

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 changing  
5 Sections 0.5 and 9 and by adding Sections 2.6 and 12.6 as  
6 follows:

7 (820 ILCS 205/0.5)

8 Sec. 0.5. Definitions. As used in this Act:

9 "District Superintendent of Schools" means an individual  
10 employed by a board of education in accordance with Section  
11 10-21.4 of the School Code and shall also include the chief  
12 executive officer of a school district in a city with over  
13 500,000 inhabitants.

14 "Duly authorized agent" means an individual who has been  
15 designated by a Regional or District Superintendent of Schools  
16 as their agent for the limited purpose of issuing employment  
17 certificates to minors under the age of 16, and may include  
18 officials of any public school district, charter school, or  
19 any State-recognized, non-public school.

20 "Family" means a group of persons related by blood or  
21 marriage, including civil partnerships, or whose close  
22 relationship with each other is considered equivalent to a  
23 family relationship by the individuals.

1       "Online platform" means any public-facing website, web  
2 application, or digital application, including a mobile  
3 application. "Online platform" includes a social network,  
4 advertising network, mobile operating system, search engine,  
5 email service, or Internet access service.

6       "Regional Superintendent of Schools" means the chief  
7 administrative officer of an educational service region  
8 pursuant to Section 3A-2 of the School Code.

9       "Vlog" means content shared on an online platform in  
10 exchange for compensation.

11       "Vlogger" means an individual or family that creates video  
12 content, performed in Illinois, in exchange for compensation,  
13 and includes any proprietorship, partnership, company, or  
14 other corporate entity assuming the name or identity of a  
15 particular individual or family for the purposes of that  
16 content creation. "Vlogger" does not include any person under  
17 the age of 16 who produces his or her own vlogs.

18 (Source: P.A. 102-32, eff. 6-25-21.)

19 (820 ILCS 205/2.6 new)

20 Sec. 2.6. Minors featured in vlogs.

21 (a) A minor under the age of 16 is considered engaged in  
22 the work of vlogging when the following criteria are met at any  
23 time during the previous 12-month period:

24 (1) at least 30% of the vlogger's compensated video  
25 content produced within a 30-day period included the

1 likeness, name, or photograph of the minor. Content  
2 percentage is measured by the percentage of time the  
3 likeness, name, or photograph of the minor visually  
4 appears or is the subject of an oral narrative in a video  
5 segment, as compared to the total length of the segment;  
6 and

7 (2) the number of views received per video segment on  
8 any online platform met the online platform's threshold  
9 for the generation of compensation or the vlogger received  
10 actual compensation for video content equal to or greater  
11 than \$0.10 per view.

12 (b) With the exception of Section 12.6, the provisions of  
13 this Act do not apply to a minor engaged in the work of  
14 vlogging.

15 (c) All vloggers whose content features a minor under the  
16 age of 16 engaged in the work of vlogging shall maintain the  
17 following records and shall provide them to the minor on an  
18 ongoing basis:

19 (1) the name and documentary proof of the age of the  
20 minor engaged in the work of vlogging;

21 (2) the number of vlogs that generated compensation as  
22 described in subsection (a) during the reporting period;

23 (3) the total number of minutes of the vlogs that the  
24 vlogger received compensation for during the reporting  
25 period;

26 (4) the total number of minutes each minor was

1 featured in vlogs during the reporting period;

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

4 (6) the amount deposited into the trust account for  
5 the benefit of the minor engaged in the working of  
6 vlogging, as required by Section 12.6.

7 (d) If a vlogger whose vlog content features minors under  
8 the age of 16 engaged in the work of vlogging fails to maintain  
9 the records as provided in subsection (c), the minor may  
10 commence a civil action to enforce the provisions of this  
11 Section.

12 (820 ILCS 205/9) (from Ch. 48, par. 31.9)

13 Sec. 9. Except in occupations specifically exempted by  
14 Sections ~~Section~~ 2 and 2.6, and occupations in connection with  
15 agriculture, no minor under 16 years of age shall be employed,  
16 permitted or allowed to work in any gainful occupation unless  
17 the person, firm, or corporation employing such minor procures  
18 and keeps on file an employment certificate.

19 (Source: P.A. 84-551.)

20 (820 ILCS 205/12.6 new)

21 Sec. 12.6. Minor engaged in the work of vlogging; trust  
22 fund.

23 (a) A minor satisfying the criteria described in  
24 subsection (a) of Section 2.6 must be compensated by the

1 vlogger. The vlogger must set aside gross earnings on the  
2 video content including the likeness, name, or photograph of  
3 the minor in a trust account to be preserved for the benefit of  
4 the minor upon reaching the age of majority, according to the  
5 following distribution:

6 (1) where only one minor meets the content threshold  
7 described in Section 2.6, the percentage of total gross  
8 earnings on any video segment including the likeness,  
9 name, or photograph of the minor that is equal to or  
10 greater than half of the content percentage that includes  
11 the minor as described in Section 2.6; or

12 (2) where more than one minor meets the content  
13 threshold described in Section 2.6 and a video segment  
14 includes more than one of those minors, the percentage  
15 described in paragraph (1) for all minors in any segment  
16 must be equally divided between the minors, regardless of  
17 differences in percentage of content provided by the  
18 individual minors.

19 (b) A trust account required under this Section must  
20 provide, at a minimum, the following:

21 (1) that the funds in the account shall be available  
22 only to the minor engaged in the work of vlogging;

23 (2) that the account shall be held by a bank,  
24 corporate fiduciary, or trust company, as those terms are  
25 defined in the Corporate Fiduciary Act;

26 (3) that the funds in the account shall become

1 available to the minor engaged in the work of vlogging  
2 upon the minor attaining the age of 18 years or until the  
3 minor is declared emancipated; and

4 (4) that the account meets the requirements of the  
5 Illinois Uniform Transfers to Minors Act.

6 (c) If a vlogger knowingly or recklessly violates this  
7 Section, a minor satisfying the criteria described in  
8 subsection (a) of Section 2.6 may commence an action to  
9 enforce the provisions of this Section regarding the trust  
10 account. The court may award, to a minor who prevails in any  
11 action brought in accordance with this Section, the following  
12 damages:

13 (1) actual damages;

14 (2) punitive damages; and

15 (3) the costs of the action, including attorney's fees  
16 and litigation costs.

17 (d) This Section does not affect a right or remedy  
18 available under any other law of the State.

19 (e) Nothing in this Section shall be interpreted to have  
20 any effect on a party that is neither the vlogger nor the minor  
21 engaged in the work of vlogging.

22 Section 99. Effective date. This Act takes effect July 1,  
23 2024.