

26 petition; revising the actions for which the
 27 commission may revoke or deny an employee
 28 organization's registration or certification; revising
 29 applicability; conforming provisions to changes made
 30 by the act; providing an effective date.
 31

32 Be It Enacted by the Legislature of the State of Florida:
 33

34 Section 1. Paragraph (a) of subsection (12) of section
 35 447.207, Florida Statutes, is amended to read:

36 447.207 Commission; powers and duties.—

37 (12) Upon a petition by a public employer after it has
 38 been notified by the Department of Labor that the public
 39 employer's protective arrangement covering mass transit
 40 employees does not meet the requirements of 49 U.S.C. s. 5333(b)
 41 and would jeopardize the employer's continued eligibility to
 42 receive Federal Transit Administration funding, the commission
 43 may waive, to the extent necessary for the public employer to
 44 comply with the requirements of 49 U.S.C. s. 5333(b), any of the
 45 following for an employee organization that has been certified
 46 as a bargaining agent to represent mass transit employees:

47 (a) The prohibition on dues and assessment deductions
 48 provided in s. 447.303(1) as it applies to a mass transit
 49 employee who has provided a copy of his or her membership
 50 authorization form to the employer as part of the authorization

51 of dues and assessment deductions under a waiver.

52 Section 2. Paragraph (b) of subsection (1) of section
53 447.301, Florida Statutes, is amended to read:

54 447.301 Public employees' rights; organization and
55 representation.—

56 (1)

57 (b)1. ~~Beginning July 1, 2023,~~ A public employee who
58 desires to be a member of an employee organization must sign and
59 date a membership authorization form, as prescribed by the
60 commission, and submit the executed form to ~~with~~ the bargaining
61 agent.

62 2. The membership authorization form must identify the
63 name of the bargaining agent; the name of the employee; the
64 class code and class title of the employee; the name of the
65 public employer and employing agency, if applicable; the amount
66 of the initiation fee and of the monthly dues which the member
67 must pay; and the name and total amount of salary, allowances,
68 and other direct or indirect disbursements, including
69 reimbursements, paid to each of the five highest compensated
70 officers and employees of the employee organization disclosed
71 under s. 447.305(2)(d) ~~s. 447.305(2)(e)~~.

72 3. The membership authorization form must contain the
73 following statement in 14-point type:

74
75 The State of Florida is a right-to-work state.

76 Membership or non-membership in a labor union is not
 77 required as a condition of employment, and union
 78 membership and payment of union dues and assessments
 79 are voluntary. Each person has the right to join and
 80 pay dues to a labor union or to refrain from joining
 81 and paying dues to a labor union. No employee may be
 82 discriminated against in any manner for joining and
 83 financially supporting a labor union or for refusing
 84 to join or financially support a labor union.

85
 86 4. A public employee may revoke membership in the employee
 87 organization at any time of the year. Upon receipt of the
 88 employee's written revocation of membership, the employee
 89 organization must revoke a public employee's membership. The
 90 employee organization may not limit an employee's right to
 91 revoke membership to certain dates. If a public employee must
 92 complete a form to revoke membership in the employee
 93 organization, the form may not require a reason for the public
 94 employee's decision to revoke his or her membership.

95 5. An employee organization must retain for inspection by
 96 the commission such membership authorization forms and any
 97 revocations.

98 6. This paragraph does not apply to members of ~~an employee~~
 99 ~~organization that has been certified as a bargaining unit the~~
 100 majority of whose employees eligible for representation are

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101 employed as agent to represent law enforcement officers,
102 correctional officers, or correctional probation officers as
103 those terms are defined in s. 943.10(1), (2), or (3),
104 respectively;~~;~~~~or~~ firefighters as defined in s. 633.102; 911
105 public safety telecommunicators as defined in s. 401.465(1); or
106 emergency medical technicians or paramedics as defined in s.
107 401.23.

108 7. The commission may adopt rules to implement this
109 paragraph.

110 Section 3. Paragraph (a) of subsection (2) of section
111 447.303, Florida Statutes, is amended to read:

112 447.303 Dues; deduction and collection.—

113 (2)(a) An employee organization that has been certified as
114 a bargaining agent to represent a bargaining unit the majority
115 of whose employees eligible for representation are employed as
116 law enforcement officers, correctional officers, or correctional
117 probation officers as those terms are defined in s. 943.10(1),
118 (2), or (3), respectively;~~;~~~~or~~ firefighters as defined in s.
119 633.102; 911 public safety telecommunicators as defined in s.
120 401.465(1); or emergency medical technicians or paramedics as
121 defined in s. 401.23 has the right to have its dues and uniform
122 assessments for the bargaining unit deducted and collected by
123 the employer from the salaries of those employees who authorize
124 the deduction and collection of said dues and uniform
125 assessments. However, such authorization is revocable at the

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126 employee's request upon 30 days' written notice to the employer
127 and employee organization. Said deductions shall commence upon
128 the bargaining agent's written request to the employer.

129 Section 4. Paragraphs (c) and (d) of subsection (1) and
130 subsections (2), (3), (6), (8), (9), and (11) of section
131 447.305, Florida Statutes, are amended to read:

132 447.305 Registration of employee organization.—

133 (1) Every employee organization seeking to become a
134 certified bargaining agent for public employees shall register
135 with the commission pursuant to the procedures set forth in s.
136 120.60 prior to requesting recognition by a public employer for
137 purposes of collective bargaining and prior to submitting a
138 petition to the commission requesting certification as an
139 exclusive bargaining agent. Further, if such employee
140 organization is not registered, it may not participate in a
141 representation hearing, participate in a representation
142 election, or be certified as an exclusive bargaining agent. The
143 application for registration required by this section shall be
144 under oath and in such form as the commission may prescribe and
145 shall include:

146 (c) The amount of the initiation fee and the amount and
147 collection frequency of the ~~monthly~~ dues and uniform assessments
148 that a member ~~which members~~ must pay.

149 (d) The current annual ~~audited~~ financial statement of the
150 organization, prepared by an independent certified public

151 accountant licensed under chapter 473.

152 (2) A registration granted to an employee organization
 153 pursuant to ~~the provisions of~~ this section runs ~~shall run~~ for 1
 154 year after ~~from~~ the date of issuance. A registration must ~~shall~~
 155 be renewed annually by filing an application for renewal under
 156 oath with the commission, which application must ~~shall~~ reflect
 157 any changes in the information provided to the commission in
 158 conjunction with the employee organization's preceding
 159 application for registration or previous renewal, whichever is
 160 applicable. Each application for renewal of registration must
 161 ~~shall~~ include a current annual ~~audited~~ financial statement,
 162 prepared ~~certified~~ by an independent certified public accountant
 163 licensed under chapter 473 and signed by the employee
 164 organization's president and treasurer or corresponding
 165 principal officers, containing all of the following information
 166 in such detail as may be necessary accurately to disclose its
 167 financial condition and operations for its preceding fiscal year
 168 and in such categories as the commission may prescribe:

169 (a) Assets and liabilities at the beginning and end of the
 170 fiscal year.†

171 (b) Receipts of any kind and the sources thereof.†

172 (c) Disbursements by category.

173 (d) ~~(e)~~ Salary, allowances, and other direct or indirect
 174 disbursements, including reimbursed expenses, to each officer
 175 and also to each employee who, during such fiscal year, received

176 more than \$10,000 in the aggregate from such employee
 177 organization and any other employee organization affiliated with
 178 it or with which it is affiliated or which is affiliated with
 179 the same national or international employee organization.~~;~~

180 ~~(e)-(d)~~ Direct and indirect loans made to any officer,
 181 employee, or member which aggregated more than \$250 during the
 182 fiscal year, together with a statement of the purpose, security,
 183 if any, and arrangements for repayment.~~;~~ ~~and~~

184 ~~(f)-(e)~~ Direct and indirect loans to any business
 185 enterprise, together with a statement of the purpose, security,
 186 if any, and arrangements for repayment.

187 (3) In addition to subsection (2), an employee
 188 organization that has been certified as the bargaining agent for
 189 public employees must include for each such certified bargaining
 190 unit all of the following information and documentation as of
 191 the 30th day immediately preceding the date upon which its
 192 current registration is scheduled to end ~~of renewal in its~~
 193 ~~application~~ for any renewal of registration on or after October
 194 1, 2023:

195 (a) The number of employees in the bargaining unit who are
 196 eligible for representation by the employee organization.

197 (b) The number of employees in the bargaining unit who
 198 have submitted signed membership authorization forms without a
 199 subsequent revocation of such membership.

200 (c) The number of employees in the bargaining unit who

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201 paid dues to the employee organization.

202 (d) The number of employees in the bargaining unit who did
203 not pay dues to the employee organization.

204 (e) Documentation provided by an independent certified
205 public accountant retained by the employee organization which
206 verifies the information provided in paragraphs (a)-(d).

207 (6) Notwithstanding the provisions of this chapter
208 relating to collective bargaining, an employee organization
209 certified as a bargaining agent to represent a bargaining unit
210 for which ~~that had~~ less than 60 percent of the employees in the
211 unit have submitted membership authorization forms without
212 subsequent revocation and paid dues to the employee organization
213 ~~eligible for representation in the bargaining unit pay dues~~
214 during its last registration period must petition the commission
215 pursuant to s. 447.307(2) and (3) for recertification as the
216 exclusive representative of all employees in the bargaining unit
217 within 30 days ~~1 month~~ after the date on which the employee
218 organization applies for renewal of registration pursuant to
219 subsection (2). The certification of an employee organization
220 that does not comply with this section is revoked.

221 (8) The commission may conduct an investigation to confirm
222 the validity of any information submitted pursuant to this
223 section. The commission may revoke or deny an employee
224 organization's registration or certification if it finds that
225 the employee organization:

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226 (a) Failed to cooperate with the investigation conducted
227 pursuant to this subsection, including a refusal to permit the
228 commission to inspect membership authorization forms or
229 revocations pursuant to s. 447.301(1)(b)5.; or

230 (b) Intentionally misrepresented the information it
231 submitted pursuant to this section ~~subsection (3)~~.

232
233 A decision issued by the commission pursuant to this subsection
234 is a final agency action that is reviewable pursuant to s.
235 447.504.

236 (9) Subsections (3)-(8) do not apply to a ~~an employee~~
237 ~~organization that has been certified as the bargaining~~ unit the
238 majority of whose employees eligible for representation are
239 employed as ~~agent to represent~~ law enforcement officers,
240 correctional officers, or correctional probation officers as
241 those terms are defined in s. 943.10(1), (2), or (3),
242 respectively; ~~or~~ firefighters as defined in s. 633.102; 911
243 public safety telecommunicators as defined in s. 401.465(1); or
244 emergency medical technicians or paramedics as defined in s.
245 401.23.

246 (11) Every employee organization shall keep accurate
247 accounts of its income and expenses, which accounts shall be
248 open for inspection at all reasonable times by any member of the
249 organization or by the commission. In addition, each employee
250 organization that has been certified as a bargaining agent must

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251 provide to its members an annual ~~audited~~ financial report
252 prepared by an independent certified public accountant licensed
253 under chapter 473 which ~~that~~ includes a detailed breakdown of
254 revenues and expenditures in such categories as the commission
255 may prescribe, and an accounting of membership dues and
256 assessments. The employee organization must notify its members
257 annually of all costs of membership.

258 Section 5. This act shall take effect July 1, 2024.