

1-1 By: Deshotel (Senate Sponsor - Van de Putte) H.B. No. 2930  
1-2 (In the Senate - Received from the House April 28, 2005;  
1-3 April 29, 2005, read first time and referred to Committee on  
1-4 Business and Commerce; May 12, 2005, reported favorably by the  
1-5 following vote: Yeas 8, Nays 0; May 12, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to an age limitation on children engaged in the  
1-9 performance of duties related to a paper route.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 51.002, Labor Code, is amended to read as  
1-12 follows:

1-13 Sec. 51.002. DEFINITIONS. In this chapter:

1-14 (1) "Child" means an individual under 18 years of age.

1-15 (2) "Commission" means the Texas Workforce  
1-16 [~~Employment~~] Commission.

1-17 (3) "Delivery of newspapers" means the distribution of  
1-18 newspapers on or the maintenance of a newspaper route. The term  
1-19 does not include direct sales of newspapers to the general public.

1-20 SECTION 2. Section 51.003, Labor Code, is amended to read as  
1-21 follows:

1-22 Sec. 51.003. GENERAL EXEMPTIONS. (a) This chapter does not  
1-23 apply to employment of a child:

1-24 (1) employed [~~in a~~]:

1-25 (A) in a nonhazardous occupation;

1-26 (B) under the direct supervision of the child's  
1-27 parent or an adult having custody of the child; and

1-28 (C) in a business or enterprise owned or operated  
1-29 by the parent or custodian;

1-30 (2) 11 years or older engaged in delivery of  
1-31 newspapers to the consumer;

1-32 (3) participating in a school-supervised and  
1-33 school-administered work-study program approved by the commission;

1-34 (4) employed in agriculture during a period when the  
1-35 child is not legally required to be attending school;

1-36 (5) employed through a rehabilitation program  
1-37 supervised by a county judge; or

1-38 (6) engaged in nonhazardous casual employment that  
1-39 will not endanger the safety, health, or well-being of the child and  
1-40 to which the parent or adult having custody of the child has  
1-41 consented.

1-42 (b) In this section, "employment in agriculture" means  
1-43 engaged in producing crops or livestock and includes:

1-44 (1) cultivating and tilling the soil;

1-45 (2) producing, cultivating, growing, and harvesting  
1-46 an agricultural or horticultural commodity;

1-47 (3) dairying; and

1-48 (4) raising livestock, bees, fur-bearing animals, or  
1-49 poultry.

1-50 (c) For the purposes of Subsection (a)(6), the commission by  
1-51 rule may define nonhazardous casual employment that the commission  
1-52 determines is dangerous to the safety, health, or well-being of a  
1-53 child.

1-54 SECTION 3. This Act takes effect immediately if it receives  
1-55 a vote of two-thirds of all the members elected to each house, as  
1-56 provided by Section 39, Article III, Texas Constitution. If this  
1-57 Act does not receive the vote necessary for immediate effect, this  
1-58 Act takes effect September 1, 2005.

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