

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

SENATE BILL 390

5 By: Senator C. Penzo  
6 By: Representative Burkes  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW REGARDING CHILD LABOR; TO  
10 INCREASE THE AMOUNT OF CIVIL PENALTIES FOR  
11 VIOLATIONS; TO EXTEND THE TIME FOR ASSESSMENTS OF  
12 CIVIL PENALTIES BY THE DIRECTOR OF THE DIVISION OF  
13 LABOR; TO ESTABLISH CRIMINAL PENALTIES; AND FOR OTHER  
14 PURPOSES.

## Subtitle

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18 TO INCREASE THE AMOUNT OF CIVIL PENALTIES  
19 FOR CHILD LABOR VIOLATIONS; TO EXTEND THE  
20 TIME FOR ASSESSMENTS OF CIVIL PENALTIES  
21 BY THE DIRECTOR OF THE DIVISION OF LABOR;  
22 AND TO ESTABLISH CRIMINAL PENALTIES.  
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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27 SECTION 1. Arkansas Code § 11-6-103(a)(1), concerning the civil  
28 penalty related to child labor violations, is amended to read as follows:

29 (a)(1) Any person, firm, corporation, partnership, association,  
30 parent, guardian, or custodian who employs or permits or suffers any child to  
31 be employed or to work in violation of this subchapter or §§ 11-12-101 – 11-  
32 12-105, or any rules issued thereunder, shall be subject to a civil penalty  
33 of not less than fifty dollars (\$50.00) and not more than ~~one~~ five thousand  
34 dollars ~~(\$1,000)~~ (\$5,000) for each violation.  
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36 SECTION 2. Arkansas Code § 11-6-103(f), concerning the length of time



1 for the assessment of a civil penalty related to child labor violations, is  
2 amended to read as follows:

3 (f) Assessment of a civil penalty by the director shall be made no  
4 later than ~~two (2)~~ three (3) years from the date of the occurrence of the  
5 violation.

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7 SECTION 3. Arkansas Code § 11-6-103, concerning the penalties and  
8 disposition of fines related to child labor violations, is amended to add  
9 additional subsections to read as follows:

10 (h)(1) In addition to the civil penalties provided for in subsection  
11 (a) of this section, a person, firm, corporation, partnership, association,  
12 parent, guardian, or custodian who violates this subchapter is, upon  
13 conviction, guilty of a Class C misdemeanor.

14 (2) Upon a second or subsequent conviction, the employer is  
15 guilty of a Class B misdemeanor.

16 (i)(1) In addition to the civil penalties provided for in subsection  
17 (a) of this section and the criminal penalties provided for in subsection (h)  
18 of this section, a person, firm, corporation, partnership, association,  
19 parent, guardian, or custodian who violates this subchapter and the violation  
20 results in a serious physical injury to or death of a minor is, upon  
21 conviction, guilty of a Class A misdemeanor.

22 (2) Upon a second or subsequent conviction, the employer is  
23 guilty of a Class C felony.

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