

First Regular Session  
Sixty-ninth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 13-0602.01 Jane Ritter x4342

SENATE BILL 13-168

---

SENATE SPONSORSHIP

Marble, Lundberg

HOUSE SPONSORSHIP

Everett, Holbert

---

Senate Committees  
State, Veterans, & Military Affairs

House Committees

---

A BILL FOR AN ACT

101 CONCERNING EMPLOYER REVOCATION PERIODS FOR PUBLIC  
102 EMPLOYEES' LABOR ORGANIZATIONS.

---

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 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. A labor organization that receives dues from an employee's

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.

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.

---

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 UNLESS THE CONTEXT OTHERWISE REQUIRES:

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

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

19           (2) (a) AN EMPLOYER SHALL COMMENCE OR CEASE MAKING  
20 DEDUCTIONS FOR DUES FOR THE BENEFIT OF A LABOR ORGANIZATION FROM  
21 THE WAGES OF AN EMPLOYEE WITHIN THIRTY DAYS AFTER RECEIVING A  
22 WRITTEN REQUEST FROM THE EMPLOYEE TO COMMENCE OR CEASE THE  
23 DEDUCTIONS.

24           (b) AN EMPLOYER MUST NOT CONDITION AN EMPLOYEE'S REQUEST

1 THAT THE EMPLOYER CEASE MAKING DEDUCTIONS UPON THE LABOR  
2 ORGANIZATION'S RECEIPT OF ADVANCE NOTICE OF THE REQUEST OR UPON  
3 THE LABOR ORGANIZATION'S PRIOR CONSENT TO CESSATION OF THE  
4 DEDUCTIONS.

5 (c) A LABOR ORGANIZATION THAT RECEIVES DUES FROM AN  
6 EMPLOYEE'S WAGES SHALL PROVIDE ANNUAL WRITTEN FINANCIAL  
7 INFORMATION TO EACH EMPLOYEE THAT DISCLOSES HOW THE DUES WERE  
8 SPENT BY THE LABOR ORGANIZATION.

9 (d) AN EMPLOYER MUST NOT ADOPT A POLICY OR ENTER INTO AN  
10 AGREEMENT WITH A LABOR ORGANIZATION THAT REQUIRES THE  
11 EMPLOYER TO WITHHOLD AN AMOUNT TO BE PAID TO THE LABOR  
12 ORGANIZATION FROM AN EMPLOYEE'S PAYCHECK UNLESS THE  
13 WITHHOLDING IS SUBJECT TO WRITTEN AUTHORIZATION BY THE EMPLOYEE.

14 (3) AN EMPLOYEE MAY JOIN, OR TERMINATE MEMBERSHIP IN, A  
15 LABOR ORGANIZATION AT ANY TIME. ONCE AN EMPLOYEE HAS  
16 TERMINATED HIS OR HER MEMBERSHIP IN A LABOR ORGANIZATION, THE  
17 MEMBERSHIP REMAINS TERMINATED UNLESS THE EMPLOYEE ACTIVELY  
18 CHOOSES TO REJOIN THE LABOR ORGANIZATION. AN EMPLOYER OR LABOR  
19 ORGANIZATION MAY NOT PLACE A RESTRICTION ON THE TIME THAT AN  
20 EMPLOYEE MAY JOIN OR TERMINATE MEMBERSHIP IN A LABOR  
21 ORGANIZATION.

22 **SECTION 2. Act subject to petition - effective date -**  
23 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following  
24 the expiration of the ninety-day period after final adjournment of the  
25 general assembly (August 7, 2013, if adjournment sine die is on May 8,  
26 2013); except that, if a referendum petition is filed pursuant to section 1  
27 (3) of article V of the state constitution against this act or an item, section,

1 or part of this act within such period, then the act, item, section, or part  
2 will not take effect unless approved by the people at the general election  
3 to be held in November 2014 and, in such case, will take effect on the  
4 date of the official declaration of the vote thereon by the governor.

5 (2) This act applies to contracts entered into on or after the  
6 applicable effective date of this act.