

P.L. 2025, CHAPTER 355, *approved January 20, 2026*
Assembly, No. 4302 (*Second Reprint*)

1 **AN ACT** concerning compensation for minors of family vloggers
2 and amending and supplementing P.L.1940, c.153.
3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*
6
7 1. Section 1 of P.L.1940, c.153 (C.34:2-21.1) is amended to read
8 as follows:
9 1. (a) (Deleted by amendment, P.L.2022, c.63.)
10 (b) (Deleted by amendment, P.L.2022, c.63.)
11 (c) (Deleted by amendment, P.L.2022, c.63.)
12 (d) "School district" means any geographical area having authority
13 over the public schools within that area.
14 (e) "Agriculture" includes farming in all its branches and among
15 other things includes the cultivation and tillage of the soil, dairying,
16 the production, cultivation, growing, and harvesting of any agricultural
17 or horticultural commodities (including commodities defined as
18 agricultural commodities in subsection (g) of section 15 of the
19 Agricultural Marketing Act, 46 Stat. 11 (12 U.S.C. s. 141 et seq.), as
20 amended), the planting, transplanting and care of trees and shrubs and
21 plants, the raising of livestock, bees, fur-bearing animals or poultry,
22 and any practices (including any forestry or lumbering operations)
23 performed by a farmer or on a farm as an incident to or in conjunction
24 with such farming operations, including preparation for market,
25 delivery to storage or to market or to carriers for transportation to
26 market, provided that such practices shall be performed in connection
27 with the handling of agricultural or horticultural commodities the
28 major portion of which have been produced upon the premises of an
29 owning or leasing employer.
30 (f) "Newspaper carrier" means any minor between 12 and 18 years
31 of age who engages in the occupation of delivering, soliciting, selling
32 and collecting for, newspapers outside of school hours on residential
33 routes.
34 (g) "Restaurant" means any establishment or business primarily
35 engaged in the preparation and serving of meals or refreshments, both
36 food and drink, and shall include but not be limited to the following:

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
Matter enclosed in superscript numerals has been adopted as follows:
¹Assembly AST committee amendments adopted April 10, 2025.
²Senate SBA committee amendments adopted January 8, 2026.

1 dining establishments, catering establishments, industrial caterers, and
2 drive-in restaurants.

3 (h) "Theatrical production" means and includes stage, motion
4 picture and television performances and rehearsals therefor.

5 (i) "Seasonal amusement" means any exclusively recreational or
6 amusement establishment or business which does not operate more
7 than seven months in any calendar year or which has received during
8 any consecutive six months of the preceding calendar year average
9 receipts equal to or less than 33 1/3% percent of its average receipts
10 for the other six months of that year. "Seasonal amusement" includes
11 but is not limited to amusement rides and amusement device ticket
12 sales, and operations of games. However, "seasonal amusement" does
13 not include retail, eating or drinking concessions, camps, beach and
14 swimming facilities, movie theatres, theatrical productions, athletic
15 events, professional entertainment, pool and billiard parlors, circuses
16 and outdoor shows, sport activities or centers, country club athletic
17 facilities, bowling alleys, race tracks and like facilities which are not
18 part of a diversified amusement enterprise.

19 "Commissioner" means the Commissioner of Labor and
20 Workforce Development.

21 "Department" means the Department of Labor and Workforce
22 Development.

23 "Caregiver" means a person over 18 years of age who is the
24 biological parent, adoptive parent, foster parent, resource family
25 parent, step-parent, parent-in-law or legal guardian, having a "parent-
26 child relationship" with a child as defined by law, or having sole or
27 joint legal or physical custody, care, guardianship, or visitation with a
28 child, or who became the parent of the child pursuant to a valid written
29 agreement between the parent and a gestational carrier.

30 "Family member" ¹means ¹a person related by blood or marriage,
31 including civil unions and domestic partnerships, or whose close
32 relationship with each other is considered equivalent to a family
33 relationship by the individuals.

34 "Online platform" means any public-facing website, web
35 application, or digital application, including a mobile application.
36 "Online platform" includes a social network, advertising network,
37 mobile operating system, search engine, email service, or Internet
38 access service.

39 ¹"Name" means the actual or assumed name, or nickname, of a
40 living individual that is intended to identify that individual.¹

41 ²"Recreational purposes" means an activity performed not for
42 profit and for enjoyment or leisure, outside of work or business.²

43 "Vlog" means video content shared on an online platform in
44 exchange for compensation.

45 "Vlogger" means a person who creates video content for a
46 ²business or other non-recreational purpose with the intent to generate
47 income² that ²[features] employs² ¹[the] a¹ minor in exchange for

1 compensation, that is performed in the State, and includes any
 2 proprietorship, partnership, company, or other corporate entity
 3 assuming the name or identity of a particular caregiver or family
 4 'member' for the purposes of that content creation. "Vlogger" does
 5 not include any person under the age of ²~~16~~ 18² who produces that
 6 person's own vlogs ²for solely recreational purposes².
 7 (cf: P.L.2022, c.63, s.1)

8
 9 ²~~2~~. Section 2 of P.L.1940, c.153 (C.34:2-21.2) is amended to
 10 read as follows:

11 2. ~~2.~~ ~~1.~~ a. Except as provided in subsection b. of this section, no
 12 minor under 16 years of age shall be employed, permitted, or suffered
 13 to work in, about, or in connection with any gainful occupation at any
 14 time; provided, that minors between 14 and 16 years of age may be
 15 employed, permitted or suffered to work outside school hours and
 16 during school vacations but not in or for a factory or in any occupation
 17 otherwise prohibited by law or by order or regulation made in
 18 pursuance of law; and provided, further, that minors under 16 years of
 19 age may engage in professional employment in theatrical productions
 20 upon the obtaining of a permit therefor and may engage outside school
 21 hours and during school vacations in agricultural pursuits or in street
 22 trades and as newspaperboys as defined in this act, in accordance with
 23 the provisions of section 15 of this act. Minors may also engage in
 24 employment in domestic service performed outside of school hours or
 25 during school vacations, in a residence other than the minor's own
 26 home. Nothing in this act shall be construed to apply to the work of a
 27 minor engaged in domestic service or agricultural pursuits performed
 28 outside of school hours or during school vacations in connection with
 29 the minor's own home and directly for his parents or legal guardian.

30 Except as to the employment of a minor for whom a theatrical
 31 employment permit has been issued, no minor under 16 years of age
 32 not a resident of this State shall be employed, permitted or suffered to
 33 work in any occupation or service whatsoever at any time during
 34 which the law of the state of his residence required his attendance at
 35 school, or at any time during the hours when the public schools in the
 36 district in which employment in such occupation or services may be
 37 available are in session.

38 b. A minor ¹~~shall be~~ who is¹ considered to be engaged in work
 39 as a vlogger as that term is defined by section 1 of P.L.1940, c.153
 40 (C.34:2-21.1) or in the work of producing a vlog and ¹~~shall be~~ is¹
 41 subject to the provisions of sections 3 and 4 of P.L. , c. (C.)
 42 (pending before the Legislature as this bill), and whose caregiver or
 43 family member is subject to the provisions of sections 3 and 4 of
 44 P.L. , c. (C.) (pending before the Legislature as this bill), shall
 45 be exempt from the requirements of this section and section 3 of
 46 P.L.1940, c.153 (C.34:2-21.3).
 47 (cf: P.L.2022, c.63, s.2)]²

1 ²~~3.~~ ² (New section) a. A minor ²~~under the age of 16 is~~
2 ~~shall be~~² considered ²~~engaged in work as~~ employed by² a vlogger
3 ²~~and of producing a vlog~~, whether the minor is actively participating
4 in content or is passively featured in content,² when the following
5 criteria are met at any time during the previous 12-month period:

6 (1) at least 30 percent of the vlogger's compensated video content
7 produced within a 30-day period includes ²or features² the likeness,
8 name, or photograph of the minor. Content percentage is measured by
9 the percentage of time the likeness, name, or photograph of the minor
10 visually appears or is the subject of an oral narrative in a video
11 segment, as compared to the total length of the segment; and

12 (2) the number of views received per video segment on any online
13 platform meets the online platform's threshold for the generation of
14 compensation or the vlogger receives actual compensation for video
15 content equal to or greater than \$0.10 per view.

16 b. ²~~With the exception of this section and section 4 of~~
17 P.L. , c. (C.) (pending before the Legislature as this bill), the
18 provisions of P.L. , c. (C.) (pending before the Legislature as
19 this bill) do not apply to a minor engaged in work as a vlogger ¹~~and~~
20 ~~of~~ or in the work of¹ producing a vlog.

21 c. All vloggers whose content features ¹~~Any vlogger who~~
22 employs² a minor ²~~under the age of 16 engaged in~~ ¹work as a vlogger
23 or in¹ the work of producing a vlog ² shall maintain the following
24 records and shall provide them to the minor on an ongoing basis:

25 (1) the name and documentary proof of the age of the minor
26 engaged in work as a vlogger and of producing a vlog;

27 (2) the number of vlogs that generated compensation as described
28 in subsection a. of this section during the reporting period;

29 (3) the total number of minutes of the vlogs that the vlogger
30 received compensation for during the reporting period;

31 (4) the total number of minutes each minor was featured in vlogs
32 during the reporting period;

33 (5) the total compensation generated from vlogs featuring a minor
34 during the reporting period; and

35 (6) the amount deposited into the trust account for the benefit of
36 the minor engaged ¹in work as a vlogger or in¹ the work of producing
37 a vlog, as required by section ²~~4~~ ³ of P.L. , c. (C.)
38 (pending before the Legislature as this bill).

39 ²~~d.~~ ² c. ² If a vlogger ²~~whose vlog content features minors~~
40 ~~under the age of 16 engaged in work as a vlogger~~ who employs a
41 minor² fails to maintain the records as provided in subsection ²~~c.~~
42 b.² of this section, the minor may commence a civil action to enforce
43 the provisions of this section.

44 ²d. A vlogger who employs a minor and who is not the caregiver
45 or a family member of the minor shall be responsible for ensuring that
46 the employment of the minor adheres to all applicable State wage,

1 benefit, and tax laws, as defined in section 1 of P.L.2009, c.194
 2 (C.34:1A-1.11).

3 e. A vlogger who employs a minor shall be subject to all
 4 requirements pertaining to the employment of minors in P.L.1940,
 5 c.153 (C.34:2-21.1 et seq.) and all acts supplementing that act, as
 6 appropriate.²

7
 8 ²[4.] ³ (New section) a. A minor ²[satisfying the criteria
 9 described in subsection a. of]² ¹[by]¹ ²who is employed pursuant to²
 10 section ²[3] ² of P.L. , c. (C.) (pending before the
 11 Legislature as this bill), ²by a vlogger who is a family member or
 12 caregiver of the minor² shall be compensated by the vlogger ²in
 13 accordance with this section². The vlogger shall set aside gross
 14 earnings on the video content including the likeness, name, or
 15 photograph of the minor in a trust account to be preserved for the
 16 benefit of the minor upon reaching the age of majority, according to
 17 the following distribution:

18 (1) where only one minor meets the content threshold described in
 19 ¹subsection a. of¹ section ²[3] ² of P.L. , c. (C.) (pending
 20 before the Legislature as this bill), the percentage of total gross
 21 earnings on any video segment including the likeness, name, or
 22 photograph of the minor that is equal to or greater than half of the
 23 content percentage that includes the minor as described in ¹subsection
 24 a. of¹ section ²[3] ² of P.L. , c. (C.) (pending before the
 25 Legislature as this bill); or

26 (2) where more than one minor meets the content threshold
 27 described in ¹subsection a. of¹ section ²[3] ² of P.L. , c. (C.)
 28 (pending before the Legislature as this bill), and a video segment
 29 includes more than one of those minors, the percentage described in
 30 paragraph (1) of subsection a. of this section for all minors in any
 31 segment shall be equally divided between the minors, regardless of
 32 differences in percentage of content provided by the individual minors.

33 b. A trust account required under this section shall provide, at a
 34 minimum, the following:

35 (1) that the funds in the account shall be available only to the
 36 minor engaged in work as a vlogger and of producing a vlog;

37 (2) that the account shall be held by a bank, fiduciary, or trust
 38 business, as those terms are defined in the Banking Act of 1948,
 39 P.L.1948, c.67 (C.17:9A-1 et seq.);

40 (3) that the funds in the account shall become available to the
 41 minor engaged in work as a vlogger and of producing a vlog upon the
 42 minor attaining the age of 18 years or until the minor is declared
 43 emancipated; and

44 (4) that the account meets the requirements of the "New Jersey
 45 Uniform Transfers to Minors Act," R.S.46:38A-1 et seq.

46 c. If a vlogger knowingly or recklessly violates this section, a
 47 minor satisfying the criteria described in subsection a. of section ²[3]

1 2² of P.L. , c. (C.) (pending before the Legislature as this bill),
2 may commence an action to enforce the provisions of this section
3 regarding the trust account. The court may award, to a minor who
4 prevails in any action brought in accordance with this section, the
5 following damages:

- 6 (1) actual damages;
7 (2) punitive damages; and
8 (3) the costs of the action, including attorney's fees and litigation
9 costs.

10 d. This section shall not affect a right or remedy available under
11 any other law of the State.

12 e. Nothing in this section shall be interpreted to have any effect
13 on a party that is not the vlogger and is not the minor engaged in work
14 as a vlogger and of producing a vlog.

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16 ²**5.** The commissioner shall, in accordance with the
17 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.),
18 adopt and promulgate rules and regulations as may be necessary for
19 the implementation of P.L. ¹**1.**¹ c. (C.) (pending before the
20 Legislature as this bill).²

21

22 ²**6.**⁴ ²**4.**² This act shall take effect on the first day of the seventh
23 month next following the date of enactment²**1**, except that the
24 Commissioner of Labor and Workforce Development shall take any
25 anticipatory administrative action as shall be necessary to implement
26 the provisions of this act²**1**.

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31 Amends current child labor laws to protect minor working as
32 vlogger in certain circumstances.