

By: Bowers, Allen, Beckley, et al.

H.B. No. 1855

Substitute the following for H.B. No. 1855:

By: Romero, Jr.

C.S.H.B. No. 1855

A BILL TO BE ENTITLED

AN ACT

relating to restrictions on hours of employment for children;
creating criminal offenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 51.013, Labor Code, is
amended to read as follows:

Sec. 51.013. HOURS OF EMPLOYMENT; HARDSHIP EXEMPTION;
FAMILY EMPLOYMENT EXEMPTION.

SECTION 2. Section 51.013, Labor Code, is amended by
amending Subsections (a), (b), and (c) and adding Subsections
(a-1), (b-1), and (e) to read as follows:

(a) A person commits an offense if the person permits a
child who is 14 or 15 years of age and who is employed by the person
to work more than:

(1) eight hours in one day; ~~[or]~~

(2) 48 hours in one week; or

(3) five days in one week.

(a-1) A person commits an offense if the person permits a
child who is 16 years of age and who is employed by the person to
work more than:

(1) 10 hours in one day;

(2) 54 hours in one week; or

(3) six days in one week.

(b) A person commits an offense if the person permits a

child who is 14 or 15 years of age, is employed by the person, and is enrolled in a term of a public or private school to work:

(1) between the hours of 7 ~~[10]~~ p.m. and 6 ~~[5]~~ a.m. on a day that is followed by a school day; or

(2) between the hours of 11 p.m. ~~[midnight]~~ and 6 ~~[5]~~ a.m. on a day that is not followed by a school day.

(b-1) A person commits an offense if the person permits a child who is 16 years of age, is employed by the person, and is enrolled in a term of a public or private school to work between the hours of 11 p.m. and 6 a.m. on a day that is followed by a school day.

(c) A person commits an offense if the person permits a child who is 14 or 15 years of age, is employed by the person, and is not enrolled in summer school to work between the hours of 11 p.m. ~~[midnight]~~ and 6 ~~[5]~~ a.m. on any day during the time that school is recessed for the summer.

(e) This section does not apply if:

(1) the child is a member of the person's family or household, as those terms are defined by Chapter 71, Family Code; and

(2) the person employs not more than 50 employees, including the child.

SECTION 3. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For

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1 purposes of this section, an offense was committed before the
2 effective date of this Act if any element of the offense occurred
3 before that date.

4 SECTION 4. This Act takes effect September 1, 2019.