

Department of Planning and Budget
2025 General Assembly Session
State Fiscal Impact Statement

PUBLISHED: 1/23/2025 4:23 PM

ORIGINAL

Bill Number: HB 2401

Patron: Glass

Bill Title: Child labor; child engaged in the work of content creation, trust account

Bill Summary: Requires that a child under the age of 16 who meets certain criteria specified in the bill to be considered a child engaged in the work of content creation be compensated by the content creator, defined in the bill, whose video content includes such child's likeness, name, or photograph. The bill requires the content creator to set aside gross earnings on the video content that includes the likeness, name, or photograph of the child in a trust account to be preserved for the benefit of the child upon attaining 18 years of age or having been declared emancipated. The bill also requires the content creator to maintain certain records specified in the bill and provide them to the child and the holder of the trust account on an ongoing basis. The bill also allows the child, or his parent or guardian on behalf of such child, to commence a civil action if the content creator fails to maintain the required records and to enforce the provisions of law related to the trust account.

Budget Amendment Necessary: No

Items Impacted: None

Explanation: This bill impacts the courts and Department of Labor and Industry, however no budget action is required.

Fiscal Summary: It is anticipated that any costs associated with the bill can be absorbed within existing appropriation. See analysis below for details.

Fiscal Analysis: The bill requires that content creators, as defined in the bill, who feature children under the age of 16 in their videos maintain certain records and deposit a portion of their profits from such videos into a trust account benefiting the child or children. The Department of Labor and Industry (DOLI) interprets this bill to require the Department to issue theatrical permits to children engaged in video content creation and to monitor content creation activity for potentially dangerous conditions. If that interpretation is correct, DOLI would require \$124,679 from the general fund to support one labor law compliance officer and \$22,880 from the general fund to support translation services for documents created by the agency.

The bill creates a civil cause of action for children (or the child's parent or guardian) to enforce the provisions of the bill. It is anticipated that any impact to the courts can be absorbed within existing appropriation.

This fiscal impact statement is preliminary and may be updated if additional information becomes available.

Other: SB 998 would create similar requirements but also provides for enforcement by the Attorney General.