

HOUSE OF REPRESENTATIVES

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM  
2024 REGULAR SESSION  
**Unofficial Document**

Amend printed copy of **SB 369/GA**

On page 34, after line 9, insert the following:

"➔SECTION 4. A NEW SECTION OF KRS 339.220 TO 339.450 IS CREATED TO READ AS FOLLOWS:

**(1) Except as provided in subsection (2) of this section, a person under eighteen (18) years of age shall not work in a gainful occupation that is:**

**(a) Identified in 29 C.F.R. secs. 570.51 to 570.68 as an occupation that is particularly hazardous for persons under the age of eighteen (18) years of age;**

**(b) In, about, or in connection with any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, sold for consumption, or dispensed unless permitted by the administrative regulations of the Alcoholic Beverage Control Board, except that he or she may be employed in places where the sale of alcoholic beverages by the package is merely incidental to the main business conducted;**

**(c) In a pool or billiard room; or**

**(d) In an electrical trade, other than nonhazardous tasks such as pulling wire, setting boxes, or bending conduit.**

**(2) A person who is sixteen (16) or seventeen (17) years of age may be employed in a gainful occupation listed in subsection (1) of this section if he or she is:**

Amendment No. HFA 4

Rep. Rep. Mark Hart

Committee Amendment \_\_\_\_\_

Signed:  \_\_\_\_\_

Floor Amendment \_\_\_\_\_

LRD Drafter: \_\_\_\_\_

Adopted: \_\_\_\_\_

Date: \_\_\_\_\_

Rejected: \_\_\_\_\_

Doc. ID: XXXX

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- (a) Enrolled in an apprenticeship in accordance with the provisions of 29 C.F.R. sec. 570.50(b) that is registered with the Bureau of Apprenticeship and Training of the United States Department of Labor or the Kentucky Office of Employer and Apprenticeship Services; or
- (b) Enrolled in a student-learner program in accordance with the provisions of 29 C.F.R. sec. 570.50(c).
- (3) A person under fourteen (14) or fifteen (15) years of age shall not be employed in any of the following gainful occupations:

  - (a) Any occupation listed in subsection (1) of this section; or
  - (b) Any occupation that is identified in 29 C.F.R. sec. 570.33 as an occupation that constitutes oppressive child labor.

➔SECTION 5. A NEW SECTION OF KRS 339.220 TO 339.450 IS CREATED TO READ AS FOLLOWS:

- (1) Except as provided in subsection (2) of this section, a person under fourteen (14) or fifteen (15) years of age shall not be employed in a gainful occupation unless it occurs:

  - (a) Outside of school hours;
  - (b) For not more than forty (40) hours in any week when school is not in session;
  - (c) For not more than eighteen (18) hours in any week when school is in session;
  - (d) For not more than eight (8) hours in any day when school is not in session;
  - (e) For not more than three (3) hours in any day when school is in session, including Fridays; and
  - (f) Between 7 a.m. and 7 p.m., except from June 1 to Labor Day when the evening hour shall be extended to 9 p.m.
- (2) A person who is under fourteen (14) or fifteen (15) years of age may be employed in a gainful occupation during school hours and in excess of the time restrictions set forth in

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subsection (1) of this section if he or she:

(a) Is enrolled in and employed pursuant to a school-supervised and school-administered work experience and career exploration program in accordance with the provisions of 29 C.F.R. sec. 570.36;

(b) Is enrolled in and employed pursuant to a school-supervised and school-administered work-study program in accordance with the provisions of 29 C.F.R. sec. 570.37;

(c) Has graduated from high school;

(d) Has been excused from compulsory school attendance once he or she has completed the eighth grade, and his or her employment complies with the requirements of school attendance laws;

(e) Has a child to support and an appropriate official, pursuant to state law, has waived compulsory school attendance requirements for the person;

(f) Is subject to an order of a state or federal court prohibiting him or her from attending school; or

(g) Has been permanently expelled from the local public school he or she would normally attend, unless he or she is required, by state or local law or ordinance, or by court order, to attend another school.

(3) Except as provided in subsection (4) of this section, a person who is sixteen (16) or seventeen (17) years of age shall not be employed in a gainful occupation between the hours of 11 p.m. to 6 a.m. preceding a school day.

(4) A person who is sixteen (16) or seventeen (17) years of age may be employed in a gainful occupation between the hours of 11 p.m. to 6 a.m. preceding a school day if he or she:

(a) Is enrolled in and employed pursuant to a school-supervised and school-administered work experience and career exploration program in accordance with

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the provisions of 29 C.F.R. sec. 570.36;

- (b) Is enrolled in and employed pursuant to a school-supervised and school-administered work-study program in accordance with the provisions of 29 C.F.R. sec. 570.37;
- (c) Has graduated from high school;
- (d) Has been excused from compulsory school attendance once he or she has completed the eighth grade, and his or her employment complies with the requirements of school attendance laws;
- (e) Has a child to support and an appropriate official, pursuant to state law, has waived compulsory school attendance requirements for the person;
- (f) Is subject to an order of a state or federal court prohibiting him or her from attending school; or
- (g) Has been permanently expelled from the local public school he or she would normally attend, unless he or she is required, by state or local law or ordinance, or by court order, to attend another school.

→Section 6. KRS 338.062 is amended to read as follows:

After July 1, 2021, neither the Kentucky Occupational Safety and Health Standards Board nor the secretary shall adopt, ~~or~~ promulgate, or enforce any occupational safety and health administrative regulation that is more stringent than the corresponding federal provision enforced by the United States Department of Labor under the Occupational Safety and Health Act of 1970. Whereas the Occupational Safety and Health Act of 1970 does not apply to public employees, the cabinet shall retain the authority to promulgate and enforce, as necessary, administrative regulations pertaining to public employees.

→Section 7. The following KRS section is repealed:

339.230 Restrictions on employment of minor between fourteen and eighteen.

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➔Section 8. The commissioner of the Department of Workplace Standards shall repeal 803 KAR 1:100 upon the effective date of this Act."