

P.L. 2025, CHAPTER 382, *approved January 20, 2026*
Assembly, No. 5588 (*First Reprint*)

- 1 AN ACT concerning child labor laws and amending P.L.1962, c.91.
2
3 **BE IT ENACTED** by the Senate and General Assembly of the State
4 of New Jersey:
5
6 ¹1. Section 1 of P.L.1962, c.91 (C.34:2-21.57) is amended to
7 read as follows:
8 1. As used in **[this act]** P.L.1962, c.91 (C.34:2-21.57 et seq.):
9 a. "Professional employment" means employment for pay as an
10 actor or performer in a theatrical production.
11 b. "Theatrical production" means and includes stage, motion
12 picture and television performances and rehearsals therefor.
13 c. "Prohibited performance" means and includes appearances
14 as a rope or wire walker or rider, gymnast, wrestler, boxer,
15 contortionist, acrobat, rider of a horse or other animal unless the
16 minor is trained to safely ride such horse or animal, or rider of any
17 vehicle other than that generally used by a minor of the same age,
18 or appearance in any illegal, indecent, or immoral exhibition,
19 practice, or theatrical production or in any practice, exhibition, or
20 theatrical production dangerous to the life, limb, health or morals of
21 a minor, or appearance or exhibition of a minor with a physical or
22 mental disability. "Prohibited performance" also means and
23 includes, but is not limited to, the following:
24 The exposure of a minor between 15 days of age to six months of
25 age to light exceeding 100 foot-candles for more than 30 seconds at
26 a time;
27 The exposure of a minor between 15 days and two years of age
28 to atmospheric smoke;
29 Requiring, coercing, or otherwise permitting a minor to pose
30 nude or perform acts which are sexually explicit; and
31 A minor's presence on a set while adults are posing nude or
32 performing acts which are sexually explicit.¹
33 (cf: P.L.2017, c.131, s.132)
34
35 ¹2. Section 2 of P.L.1962, c.91 (C.34:2-21.58) is amended to
36 read as follows:
37 2. a. Notwithstanding any provision of the child labor laws of
38 this State, the professional employment of minors under the age of
39 **[16]** 18 years in theatrical productions is authorized upon

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 AAP committee amendments adopted January 8, 2026.

1 compliance with the conditions in **【this act】** P.L.1962, c.91
2 (C.34:2-21.57 et seq.) set forth.

3 b. (1) If a minor is guaranteed three or more days of
4 employment, the employer shall provide time during the workday
5 for the minor to fulfill the minor's educational requirements.

6 (2) This instructional time shall average at least three hours per
7 missed day of school day, calculated on a weekly basis.

8 (3) Extra teaching time above three hours per day provided to
9 the child performer may be carried over to another day in the same
10 week or another week, subject to the following limit: no more than
11 10 hours of teaching time may be carried over from week to week.

12 (4) Any hours carried over from week to week shall be subject
13 to the discretion of the teacher who has been provided by the
14 employer.

15 (5) The minor shall receive equivalent instruction approved by
16 the Department of Education or by the state or county of the
17 minor's residence if the minor is not a resident of New Jersey.

18 (6) The employer shall provide a teacher who is credentialed for
19 the level of education required by State law or regulation for the
20 minor from the third missed day of school through the remainder of
21 the minor's employment in the theatrical production.

22 c. The daily working hours of minors shall be as follows:

23 (1) infants between 15 days and six months of age, may work up
24 to 20 minutes, and time on set shall not exceed two hours;

25 (2) infants and minors between six months and under two years
26 of age, may work up to two hours, and time on set shall not exceed
27 four hours;

28 (3) minors between two years old and under six years old, may
29 work up to three hours, and time on set shall not exceed six hours;

30 (4) minors between six years old and under nine years old, up to
31 four hours on a school day and up to six hours on a non-school day
32 and time on set shall not exceed eight hours;

33 (5) minors between nine years old and under 16 years old, up to
34 five hours on a school day and up to seven hours on a non-school
35 day and time on set shall not exceed nine hours; and

36 (6) minors between 16 years old and under 18 years old to work
37 on set for up to six hours on a school day and up to nine hours on a
38 non-school day and time on set shall not exceed 10 hours.

39 d. The minor shall be under the direct care and supervision of
40 an adult who is a parent, guardian, or a designated representative at
41 all times during the minor's employment or while living away from
42 home when required as an incident of the employment.

43 e. Employment of a minor shall not be for more than six days
44 in any seven day period. The minor shall not be employed before
45 5:00 a.m. or after 10:00 p.m. on any day preceding a school day. A
46 minor may be employed between the hours of 5:00 a.m. and 12:30
47 a.m. on any day preceding a non-school day.

1 f. Nothing in P.L.1962, c.91 (C.34:2-21.57 et seq.) shall
2 prevent the employer of a minor in a theatrical production from
3 complying with a collective bargaining agreement or other contract
4 that establishes more stringent standards than those contained in
5 P.L.1962, c.91 (C.34:2-21.57 et seq.), and nothing in P.L.1962, c.91
6 (C.34:2-21.57 et seq.) shall be construed as reducing, limiting, or
7 curtailing the rights of a minor employed in a theatrical
8 production.¹

9 (cf: P.L.1977, c.430, s.1)

10
11 ¹**[1.] 3.**¹ Section 3 of P.L.1962, c.91 (C.34:2-21.59) is
12 amended to read as follows:

13 3. a. ¹**[**Upon application of an employer, bearing the endorsed
14 approval of a parent or guardian of the minor, or upon the
15 application of a parent or guardian of the minor, a permit
16 authorizing employment of the minor in a theatrical production may
17 be issued if:

18 (a) The minor is in good health and will not likely be
19 endangered by the working conditions of the prospective
20 employment as certified by a currently issued statement of a
21 licensed physician based upon a physical examination which, for
22 minors under **[8]** eight years of age, includes a visual acuity
23 screening if practicable;

24 (b) The place of employment is approved by the Department of
25 Labor and Workforce Development and the period for which the
26 permit is desired is not in excess of **[3]** three months;

27 (c) The minor is not attending public school and the application
28 is for a period other than during the school summer vacation period,
29 that **[he]** the minor is receiving **[equivalent instruction approved by**
30 **the Department of Education or by the state or county of his**
31 **residence if he is a nonresident of New Jersey]** three hours of
32 schooling per missed day of school by a tutor provided by the
33 employer, with the tutor having discretion to permit the minor to
34 choose to engage in one additional hour of schooling per school
35 day, and up to four additional hours on holidays, which can be
36 counted toward the three-hour daily schooling requirement on other
37 days in the same calendar week;

38 (d) The proposed employment **[will]** shall not exceed two
39 shows or productions in a day or a total of eight shows or
40 productions in any week where the professional employment is
41 reasonably separable into discrete shows or productions; that the
42 employment **[will]** shall not be for more than **[6]** six days in any
43 week, **[5 hours in any day or a total of 24 hours, including rehearsal**
44 **time, in any week]**, and that the minor **[will]** shall not be employed
45 before 7:00 a.m. or after 11:30 p.m. and that **[school and theatrical**
46 **performance time]** employment shall not exceed **[8 hours in any 1**
47 **day and that the combined time spent on a set or on call and**

1 performance time shall not exceed a total of eight hours in any one
2 day~~], for a minor:~~

3 (i) between six years old and under nine years old, up to six
4 hours in a day and time on set shall not exceed eight hours in a day;

5 (ii) between nine years old and under 16 years old, up to seven
6 hours in a day and time on set shall not exceed nine hours in a day;
7 and

8 (iii) between 16 years old and under 18 years old, to work on set
9 for up to 8 hours a day and time on set shall not exceed 10 hours in
10 a day;

11 (e) The employment does not involve a type of prohibited
12 performance as [hereinafter] defined in section 1 of P.L.1962, c.91
13 (C.34:2-21.57); and

14 (f) The minor will be under the direct care and supervision of an
15 adult who is a parent, guardian or a representative of the employer,
16 named in the application, at all times during [his] the minor's
17 employment or while living away from home when required as an
18 incident of such employment.]

19 (1) Prior to employing any minor in any work or activity, an
20 employer in the entertainment industry shall apply to the
21 Department of Labor and Workforce Development for a permit to
22 employ minors in that work or activity.

23 Upon application of the employer, the Department of Labor and
24 Workforce Development shall issue a permit to employ minors
25 valid for a period of one year if the conditions as to permissible
26 work or activity, as prescribed in P.L.1962, c.91 (C.34:2-21.57 et
27 seq.) are met, and the employment does not involve a type of
28 prohibited performance as defined in section 1 of P.L.1962, c.91
29 (C.34:2-21.57) or any work or activity which is not hazardous or
30 detrimental to the health, safety, morals, or education of the minors.

31 (2) Prior to a minor commencing employment in the
32 entertainment industry, the parent or guardian of the minor shall
33 submit an application to the Department of Labor and Workforce
34 Development to obtain an entertainment work permit for the minor.

35 The application shall include, but not be limited to:

36 (1) the minor's name, age, birth date, and address, and the parent
37 or guardian's name, age, birth date, and address;

38 (2) written verification from the appropriate school district to
39 confirm the minor's school record, attendance, and compliance with
40 the district's standards for age, academic performance, attendance,
41 and health;

42 (3) for minors who are not yet of age for mandatory school
43 attendance and in other circumstances in which the department's
44 review of school records warrants additional information, the
45 department may require a physical examination to ensure the minor
46 is physically able to perform the work specified in the permit; and

47 (4) any additional information as deemed necessary and
48 appropriate by the commissioner.

1 Upon the filing of an application and a determination that all
2 requirements have been met, the department shall issue an
3 entertainment work permit. The permit shall authorize the minor to
4 work only under the conditions specified by P.L.1962, c.91 (C.34:2-
5 21.57 et seq.), and in accordance with all applicable laws regarding
6 the working hours, health, safety, and welfare of minors.

7 An application for a permit authorizing employment of a minor
8 in a theatrical production made by a parent or guardian of the minor
9 under this section shall be valid for a period of one year that shall
10 permit a minor to work for multiple employers or on multiple
11 productions in accordance with the requirements of P.L.1962, c.91
12 (C.34:2-21.57 et seq.).¹

13 b. A ¹~~["permit or certificate, as the case may be,]~~ waiver to the
14 requirements for a permit¹ may be issued by the issuing officer or
15 by the Commissioner of Labor and Workforce Development in
16 cases involving a significant contribution to the development of the
17 motion picture industry in the State as determined by the Motion
18 Picture and Television Development Commission¹, or for good
19 cause shown, as determined by the issuing officer or the
20 commissioner¹. In such cases, the commissioner shall also have the
21 authority to alter or amend the hours of the day but not the total
22 hours in the day during which a minor may work ¹~~["as set forth in~~
23 paragraph (d), subsection a. of this section, if such alteration or
24 amendment] if the waiver¹ will not foreseeably impair the
25 educational instruction, supervision, health and welfare of the
26 minor, and ¹~~["such an alteration or amendment]~~ the waiver¹ is
27 necessary for good reasons shown by the employer. The
28 commissioner shall set forth the terms of any ¹~~["alteration or~~
29 amendment] waiver¹ in the permit ¹~~["or certificate]~~¹. ¹~~The~~
30 department may issue a waiver to an employer electronically, and
31 the employer shall maintain a copy of the waiver at the place of
32 employment. The employer shall make the waiver available to the
33 department for inspection upon request.¹

34 c. During a state of emergency or public health emergency, any
35 aspect of the ¹permit¹ authorization ¹process¹ requiring the personal
36 appearance of the minor or the minor's parent or guardian may be
37 satisfied through the use of audio-visual technology in a manner
38 consistent with the provisions of subsection b. of section 8 of
39 P.L.1940, c.153 (C.34:2-21.8).

40 d. ¹~~["Notwithstanding the time limitations in paragraph (d) of~~
41 subsection a. of this section, a minor may be employed between the
42 hours of 5:00 a.m. and 12:30 a.m. on any day preceding a non-
43 school day.

44 e. An application for a permit authorizing employment of a
45 minor in a theatrical production made by a parent or guardian of the
46 minor under this section shall be valid for a period of one year that
47 shall permit a minor to work for multiple employers or on multiple

1 productions in accordance with the requirements of P.L.1962, c.91
 2 (C.34:2-21.57 et seq.). Nothing in this subsection shall relieve an
 3 employer of a minor from the requirement to provide a tutor for the
 4 minor pursuant to paragraph (d) of subsection a. of this section.

5 f.】¹ The Department of Labor and Workforce Development shall
 6 establish and maintain a registration system for '【permits】'
 7 authorizing '【employment of】 permits to an employer to employ' a
 8 minor¹ or to a minor to authorize the minor to work¹ in a theatrical
 9 production that is independent from the registration database for
 10 minors established in section 6 of P.L.2022, c.63 (C.34:2-21.1a).
 11 The registration system for employment of a minor in accordance
 12 with this section shall require¹ the creation of a registration account
 13 for the purpose of obtaining a permit for employment of a minor in
 14 a theatrical production by:

15 (1)¹ the parent or guardian of the minor '【to create one account,
 16 which may also be accessed, but not operated, by the minor, for
 17 purposes of applying for a permit authorizing the employment of
 18 the minor in a theatrical production.】 seeking authorization for the
 19 minor to work; and

20 (2) the employer seeking to employ a minor.

21 The registration system shall provide for a minor to create an
 22 account that is linked to the account of the parent or guardian of the
 23 minor.¹

24 Any person applying for a permit pursuant to this section shall
 25 not also be required to register in the database established in section
 26 6 of P.L.2022, c.63 (C.34:2-21.1a) if the sole purpose for the
 27 registration is for the permit authorizing the employment of the
 28 minor in a theatrical production because the registration system
 29 created by P.L. , c. (pending before the Legislature as this bill)
 30 shall be the exclusive process for obtaining that permit.

31 ¹e. Upon application by a parent or guardian, and prior to the
 32 first employment of a minor in a theatrical production, the
 33 commissioner may issue a temporary child performer permit in
 34 order to give the parent or guardian of the minor time to:

35 (1) establish a trust account for the minor as required by law; or

36 (2) produce all documentation required by the department for the
 37 issuance of a permit authorizing the employment of a minor in a
 38 theatrical production.

39 f. A temporary child performer permit issued in accordance with
 40 subsection e. of this section shall be valid for 15 days from the date
 41 of issuance and may be issued only once for a specified minor.

42 g. (1) In accordance with subsection b. of this section, an
 43 employer may apply for a waiver of any permit requirement for the
 44 employment of a minor when compliance would be impracticable
 45 due to production-specific circumstances, provided that the health,
 46 safety, and welfare of the minor are maintained. An employer shall
 47 submit a request for a waiver of a permit requirement for the

1 employment of a minor in writing, which may include electronic
2 communication, and shall include a summary of:
3 (a) any provision for which a waiver is requested;
4 (b) the circumstances necessitating the request;
5 (c) the anticipated duration of the waiver; and
6 (d) the minor impacted by the waiver.
7 (2) An employer shall submit a request for a waiver under this
8 subsection as far in advance as is reasonable and practical under the
9 circumstances. The department may consider and approve a request
10 for a waiver on an expedited basis , including but not limited to, a
11 request made on short notice, when deemed necessary and
12 appropriate.¹
13 (cf: P.L.2021, c.162, s.3)

14
15 ¹**[2.] 4.**¹ This act shall take effect on the first day of the seventh
16 month next following the date of enactment, except that the
17 commissioner shall take any anticipatory administrative action as
18 may be necessary to effectuate the provisions of this act.

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23 Revises child labor laws concerning employment of minor in
24 theatrical production.