

FIRST REGULAR SESSION

SENATE BILL NO. 129

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Pre-filed December 3, 2014, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0648S.01I

AN ACT

To amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with a referendum clause.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 105, RSMo, is amended by adding thereto one new
2 section, to be known as section 105.504, to read as follows:

**105.504. 1. No sum shall be withheld from the earnings of any
2 public employee for the purposes of paying any portion of dues, agency
3 shop fees, or any other fees paid by public employee members of a
4 public labor organization, or public employees who are not members
5 except upon the annual written authorization of the public employee
6 member, or the public employee who is not a member, received on a
7 form described by subsection 2 of this section.**

8 **2. The authorization referred to in subsection 1 of this section
9 shall be made on the following form, the sole purpose of which is the
10 documentation of such authorization. The form's title shall read, in at
11 least twenty-four point bold type, "Consent for Withholding Union
12 Dues/Fees" and shall state in at least fourteen-point bold type, the
13 following specific text:**

14 **"Signing this form authorizes the amount of \$..... to be
15 withheld from your monthly earnings and allocated to your labor
16 organization as a portion of your dues, agency shop fees, or other fee
17 payments for the next twelve months. You are not obligated to sign this
18 authorization. Your signature below is completely voluntary and
19 cannot in any way affect your employment."**

20 **3. No public labor organization shall use or obtain any portion
21 of dues, agency shop fees, or any other fees paid by public employee**

22 members of the labor organization, or public employees who are not
23 members, to make contributions or expenditures as defined in section
24 130.011, except upon the written authorization of such member or non
25 member, received within the previous twelve months on a form
26 described by subsection 4 of this section signed by such member or non
27 member and an officer of the union.

28 4. The authorization referred to in subsection 3 of this section
29 shall be made on the following form, the sole purpose of which is the
30 documentation of such authorization. The form's title shall read, in at
31 least twenty-four point bold type, "Consent for Political Use of
32 Dues/Fees", and shall state in at least fourteen point bold type, the
33 following specific text:

34 "Signing this form authorizes your union to use the amount of
35 \$..... from each of your dues or agency shop fee payments
36 during the next twelve months as a political contribution or
37 expenditure."

38 "Signing this form requests your union to use the amount of
39 \$..... from each of your dues or agency shop fee payments
40 during the next twelve months as a political contribution to a
41 continuing committee formed by your public labor organization.

42 Check applicable box.

43 You are not obligated to sign this authorization. Your signature below
44 is completely voluntary and cannot in any way affect your
45 employment."

46 5. Any public labor organization that uses any portion of dues,
47 agency shop fees, or other fees to make contributions or expenditures
48 under subsection 3 of this section shall maintain records that include
49 a copy of each authorization obtained under subsection 4 of this
50 section, the amounts and dates funds were actually transferred, the
51 amounts and dates funds were transferred to the public labor
52 organization's continuing committee. Records maintained under this
53 subsection shall not include the employee's home address or telephone
54 number.

55 6. Copies of all records maintained under subsection 5 of this
56 section shall be sent to the labor and industrial relations commission
57 established under section 286.005.

58 7. Individuals who do not authorize contributions or

59 expenditures under subsection 3 of this section shall not have their
60 dues, agency shop fees, or other fees increased in lieu of contribution
61 or expenditure.

62 8. The requirements of this section shall not be waived by the
63 member or non member and waiver of the requirements shall not be
64 made a condition of employment or continued employment.

65 9. Signing or refraining from signing the authorizations referred
66 to in subsections 2 or 4 of this section shall not be made a condition of
67 employment or continued employment.

68 10. For the purposes of this section, "agency shop" means an
69 arrangement that requires an employee, as a condition of continued
70 employment, either to join the recognized employee organization, or to
71 pay the organization a service fee.

72 11. For the purposes of this section, "public labor organization"
73 includes any organization which exists and is constituted for the
74 purpose, in whole or in part, of collective bargaining or dealing with
75 public employers concerning grievances, terms, or conditions of
76 employment, or of other mutual aid or protection.

77 12. This section shall not apply to first responders as defined
78 under subdivision (3) of section 192.800 or any labor organization that
79 represents such an individual.

Section B. This act is hereby submitted to the qualified voters of this state
2 for approval or rejection at an election which is hereby ordered and which shall
3 be held and conducted on Tuesday next following the first Monday in November,
4 2016, pursuant to the laws and constitutional provisions of this state for the
5 submission of referendum measures by the general assembly, and this act shall
6 become effective when approved by a majority of the votes cast thereon at such
7 election and not otherwise.

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