



Rep. Sharon Chung

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10300SB1782ham003

LRB103 28386 SPS 61504 a

1 AMENDMENT TO SENATE BILL 1782

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1782, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Child Labor Law is amended by changing  
6 Sections 0.5 and 9 and by adding Sections 2.6 and 12.6 as  
7 follows:

8 (820 ILCS 205/0.5)

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

10 "District Superintendent of Schools" means an individual  
11 employed by a board of education in accordance with Section  
12 10-21.4 of the School Code and shall also include the chief  
13 executive officer of a school district in a city with over  
14 500,000 inhabitants.

15 "Duly authorized agent" means an individual who has been  
16 designated by a Regional or District Superintendent of Schools

1 as their agent for the limited purpose of issuing employment  
2 certificates to minors under the age of 16, and may include  
3 officials of any public school district, charter school, or  
4 any State-recognized, non-public school.

5 "Family" means a group of persons related by blood or  
6 marriage, including civil partnerships, or whose close  
7 relationship with each other is considered equivalent to a  
8 family relationship by the individuals.

9 "Online platform" means any public-facing website, web  
10 application, or digital application, including a mobile  
11 application. "Online platform" includes a social network,  
12 advertising network, mobile operating system, search engine,  
13 email service, or Internet access service.

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

17 "Vlog" means content shared on an online platform in  
18 exchange for compensation.

19 "Vlogger" means an individual or family that creates video  
20 content, performed in Illinois, in exchange for compensation,  
21 and includes any proprietorship, partnership, company, or  
22 other corporate entity assuming the name or identity of a  
23 particular individual or family for the purposes of that  
24 content creation. "Vlogger" does not include any person under  
25 the age of 16 who produces his or her own vlogs.

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

1 (820 ILCS 205/2.6 new)

2 Sec. 2.6. Minors featured in vlogs.

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

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

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

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

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

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

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

5           (3) the total number of minutes of the vlogs that the  
6           vlogger received compensation for during the reporting  
7           period;

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

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

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

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

20           (820 ILCS 205/9) (from Ch. 48, par. 31.9)

21           Sec. 9. Except in occupations specifically exempted by  
22           Sections ~~Section~~ 2 and 2.6, and occupations in connection with  
23           agriculture, no minor under 16 years of age shall be employed,  
24           permitted or allowed to work in any gainful occupation unless  
25           the person, firm, or corporation employing such minor procures

1 and keeps on file an employment certificate.

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

3 (820 ILCS 205/12.6 new)

4 Sec. 12.6. Minor engaged in the work of vlogging; trust  
5 fund.

6 (a) A minor satisfying the criteria described in  
7 subsection (a) of Section 2.6 must be compensated by the  
8 vlogger. The vlogger must set aside gross earnings on the  
9 video content including the likeness, name, or photograph of  
10 the minor in a trust account to be preserved for the benefit of  
11 the minor upon reaching the age of majority, according to the  
12 following distribution:

13 (1) where only one minor meets the content threshold  
14 described in Section 2.6, the percentage of total gross  
15 earnings on any video segment including the likeness,  
16 name, or photograph of the minor that is equal to or  
17 greater than half of the content percentage that includes  
18 the minor as described in Section 2.6; or

19 (2) where more than one minor meets the content  
20 threshold described in Section 2.6 and a video segment  
21 includes more than one of those minors, the percentage  
22 described in paragraph (1) for all minors in any segment  
23 must be equally divided between the minors, regardless of  
24 differences in percentage of content provided by the  
25 individual minors.

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

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

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

8           (3) that the funds in the account shall become  
9 available to the minor engaged in the work of vlogging  
10 upon the minor attaining the age of 18 years or until the  
11 minor is declared emancipated; and

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

14       (c) If a vlogger knowingly or recklessly violates this  
15 Section, a minor satisfying the criteria described in  
16 subsection (a) of Section 2.6 may commence an action to  
17 enforce the provisions of this Section regarding the trust  
18 account. The court may award, to a minor who prevails in any  
19 action brought in accordance with this Section, the following  
20 damages:

21           (1) actual damages;

22           (2) punitive damages; and

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

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

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

4       Section 99. Effective date. This Act takes effect July 1,  
5       2024.".