



NEW YORK STATE SENATOR

David Carlucci

Senator Carlucci Fights Burdensome Regulations on Child Performers

DAVID CARLUCCI February 9, 2011

| COMMITTEE: [ADMINISTRATIVE REGULATIONS REVIEW COMMISSION \(ARRC\)](#)

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Burdensome Regulations on Child Performers

(Albany, NY) New York State Senator David Carlucci (D-Rockland), Chairman of the Senate's Administrative Regulations Review Commission (ARRC), today announced his concern that New York could place thousands of acting, film, production and theater jobs in danger if a newly proposed Department of Labor (DOL) rule is enacted into law. Senator Carlucci sent a letter yesterday to Commissioner Colleen C. Gardner at the Department of Labor outlining these concerns.

The New York State DOL is proposing a complex rule to regulate child performers within New York. The new child labor rules would govern the way Broadway theaters, film and production companies employ child actors. In addition to Broadway, the rules would create sweeping changes for many organizations that use child performers within New York State boundaries. The rule would govern those childhood actors under the age of 18.

“The film, production and theater industries are responsible for thousands of jobs in New York State. If we were to impede these businesses with undue or overly burdensome regulations they may seek to do business in another state or country,” said Carlucci. “This would cause serious negative economic consequences for New York and damage the State’s reputation for being a premiere film and television production mecca.”

The new rules, proposed in November, have had two public hearings associated with them and numerous public comments have been submitted to the DOL. Parent advocacy groups, major production studios and theaters are concerned that DOL will not heed their recommendations and they may be forced to relocate out of state due to this onerous proposal.

The proposed rules will seek to implement restrictions on the number of hours child performers can work. A 10 pm work restriction is included and this may place several Broadway shows in jeopardy. In addition, the rules seek to limit parent supervision for those performers over the age of six, require two physicals and mental evaluations every year, require tutors or teachers to be available for instruction while children are on sets for more than 5 hours, makes no mention about home schooling, and requires substantial amounts of additional reporting paperwork concerning health, education and financial plans.

“After a review of the proposed child performer regulation, it appears the costs of implementing these rules will be overly burdensome to the parents, production companies and theaters without producing the benefits that DOL wishes to achieve,” Carlucci said.

“State government is being asked to live within its means and to reduce costly mandates. It is imperative the DOL meet with industry representatives and advocates to devise a rule that will benefit both child safety and this very important industry that we all enjoy,” Carlucci said.

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