

By Senator Burgess

23-00392B-24

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A bill to be entitled
An act relating to the employment of minors; amending
s. 450.081, F.S.; removing certain employment
restrictions for minors 16 and 17 years of age;
revising the age at which certain employment
restrictions apply; authorizing the Department of
Business and Professional Regulation to grant waivers
of certain employment restrictions; specifying
applicable penalties for noncompliant employers;
making technical changes; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 450.081, Florida Statutes, is amended to
read:

450.081 Hours of work in certain occupations.—

(1) (a) Minors 15 years of age or younger may ~~shall~~ not be
employed, permitted, or suffered to work:

1. Before 7 a.m. or after 7 p.m. when school is scheduled
the following day. ~~Or~~

2. For more than 15 hours in any one week when school is in
session.

(b) On any school day, minors 15 years of age or younger
who are not enrolled in a career education program may ~~shall~~ not
be gainfully employed for more than 3 hours, unless there is no
session of school the following day.

(c) ~~(b)~~ During holidays and summer vacations, minors 15
years of age or younger may ~~shall~~ not be employed, permitted, or
suffered to work before 7 a.m. or after 9 p.m., for more than 8

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hours in any one day, or for more than 40 hours in any one week.

(2) (a) Minors 16 and 17 years of age may ~~shall~~ not be employed, permitted, or suffered to work:

1. Before 5:30 a.m. ~~6:30 a.m.~~ or after 12 a.m. ~~11:00 p.m.~~ when school is scheduled the following day. ~~or~~

2. For more than 8 hours in any one day when school is scheduled the following day, except when the day of work is on a holiday or Sunday.

3. For more than 30 hours in any one week when school is in session, ~~minors 16 and 17 years of age shall not work more than 30 hours in any one week.~~

(b) On any school day, minors 16 and 17 years of age who are not enrolled in a career education program may ~~shall~~ not be gainfully employed during school hours.

(3) Minors 15 ~~17~~ years of age or younger may ~~shall~~ not be employed, permitted, or suffered to work in any gainful occupation for more than 6 consecutive days in any one week.

(4) Minors 15 ~~17~~ years of age or younger may ~~shall~~ not be employed, permitted, or suffered to work for more than 4 hours continuously without an interval of at least 30 minutes for a meal period; and for the purposes of this law, a ~~no~~ period of less than 30 minutes is not ~~shall be~~ deemed to interrupt a continuous period of work.

(5) ~~The provisions of Subsections (1)-(4) do~~ shall not apply to:

(a) Minors 16 and 17 years of age who have graduated from high school or received a high school equivalency diploma.

(b) Minors who are within the compulsory school attendance age limit and who hold a valid certificate of exemption issued

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by the school superintendent or his or her designee pursuant to
~~the provisions of s. 1003.21(3).~~

(c) Minors enrolled in an a public educational institution
who qualify on a hardship basis, such as economic necessity or
family emergency. ~~Such determination shall be made by~~ The school
superintendent or his or her designee shall make such
determination and issue, ~~and a waiver of hours shall be issued~~
to the minor and the employer. The form and contents thereof
shall be prescribed by the department.

(d) Minors 16 and 17 years of age who are in a home
education program or are enrolled in an approved virtual
instruction program in which the minor is separated from the
teacher by time only.

(e) Minors ~~Children~~ in domestic service in private homes,
minors ~~children~~ employed by their parents, or pages in the
Florida Legislature.

(6) The department may grant a waiver of the restrictions
imposed by this section pursuant to s. 450.095.

~~(7)-(6)~~ The presence of a any minor in any place of
employment during working hours is ~~shall be~~ prima facie evidence
of his or her employment therein.

(8) An employer who requires, schedules, or otherwise
causes a minor to be employed, permitted, or suffered to work in
violation of this section commits a violation of the law,
punishable as provided in s. 450.141.

Section 2. This act shall take effect July 1, 2024.