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1 AN ACT concerning employment.

2 Be it enacted by the People of the State of Illinois,

3 represented in the General Assembly:

4 Section 5. The Child Labor Law is amended by adding Section

5 12.5 as follows:

6 (820 ILCS 205/12.5 new)

7 Sec. 12.5. Child performers; trust fund.

8 (a) In this Section:

9 "Artistic or creative services" includes, but is not

10 limited to, services as: an actor, actress, dancer, musician,

11 comedian, singer, stunt person, voice-over artist, runway or

12 print model, other performer or entertainer, songwriter,

13 musical producer, arranger, writer, director, producer,

14 production executive, choreographer, composer, conductor, or

15 designer.

16 "Child performer" means an unemancipated person under the

17 age of 16 who is employed in this State and who agrees to

18 render artistic or creative services.

19 (b) In addition to the requirements of Section 12, the

20 person authorized to issue employment certificates must

21 determine that a trust account, established by the child

22 performer's parent or guardian, that meets the requirements of

23 subsection (c) has been established designating the minor as

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1 the beneficiary of the trust account before an employment

2 certificate for work as a child performer may be issued for a

3 minor under the age of 16 years. The person authorized to issue

4 employment certificates shall issue a temporary employment

5 certificate having a duration of not more than 15 days without

6 the establishment of a trust fund to permit a minor to provide

7 artistic or creative services. No more than one temporary

8 employment certificate may be issued for each child performer.

9 The Department of Labor shall prescribe the form in which

10 temporary employment certificates shall be issued and shall

11 make the forms available on its website.

12 (c) A trust account subject to this Section must provide,

13 at a minimum, the following:

14 (1) that at least 15% of the gross earnings of the

15 child performer shall be deposited into the account;

16 (2) that the funds in the account shall be available

17 only to the child performer;

18 (3) that the account shall be held by a bank, corporate

19 fiduciary, or trust company, as those terms are defined in

20 the Corporate Fiduciary Act;

21 (4) that the funds in the account shall become

22 available to the child performer upon the child performer

23 attaining the age of 18 years or until the child performer

24 is declared emancipated; and

25 (5) that the account meets the requirements of the

26 Illinois Uniform Transfers to Minors Act.

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1 (d) The parent or guardian of the child performer shall
2 provide the employer with the information necessary to transfer
3 moneys into the trust account. Once the child performer's
4 employer deposits the money into the trust account, the child
5 performer's employer shall have no further obligation or duty
6 to monitor or account for the money. The trustee or trustees of
7 the trust shall be the only individual, individuals, entity, or
8 entities with the obligation or duty to monitor and account for
9 money once it has been deposited by the child performer's
10 employer.

11 (e) If the parent or guardian of the child performer fails
12 to provide the employer with the information necessary to
13 transfer funds into the trust account within 30 days after an
14 employment certificate has been issued, the funds that were to
15 be transferred to the trust account shall be transferred to the
16 Office of the State Treasurer in accordance with Section 15-608
17 of the Revised Uniform Unclaimed Property Act.

18 (f) This Section does not apply to an employer of a child
19 performer employed to perform services as an extra, services as
20 a background performer, or services in a similar capacity.

21 (g) The Department of Labor may adopt rules to implement
22 this Section.

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