

## **BILL ANALYSIS**

Senate Research Center

H.B. 160  
By: Wise (Zaffirini)  
Human Services  
5/13/1999  
Engrossed

### **DIGEST**

Currently, Texas law imposes restrictions on the age at which a child may be employed, the hours a child may be employed, and the type of work a child may be employed to perform. Certain businesses, such as those engaged in sales, target minors for use as sales representatives. H.B. 160 would set forth provisions to regulate certain sales or solicitations made by children, and would provide a certain penalty for an offense under this section.

### **PURPOSE**

As proposed, H.B. 160 sets forth provisions regulating certain sales or solicitations made by children.

### **RULEMAKING AUTHORITY**

Rulemaking authority is granted to the Texas Workforce Commission in SECTION 1 (Section 51.0145(d), Labor Code) of this bill.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 51B, Labor Code, by adding Section 51.0145, as follows:

Sec. 51.0145. USE OF CHILD FOR SALES AND SOLICITATION. Defines "exempt organization" and "solicit." Provides that the employment of a child to solicit is a hazardous occupation for the purposes of this chapter. Prohibits a person from employing a child unless certain conditions exist. Authorizes the Texas Workforce Commission, by rule, to make additional requirements for a person employing a child to protect the child's safety, health, or well-being. Specifies that this section does not apply to an exempt organization or a business owned or operated by a parent, conservator, guardian, or other person who has possession of the child under a court order. Provides that a person commits an offense if the person employs a child in violation of a rule adopted under this section.

SECTION 2. Amends Section 51.031, Labor Code, to provide that an offense under Section 51.0145 is a Class A misdemeanor.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.