

LEGISLATURE OF NEBRASKA
ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 906

Introduced by Riepe, 12.

Read first time January 04, 2024

Committee: Business and Labor

- 1 A BILL FOR AN ACT relating to child labor laws; to amend sections 48-311
- 2 and 48-312, Reissue Revised Statutes of Nebraska; to change
- 3 penalties; to provide enforcement powers for the Department of
- 4 Labor; and to repeal the original sections.
- 5 Be it enacted by the people of the State of Nebraska,

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

3 48-311 Whoever employs a child under sixteen years of age and
4 whoever, having under his or her control a child under such age, causes
5 or permits such child to be employed in violation of sections 48-302 to
6 48-313 is guilty of a Class I ~~II~~ misdemeanor. Whoever continues to employ
7 any child in violation of any of such sections, after being notified by
8 an attendance officer or by the Department of Labor or by its assistants
9 or employees, is, for every day thereafter that such employment
10 continues, guilty of a Class I ~~II~~ misdemeanor.

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

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

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

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

31 48-312 The presence of a child under sixteen years of age,

1 apparently at work, in a place of employment as defined in section 48-301
2 is prima facie evidence of his or her employment there. The Department of
3 Labor, any agent or employee of the department, or any attendance officer
4 may ~~Attendance officers shall~~ visit the places of employment to ascertain
5 whether any children are employed contrary to ~~the provisions of~~ sections
6 48-302 to 48-313, and such ~~the attendance officer officers shall~~ report
7 any cases of illegal employment to the department ~~Department of Labor~~ and
8 to the county attorney. The Commissioner of Labor may subpoena records
9 from any employer suspected of violating sections 48-302 to 48-313.

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