STATE OF NEW YORK

7653

2025-2026 Regular Sessions

IN SENATE

April 25, 2025

Introduced by Sen. C. RYAN -- read twice and ordered printed, and when printed to be committed to the Committee on Labor

AN ACT to amend the labor law, in relation to the civil penalties for violations of child labor laws

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 1 of section 141 of the labor law, as amended by chapter 642 of the laws of 1991, is amended to read as follows:

1. If the commissioner finds that an employer has violated any provision of this article or of a rule or regulation promulgated thereunder, the commissioner may by an order which shall describe particularly the nature of the violation, assess the employer a civil penalty of not more than [~~one~~] **three** thousand dollars for the first such violation, **no less than three thousand but** not more than [~~two~~] **five** thousand dollars for a second violation**,** and **no less than five thousand but** not more than [~~three~~] **ten** thousand dollars for a third or subsequent violation. Such penalty shall be paid to the commissioner for deposit in the treasury of the state. In assessing the amount of the penalty, the commissioner shall give due consideration to the size of the employer's business, the good faith of the employer **to believe that its conduct was in compliance with the law**, the gravity of the violation, the history of previous violations and the failure to comply with record-keeping or other requirements, provided, however, that where such violation involves illegal employment during which a minor is seriously injured or dies, such penalty shall be treble the maximum penalty allowable under the law for such violation. For the purposes of this subdivision, a minor shall be deemed to be seriously injured if such injury results in a permanent partial or permanent total disability as determined by the workers' compensation board.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in ***italics*** (underscored) is new; matter in brackets [-] is old law to be omitted.

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