AN ACT to repeal 103.19, 103.70 (2) (c) and 103.71 (1) (a) and (b); to renumber and amend 103.71 (1) (intro.); to amend 20.445 (1) (gk), 102.60 (1m) (c), 103.005 (14) (a), 103.25 (1), 103.25 (3), 103.27 (2), 103.28 (2), 103.64 (3), 103.70 (1), 103.70 (2) (a), 103.70 (2) (b) (intro.), 103.73 (3), 103.74 (intro.), 103.74 (1), 103.75 (1), 103.76, 103.80 (2), 103.805 (2), 103.81 (1), 103.81 (2), 118.56 (3) (a), 120.13 (34) and 948.015 (1); to repeal and recreate 103.20; and to create 103.81 (2m) of the statutes; relating to: child labor permits and modifying references to child labor in the statutes.

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

SECTION 1. 20.445 (1) (gk) of the statutes is amended to read: 20.445 (1) (gk) Child labor permit Permit system for employment of minors; fees. The amounts in the schedule to fund the cost of the department’s information technology systems, including the department’s child labor permit system for the employment of minors, and to fund other operational expenses of the division of equal rights in the department. All moneys received from fees collected under s. 103.805 (1) shall be credited to this appropriation account.

SECTION 1m. 102.60 (1m) (c) of the statutes is amended to read: 102.60 (1m) (c) An amount equal to double the amount recoverable by the injured employee, but not to exceed $15,000, if the injured employee is a minor of permit age or older and at the time of the injury is employed, required, suffered, or permitted to work at prohibited employment.

SECTION 2. 103.005 (14) (a) of the statutes is amended to read: 103.005 (14) (a) The department shall administer and enforce, so far as not except where otherwise provided for in the statutes, the laws relating to child labor, employment, and employment offices and all other laws relating to the regulation of employment.

SECTION 3. 103.19 of the statutes is repealed.

SECTION 4. 103.20 of the statutes is repealed and recreated to read: 103.20 Penalty. Any person who violates s. 103.15 (2) or (3), 103.17, or 103.18 shall be fined not more than $100.

SECTION 5. 103.25 (1) of the statutes is amended to read: 103.25 (1) A minor under 16 years of age shall not be employed or permitted to work at any street trade unless the minor’s employer first obtains from the department or a permit officer a street trade permit and the minor first obtains an identification card, both issued in accordance with this section.

SECTION 6. 103.25 (3) of the statutes is amended to read: 103.25 (3) The form and requisites of street trade permits shall be the same as those specified for child labor permits in authorizing the employment of minors under
s. 103.73, except as provided in sub. (3m) and except that the
permits may be issued on special street trade permit
forms, in a form determined by the department. Each
minor for whom a street trade permit is issued shall be
provided by the department or the permit officer issuing
the permit with a street trade identification card, in a form
determined by the department. The minor shall carry the
identification card while engaged in street trade employ-
ment and shall may not transfer it to any other person.

**SECTION 7.** 103.27 (2) of the statutes is amended to read:

103.27 (2) Every employer shall receive and file a
street trade permit authorizing employment of each minor under 16 years of age by him or her the employer
before the minor is permitted to work; and shall keep the
permit on file and allow inspection of the permit at any
time by the department or any police or school attendance
officer.

**SECTION 8.** 103.28 (2) of the statutes is amended to read:

103.28 (2) The failure of an employer to produce for
inspection by the department or any school attendance
person of age designated by the department to issue child labor
permits authorizing the employment of minors.

**SECTION 9.** 103.64 (3) of the statutes is amended to read:

103.64 (3) “Permit officer” shall mean any means a
person designated by the department to issue child labor
permits authorizing the employment of minors.

**SECTION 10.** 103.70 (1) of the statutes is amended to read:

103.70 (1) Except as otherwise provided in sub. (2)
and in ss. 103.21 to 103.31, 103.78, 938.245 (2) (a) 5. b.,
938.32 (1t) (a) 2., and 938.34 (5) (b) and (5g) (c), and as
may be provided under s. 103.79, a minor under 16 years
of age may not be employed or permitted to work at any
gainful occupation or employment, unless employed
under an apprentice contract under s. 106.01, unless 12
years and over and engaged in farming, unless 14 years
and over and enrolled in a youth apprenticeship program
under s. 106.13, or unless there is first obtained from the
department or a permit officer a written permit author-
izing the employment of the minor within those periods
time stated in the permit, which may not exceed the
maximum hours prescribed by law.

**SECTION 11.** 103.70 (2) (a) of the statutes is amended to read:

103.70 (2) (a) A minor under 16 years of age may be
employed without a permit in or around a home in work
usual to the home of the employer, if the work is not in
connection with or a part of the business, trade, or profes-
sion of the employer; is in accordance with the minimum
age stated in s. 103.67 (2) (f); and is not specifically pro-
hibited by ss. 103.64 to 103.82 or by an order of the
department.
as to any act or thing occurring subsequent to the date the certificate was issued.

**Section 20.** 103.76 of the statutes is amended to read:

103.76 Proof of age in court. Whenever in any proceeding in any court under any of the labor laws or under ch. 102 there is any doubt of the age of a minor or as to whether an individual is a minor, a duly issued child labor permit authorizing the employment of the minor issued under s. 103.70 or an age certificate issued under s. 103.75 shall be conclusive evidence. In the absence of such permit or certificate, a duly attested birth certificate, a verified baptismal certificate, a valid operator’s license issued under ch. 343 that contains the photograph of the license holder, or an identification card issued under s. 343.50 shall be produced and filed with the court. Upon proof that the birth certificate, baptismal certificate, operator’s license or identification card cannot be secured, the record of age stated in the first school enrollment of the child shall be admissible as evidence of the minor’s age.

**Section 21.** 103.80 (2) of the statutes is amended to read:

103.80 (2) The failure of any employer to produce for inspection to by the department, or school attendance officers, the a permit provided for in required for a minor under 16 years of age under s. 103.70 shall be prima facie evidence of unlawful employment of the minor. The presence of any minor in any factory, workshop or other place of employment shall be prima facie evidence of the employment of the minor.

**Section 21m.** 103.805 (2) of the statutes is amended to read:

103.805 (2) The fee for issuance of permits and certificates of age shall be paid by the employer, but when the minor individual for whom the permit or certificate is issued advances the fee to the permit officer, the minor individual shall be reimbursed by the minor’s employer not later than at the end of the minor’s his or her first pay period.

**Section 22.** 103.81 (1) of the statutes is amended to read:

103.81 (1) During Except as provided in sub. (2m), during the term that the public schools are in session, a person shall not advertise or cause or permit any advertisement to be published in any newspaper for the labor or services of any minor during school hours in any employment for which a child labor permit is required under s. 103.70 which does not specifically state the minimum age of the minor whose services are desired, which age must be 18 years or over.

**Section 23.** 103.81 (2) of the statutes is amended to read:

103.81 (2) A Except as provided in sub. (2m), a person shall not solicit in the schools or homes of this state, minors of permit age to leave school and enter their employment, if a child labor permit is required for that employment by s. 103.70.

**Section 24.** 103.81 (2m) of the statutes is created to read:

103.81 (2m) Subsections (1) and (2) do not apply with respect to any of the following:

(a) Employment as an election inspector as provided in s. 7.30 (2) (am).

(b) Employment during school hours when permitted under s. 103.67.

(c) Employment described under s. 103.70 (2).

(d) Employment described under s. 103.78.

**Section 25.** 118.56 (3) (a) of the statutes is amended to read:

118.56 (3) (a) Comply with state child labor laws relating to the employment of minors and any applicable federal labor law requirements for age and immigration status.

**Section 26.** 120.13 (34) of the statutes is amended to read:

120.13 (34) STREET TRADE AND CHILD LABOR MINOR EMPLOYMENT PERMIT OFFICER. Act as permit officer if designated under ss. 103.245 (1) (a) and 103.695 (1) (a).

**Section 27.** 948.015 (1) of the statutes is amended to read:

948.015 (1) Sections 103.19 to 103.32 relating to the employment of minors.

**Section 27m. Initial applicability.**

(1m) The treatment of section 102.60 (1m) (c) of the statutes first applies to an injury or death occurring on the effective date of this subsection.