

"AN ACT TO ALLOW FOR THE EMPLOYMENT OF CHILDREN IN THE ENTERTAINMENT INDUSTRY; TO ESTABLISH CONDITIONS FOR THE EMPLOYMENT OF CHILDREN IN THE ENTERTAINMENT INDUSTRY; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. LEGISLATIVE FINDINGS AND PURPOSE. The General Assembly finds that the employment of minor children in the entertainment industry is necessary to create realistic theatrical, motion picture, radio and television productions and to promote industry and economic growth.

The purpose of this Act is to provide minor children and the community with opportunities in the entertainment industry not heretofore provided.

SECTION 2. DEFINITIONS. As used in this Act: (A) "Director" means the Director of the Arkansas Department of Labor.

(B) "Entertainment industry" means any individual, partnership, corporation, association, or group of persons using the services of a child under sixteen (16) years of age in: motion picture productions, television or radio productions, theatrical productions, modeling productions, horse shows, rodeos, and musical performances.

(C) "Employ" means to use the services of an individual in any remunerative occupation.

SECTION 3. EMPLOYMENT. A child under sixteen (16) years of age may be employed in the entertainment industry and the provisions of Initiated Measure No. 1 of 1914, as amended, the same being Arkansas Statutes Annotated 81-701 to 81-714, with respect to child labor shall not be applicable to the employment of child actors as authorized herein. Provided that no child under sixteen (16) years of age may be employed in the entertainment industry:

(A) In a role or in an environment deemed to be hazardous or detrimental to the health, morals, education, or welfare of the child by the Director of the Arkansas Department of Labor;

(B) Where the child is required to use a dressing room which is simultaneously occupied by an adult, or by other children of the opposite sex;

(C) Where the child is not provided with a suitable place to rest or play;

(D) Where the parent or guardian of the child is prevented from being present at the scene of employment during all the times the child is working;

(E) Where the parent or guardian of the child is prevented from being within sight and sound of the child;

(F) Without a permit issued by the Director and the written consent of the child's parent or guardian for the issuance of the permit.

SECTION 4. POWERS OF THE DIRECTOR OF LABOR. The Director shall have the authority to:

(A) promulgate rules and regulations for the implementation of this Act;

(B) suspend or revoke a permit for the employment of a child in the entertainment industry for cause; and

(C) enter or authorize his representative to enter and inspect any place of employment where children work, rest, or play.

(D) otherwise enforce and implement the provisions of this Act.

SECTION 5. ENFORCEMENT AND PENALTIES. (A) Any person who violates a provision of this Act or a lawful regulation promulgated thereunder shall be liable for a civil penalty not to exceed one thousand dollars for each separate violation. Each day such violation continues shall be deemed a separate offense.

(B) Any person who willfully or intentionally violates the provisions of this Act or a lawful regulation promulgated thereunder is guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed one thousand dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment. Each day such violation continues shall be deemed a separate offense.

SECTION 6. GENERAL REPEALER. All laws or parts of laws in conflict with this Act are hereby repealed.

SECTION 7. EMERGENCY. It is hereby found and determined by the General Assembly that there is an immediate need to allow for the employment of children in the entertainment industry and to establish conditions for their employment. therefore, an emergency is declared to exist, and this Act being necessary for immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

APPROVED: 4/4/87

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