

Date of Hearing: April 29, 2014

ASSEMBLY COMMITTEE ON ARTS, ENTERTAINMENT, SPORTS, TOURISM, AND
INTERNET MEDIA
Ian C. Calderon, Chair

AB 1680 (Wilk) – As Amended: March 11, 2014

SUBJECT: Child Performer Services Permit.

SUMMARY: Requires a person with a valid Child Performer Services Permit (Permit) to include the permit number on advertising in print or electronic media, including, but not limited to, Internet Web sites, or in any other medium of advertising.

EXISTING LAW:

- 1) Requires persons representing artists who are minors, under 18 years of age, to obtain a Permit from the Labor Commissioner (LC).
- 2) Requires the LC to collect a filing fee and requires applicants to submit their fingerprints along with the fee for the Permit and further requires the LC to forward the name of each applicant with his or her fingerprint card to the Department of Justice (DOJ) to determine if the applicant is required to register as a sex offender before the LC can issue the Permit.
- 3) Requires that persons or corporations that act as talent agencies pay a filing fee and obtain a license to represent artists who are minors from the LC.
- 4) Requires that applicants for the license provide their business history and financial information along with fingerprints and affidavits from personal references. Requires talent agencies to post a bond with the LC before the license may be issued.
- 5) Provides that licenses may not be granted to agencies that would endanger the health, safety, or welfare of the artists that are represented and provides that the LC may revoke the license of any agency for failure to comply with these provisions or if the licensee has ceased to be of good moral character.
- 6) Prohibits any person who is required to register as a sex offender under Penal Code Section 290 from holding a California Teaching Credential.

FISCAL EFFECT: Unknown

COMMENTS:

- 1) Author's Statement of Need for Legislation: According to information supplied by the author, "The entertainment industry is a unique environment, one where it is a common practice for children to be in the company of adults who are not their parents, have photos taken by strangers in order to obtain work, and befriend adults who can aid in their professional growth. Currently, individuals in the entertainment industry wishing to perform

specified services for a minor must first obtain a Permit, thanks to AB 1660 (Campos), Chapter 634, Statutes of 2012. The Permit process includes a background check which aims to ensure the safety of children in the entertainment industry. Professionals required to obtain Permits include photographers, acting coaches, and managers, among others.

Anne Henry and Paula Dorn, founders of Bizparentz, the original sponsors of AB 1660 (Campos), stated at the time that bill was introduced that legislation was needed because of the little-spoken-of issue of pedophiles operating in Hollywood. They only learned of this after photographs of their child-actor sons were sold for a large sum of money on eBay. Bizparentz explained that the entertainment industry is unique, "Because our children are working in an adult world, there are instances that might be considered unusual by the public. Acting coaches are almost always seen alone; photography for swimwear (shirtless) is expected. Obeying direction from a total stranger (the director) is normal. For this reason, it is tough for parents (especially those new to the industry) to sort out what are accepted business practices."

According to the author's office, this bill would add a layer of protection for child actors beyond AB 1660, by setting valid Permit holders apart from potentially dangerous, unpermitted impostors by requiring anyone who is already required by law to obtain a Child Performer Services Permit to display their Permit number on any industry advertisements. Listing the Permit number also helps parents ensure their children's safety in the entertainment industry.

- 2) Recent Amendments: Earlier versions of this bill contained a provision to require operators of Internet Web Sites to confirm the validity of a potential advertiser's Permit prior to allowing the posting of an advertisement. The author has removed this provision in recognition of the difficulty for Web Site operators to verify the content of ads placed online.

The author also removed the express requirement that "casting" advertising must contain a valid Permit number. This amendment will allow casting directors to enjoy their current exemption from AB 1660 when they behave as the arm of, or in concert with, planned and ongoing productions and still require the Permit registration for those casting companies which advertise open casting calls and showcase events for which the actor must pay to be a participant.

- 3) Prior Related Legislation: AB 1660 (Campos), Chapter 634, Statutes of 2012, required persons representing artists, as specified, who are minors under 18 years of age, to obtain a Permit from the LC. Applicants must also pay a filing fee and submit their fingerprints for a background check by the DOJ to determine if they are eligible for the Permit.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

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