

2026 SESSION

INTRODUCED

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1 **HOUSE BILL NO. 275**

2 Offered January 14, 2026

3 Prefiled January 9, 2026

4 *A BILL to amend and reenact § 40.1-100 of the Code of Virginia, relating to employment prohibition*
5 *exceptions; apprenticeships; children 16 years of age or older.*

6 Patron—Rasoul

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**

9 **1. That § 40.1-100 of the Code of Virginia is amended and reenacted as follows:**

10 **§ 40.1-100. Certain employment prohibited or limited.**

11 A. No child under 18 years of age shall be employed, permitted, or suffered to work:

12 1. In any mine, quarry, tunnel, underground scaffolding work; in or about any plant or establishment
13 manufacturing or storing explosives or articles containing explosive components; or in any occupation
14 involving exposure to radioactive substances or to ionizing radiations, including X-ray equipment;

15 2. At operating or assisting to operate any grinding, abrasive, polishing, or buffing machine, any power-
16 driven metal forming, punching, or shearing machine, any power-driven bakery machine, any power-driven
17 paper products machine, any circular saw, band saw, or guillotine shear, or any power-driven woodworking
18 machine;

19 3. In oiling or assisting in oiling, wiping, and cleaning any such machinery;

20 4. In any capacity in preparing any composition in which dangerous or poisonous chemicals are used;

21 5. In any capacity in the manufacturing of paints, colors, white lead, or brick tile or kindred products, in
22 any place where goods of alcoholic content are manufactured, bottled, or sold for consumption on the
23 premises, except in places (i) licensed pursuant to subdivision 6 of § 4.1-206.1, provided that a child
24 employed at the premises shall not serve or dispense in any manner alcoholic beverages or (ii) where the sale
25 of alcoholic beverages is merely incidental to the main business actually conducted, or to deliver alcoholic
26 goods;

27 6. In any capacity in or about excavation, demolition, roofing, wrecking, or shipbreaking operations;

28 7. As a driver or a helper on an automobile, truck, or commercial vehicle; however, children who are at
29 least 17 years of age may drive automobiles or trucks on public roadways if:

30 a. The automobile or truck does not exceed 6,000 pounds gross vehicle weight, the vehicle is equipped
31 with seat belts for the driver and any passengers, and the employer requires the employee to use the seatbelts
32 when driving the automobile or truck;

33 b. Driving is restricted to daylight hours;

34 c. The employee has a valid state license for the type of driving involved and has no record of any moving
35 violations at the time of hire;

36 d. The employee has successfully completed a state-approved driver education course;

37 e. The driving does not involve (i) the towing of vehicles; (ii) route deliveries or route sales; (iii) the
38 transportation for hire of property, goods, or passengers; (iv) urgent, time-sensitive deliveries; or (v) the
39 transporting at any time of more than three passengers, including the employees of the employer;

40 f. The driving performed by the employee does not involve more than two trips away from the primary
41 place of employment in any single day for the purpose of delivering goods of the employee's employer to a
42 customer;

43 g. The driving performed by the employee does not involve more than two trips away from the primary
44 place of employment in any single day for the purpose of transporting passengers, other than employees of
45 the employer;

46 h. The driving takes place within a 30-mile radius of the employee's place of employment; and

47 i. The driving is only occasional and incidental to the employee's employment and involves no more than
48 one third of the employee's work time in any workday and no more than 20 percent work time in any
49 workweek;

50 8. In logging or sawmilling or in any lath mill, shingle mill, or cooperage-stock mill or in any occupation
51 involving slaughtering, meatpacking, processing, or rendering;

52 9. In any occupation determined and declared hazardous by rules and regulations promulgated by the
53 Commissioner of Labor and Industry, except as otherwise provided in subsection D.

54 Notwithstanding the provisions of this section, children 16 years of age or older who are serving a
55 voluntary apprenticeship as provided in Article 3 (§ 2.2-2043 et seq.) of Chapter 20.2 of Title 2.2 may be
56 employed in any occupation in accordance with rules and regulations promulgated by the Commissioner.

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59 B. Except as part of a regular work-training program in accordance with §§ 40.1-88 and 40.1-89, no child
60 under 16 years of age shall be employed, permitted, or suffered to work:

61 1. In any manufacturing or mechanical establishment; in any commercial cannery; in the operation of any
62 automatic passenger or freight elevator; in any dance studio; in any hospital, nursing home, clinic, or other
63 establishment providing care for resident patients as a laboratory helper, therapist, orderly, or nurse's aide; in
64 the service of any veterinarian while treating farm animals or horses; in any warehouse; in processing work in
65 any laundry or dry cleaning establishment; in any undertaking establishment or funeral home; in any curb
66 service restaurant; in hotel and motel room service; in any brick, coal, or lumber yard or ice plant; or in
67 ushering in theaters. Children 14 years of age or older may be engaged in office work of a clerical nature in
68 bona fide office rooms in the above types of establishments.

69 2. In any scaffolding work or construction trade; in any outdoor theater, cabaret, carnival, fair, floor show,
70 pool hall, club, or roadhouse; or as a lifeguard at a beach.

71 C. Children 14 years of age or older may be employed by dry cleaning or laundry establishments in
72 branch stores where no processing is done on the premises and in hospitals, nursing homes, and clinics where
73 they may be engaged in kitchen work, tray service, or room and hall cleaning. Children 14 years of age or
74 older may be employed in bowling alleys completely equipped with automatic pin setters, but not in or about
75 such machines, and in soda fountains, restaurants, and hotel and motel food service departments. Children 14
76 years of age or older may work as gatekeepers and in concessions at swimming pools and may be employed
77 by concessionaires operating on beaches where their duties and work pertain to the handling and distribution
78 of beach chairs, umbrellas, floats, and other similar or related beach equipment.

79 D. Notwithstanding any other provision of this chapter:

80 1. Children age 16 years or older employed on farms, in gardens, or in orchards may operate, assist in
81 operating, or otherwise perform work involving a truck, excluding a tractor trailer, or farm vehicle, as defined
82 in § 46.2-1099, in their employment;

83 2. Children age 14 years or older employed on farms, in gardens, or in orchards may perform work as a
84 helper on a truck or commercial vehicle in their employment, while engaged in such work exclusively on a
85 farm, in a garden, or in an orchard;

86 3. Children age 16 years or older may participate in all activities of a volunteer fire company; however,
87 any such child shall not enter a burning structure or a structure that contains burning materials prior to
88 obtaining certification under National Fire Protection Association 1001, level one, firefighter standards,
89 pursuant to the provisions of clause (i) of subsection A of § 40.1-79.1, except where entry into a structure that
90 contains burning materials is during training necessary to attain certification under National Fire Protection
91 Association 1001, level one, firefighter standards, as administered by the Department of Fire Programs;

92 4. Children age 16 years or older may serve in a ~~barbershop or cosmetology~~ salon licensed by the Board
93 for Barbers and Cosmetology in accordance with regulations of the Board for Barbers and Cosmetology *an*
94 apprenticeship program or other work-based learning experience, provided that:

95 a. The child is an apprentice registered in accordance with Article 3 (§ 2.2-2043 et seq.) of Chapter 20.2
96 of Title 2.2;

97 b. The child is employed in a work-training program as provided in § 40.1-89, which is administered in
98 accordance with the rules and regulations promulgated by the Board of Education; or

99 c. The child has obtained a ~~cosmetology or barber~~ license from the Board for Barbers and Cosmetology
100 recognized industry certification, license, or other verifiable proof that the child can perform assigned duties
101 safely and in compliance with accepted industry standards. Such proof may include satisfactory completion
102 of related classroom competencies as acknowledged or granted by an institution of higher education.