

# CHANGES TO THE TEXAS CHILD LABOR LAW

## **EFFECTIVE SEPTEMBER 1, 2009:**

### **Changes prohibiting the employment of minors in sexually oriented businesses and requiring that sexually oriented businesses maintain certain photographic identification records and providing a criminal penalty.**

#### Sec. 51.016. Sexually Oriented Businesses.

- (a) In this section, “sexually oriented business” has the meaning assigned by Section 243.002, Local Government Code.
- (b) A sexually oriented business may not employ an individual younger than 18 years of age.
- (c) A sexually oriented business shall maintain at the business a record that contains a copy of a valid proof of identification of each employee or independent contractor working at the premises of the business.
- (d) A proof of identification satisfies the requirements of Subsection(c) if the identification:
  - (1) contains a physical description and photograph consistent with the person’s appearance;
  - (2) contains the date of birth of the person; and
  - (3) was issued by a government agency.
- (e) The form of identification under Subsection (c) may include:
  - (1) a driver’s license issued by this state or another state;
  - (2) a passport; or
  - (3) an identification card issued by this or another state or the federal government.
- (f) A sexually oriented business shall maintain a record under this section for at least two years after the date the employee or independent contractor ends employment with or a contractual obligation to the business.
- (g) The requirements of Subsections (c) and (f) do not apply with regard to an independent contractor who contracts with a sexually oriented business solely to perform repair, maintenance, or construction services at the business.
- (h) The commission, the attorney general, or a local law enforcement agency may inspect a record maintained under this section if there is good reason to believe that an individual younger than 18 years of age is employed or has been employed by the sexually oriented business within the two years preceding the date of the inspection.
- (i) A person commits an offense if the person:
  - (1) fails to maintain a record as required by this section; or
  - (2) knowingly or intentionally hinders an inspection authorized under Subsection (h).

For more information about this and other Labor Laws, please contact the  
Labor Law Section of the Texas Workforce Commission at:

**1-800-832-9243 Or visit our website [www.twc.state.tx.us/ui/lablaw](http://www.twc.state.tx.us/ui/lablaw)**