



State of Wisconsin
2017 - 2018 LEGISLATURE

LRBs0125/1
MED:kjf

**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 420**

October 10, 2017 - Offered by Senator MARKLEIN.

1 **AN ACT** *to repeal* 103.71 (2) (b) 4. and 103.71 (3); *to amend* 103.67 (2) (g); and
2 *to create* 103.70 (2) (d) of the statutes; **relating to:** employment of a minor in
3 a parent's or guardian's business, trade, or profession.

Analysis by the Legislative Reference Bureau

This substitute amendment allows a minor of any age to be employed without a permit in connection with a parent's or guardian's business, trade, or profession.

Current law prohibits a minor under 14 years of age from being employed or permitted to work in any gainful occupation at any time, subject to certain exceptions that allow such a minor to be employed or permitted to work, to the extent permitted under the federal Fair Labor Standards Act. Under one such exception, a minor 12 years of age or older may be employed under the direct supervision of the minor's parent or guardian in connection with the parent's or guardian's business, trade, or profession, if that employment is not otherwise prohibited based on the nature of the employment or the hours or time of day of the employment. Subject to certain exceptions, current law also prohibits a minor from being employed or permitted to work at any employment unless the minor's employer obtains a written permit authorizing the employment of the minor. Such permits are issued by the Department of Workforce Development or by certain other permit officers designated by DWD. Current law provides that a permit may not be issued for a minor described above unless DWD or a permit officer is satisfied that the employment is not injurious or detrimental to the minor's education, health, safety, or welfare.

This substitute amendment allows a minor of any age to be employed under the direct supervision of the minor's parent or guardian in connection with the parent's or guardian's business, trade, or profession, subject to the same exceptions for the nature of the employment or the hours or time of day of the employment. The substitute amendment also allows such a minor to be employed without needing to obtain a permit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 103.67 (2) (g) of the statutes is amended to read:

2 103.67 (2) (g) Unless prohibited under s. 103.65, minors ~~12 years of~~ any age ~~or~~
3 ~~older~~ may be employed under the direct supervision of the minor's parent or
4 guardian in connection with the parent's or guardian's business, trade, or profession.

5 **SECTION 2.** 103.70 (2) (d) of the statutes is created to read:

6 103.70 (2) (d) A minor of any age may be employed without a permit in the
7 business, trade, or profession of the minor's parent or guardian as provided in s.
8 103.67 (2) (g).

9 **SECTION 3.** 103.71 (2) (b) 4. of the statutes is repealed.

10 **SECTION 4.** 103.71 (3) of the statutes is repealed.

11 **(END)**