

**First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 13-0543.01 Kristen Forrestal x4217

**SENATE BILL 13-141**

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**SENATE SPONSORSHIP**

**Hill,** Harvey, Lambert, Marble, Balmer, Baumgardner, Brophy, Cadman, Crowder, Grantham, King, Lundberg, Renfroe, Roberts, Scheffel

**HOUSE SPONSORSHIP**

(None),

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**Senate Committees**

Education  
State, Veterans, & Military Affairs

**House Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING PUBLIC SCHOOL EMPLOYEES' PARTICIPATION IN LABOR**  
102 **ORGANIZATIONS.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries.>)*

The bill allows a public school employee to request that his or her employer deduct dues for the benefit of a labor organization from the employee's wages. An employer is required to commence or cease making the deductions within 30 days after receiving a written request from an employee requesting the commencement or cessation of the deductions.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

A labor organization that receives dues from an employee's wages is required to make an annual financial disclosure to the employee. An employee may join or terminate membership with a labor organization at any time.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 22-61-106 as  
3 follows:

4 **22-61-106. Labor organizations - membership - payment of**  
5 **dues - financial disclosure - definitions.** (1) AS USED IN THIS SECTION:

6 (a) "EMPLOYEE" MEANS A PERSON EMPLOYED IN A PUBLIC SCHOOL  
7 IN THE STATE OF COLORADO.

8 (b) "EMPLOYER" MEANS AN INSTITUTE CHARTER SCHOOL OR A  
9 SCHOOL DISTRICT, AS THOSE TERMS ARE DEFINED IN SECTION 22-30.5-502  
10 (6) AND (10), RESPECTIVELY, THAT EMPLOYS AN EMPLOYEE.

11 (c) "LABOR ORGANIZATION" MEANS A LAWFUL ORGANIZATION  
12 THAT IS COMPOSED OF EMPLOYEES AND THAT EXISTS FOR THE PURPOSE OF  
13 DEALING WITH EMPLOYERS CONCERNING GRIEVANCES, LABOR DISPUTES,  
14 WAGES, RATES OF PAY, HOURS OF EMPLOYMENT, OR OTHER TERMS AND  
15 CONDITIONS OF EMPLOYMENT. "LABOR ORGANIZATION" INCLUDES A  
16 LABOR UNION EXEMPT FROM TAXATION PURSUANT TO SECTION 501 (c) (5)  
17 OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND  
18 A PROFESSIONAL EMPLOYEE ASSOCIATION EXEMPT FROM TAXATION  
19 PURSUANT TO SECTION 501 (c) (6) OF THE FEDERAL "INTERNAL REVENUE  
20 CODE OF 1986", AS AMENDED.

21 (2) (a) AN EMPLOYEE MAY DIRECT AN EMPLOYER IN WRITING TO  
22 DEDUCT FROM THE EMPLOYEE'S WAGES A SPECIFIED SUM FOR DUES TO BE  
23 PAID TO ANY LABOR ORGANIZATION DESIGNATED BY THE EMPLOYEE.

1 (b) AN EMPLOYER SHALL COMMENCE OR CEASE MAKING  
2 DEDUCTIONS FOR DUES FOR THE BENEFIT OF A LABOR ORGANIZATION FROM  
3 THE WAGES OF AN EMPLOYEE WITHIN THIRTY DAYS AFTER RECEIVING A  
4 WRITTEN REQUEST FROM THE EMPLOYEE TO COMMENCE OR CEASE THE  
5 DEDUCTIONS.

6 (c) AN EMPLOYER SHALL NOT CONDITION AN EMPLOYEE'S REQUEST  
7 THAT THE EMPLOYER CEASE MAKING DEDUCTIONS UPON:

8 (I) THE LABOR ORGANIZATION'S RECEIPT OF ADVANCE NOTICE OF  
9 THE REQUEST; OR

10 (II) THE LABOR ORGANIZATION'S PRIOR CONSENT TO CESSATION OF  
11 THE DEDUCTIONS.

12 (d) A LABOR ORGANIZATION THAT RECEIVES DUES FROM AN  
13 EMPLOYEE'S WAGES SHALL PROVIDE ANNUAL WRITTEN FINANCIAL  
14 INFORMATION TO EACH EMPLOYEE THAT DISCLOSES HOW THE DUES WERE  
15 SPENT BY THE LABOR ORGANIZATION.

16 (e) AN EMPLOYER SHALL NOT ADOPT A POLICY OR ENTER INTO AN  
17 AGREEMENT WITH A LABOR ORGANIZATION THAT REQUIRES THE  
18 EMPLOYER TO WITHHOLD AN AMOUNT TO BE PAID TO THE LABOR  
19 ORGANIZATION FROM AN EMPLOYEE'S PAYCHECK UNLESS THE  
20 WITHHOLDING IS SUBJECT TO WRITTEN AUTHORIZATION BY THE EMPLOYEE.

21 (3) AN EMPLOYEE MAY JOIN, OR TERMINATE MEMBERSHIP IN, A  
22 LABOR ORGANIZATION AT ANY TIME. ONCE AN EMPLOYEE HAS  
23 TERMINATED HIS OR HER MEMBERSHIP IN A LABOR ORGANIZATION, THE  
24 MEMBERSHIP REMAINS TERMINATED UNLESS THE EMPLOYEE ACTIVELY  
25 CHOOSES TO REJOIN THE LABOR ORGANIZATION. AN EMPLOYER OR LABOR  
26 ORGANIZATION MAY NOT PLACE A RESTRICTION ON THE TIME PERIOD IN  
27 WHICH AN EMPLOYEE MAY JOIN OR TERMINATE MEMBERSHIP IN A LABOR

1 ORGANIZATION.

2           **SECTION 2. Act subject to petition - effective date -**  
3 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
4 the expiration of the ninety-day period after final adjournment of the  
5 general assembly (August 7, 2013, if adjournment sine die is on May 8,  
6 2013); except that, if a referendum petition is filed pursuant to section 1  
7 (3) of article V of the state constitution against this act or an item, section,  
8 or part of this act within such period, then the act, item, section, or part  
9 will not take effect unless approved by the people at the general election  
10 to be held in November 2014 and, in such case, will take effect on the  
11 date of the official declaration of the vote thereon by the governor.  
12           (2) This act applies to contracts entered into on or after the  
13 applicable effective date of this act.