 2. Section 48-312, Reissue Revised Statutes of Nebraska, is amended to read:

48-312 The presence of a child under sixteen years of age, apparently at work, in a place of employment as defined in section 48-301 is prima facie evidence of his or her employment there. The Department of Labor, any agent or employee of the department, or any attendance officer may ~~Attendance officers shall~~ visit the places of employment to ascertain whether any children are employed contrary to the provisions of sections 48-302 to 48-313, and such the attendance officer officers shall report any cases of illegal employment to the department ~~Department of Labor~~ and to the county attorney. The Commissioner of Labor may subpoena records from any employer suspected of violating sections 48-302 to 48-313.

Sec. 3. Original sections 48-311 and 48-312, Reissue Revised Statutes of Nebraska, are repealed.