

SECOND REGULAR SESSION

# SENATE BILL NO. 599

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Pre-filed December 1, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4653S.011

## 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.**

          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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