

FIRST REGULAR SESSION

[P E R F E C T E D]

SENATE SUBSTITUTE FOR

SENATE BILL NO. 202

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CROWELL.

Offered April 6, 2011.

Senate Substitute adopted, April 6, 2011.

Taken up for Perfection April 6, 2011. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

0281S.02P

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 members of a public labor
4 organization, or individuals who are not members.**

5 **2. No public labor organization shall use or obtain any portion
6 of dues, agency shop fees, or any other fees paid by members of the
7 labor organization, or individuals who are not members, to make
8 contributions or expenditures as defined in section 130.011, except
9 upon the written authorization of the member, or individual who is not
10 a member, received within the previous twelve months on a form
11 described by subsection 4 of this section signed by the member or
12 nonmember and an officer of the union.**

13 **3. The authorization referred to in subsection 3 of this section
14 shall be made on the following form, the sole purpose of which is the
15 documentation of such authorization. The form's title shall read, in at
16 least twenty-four point bold type, "Consent for Political Use of**

17 **Dues/Fees" and shall state in at least fourteen point bold type, the**
18 **following specific text:**

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

22 **"Signing this form requests your union to make a deduction of**
23 **\$..... from each of your dues or agency shop fee payments during**
24 **the next twelve months as a political contribution to the (name of the**
25 **committee).**

26 **Check applicable box.**

27 **You are not obligated to sign this authorization. Your signature below**
28 **is completely voluntary and cannot in any way affect your**
29 **employment."**

30 **4. Any public employee labor organization that uses any portion**
31 **of dues, agency shop fees, or other fees to make contributions or**
32 **expenditures under subsection 3 of this section shall maintain records**
33 **that include a copy of each authorization obtained under subsection 4**
34 **of this section, the amounts and dates funds were actually withheld, the**
35 **amounts and dates funds were transferred to a committee as defined in**
36 **section 130.011, and the committee to which the funds were**
37 **transferred. Records maintained under this subsection shall not**
38 **include the employee's home address or telephone number.**

39 **5. Copies of all records maintained under subsection 5 of this**
40 **section shall be sent to the labor and industrial relations commission,**
41 **established under section 286.005.**

42 **6. Individuals who do not authorize contributions or**
43 **expenditures under subsection 3 of this section may not have their**
44 **dues, agency shop fees, or other fees increased in lieu of contribution**
45 **or expenditure.**

46 **7. The requirements of this section may not be waived by the**
47 **member or individual and waiver of the requirements shall not be made**
48 **a condition of employment or continued employment.**

49 **8. Signing or refraining from signing the authorizations referred**
50 **to in subsection 4 of this section shall not be made a condition of**
51 **employment or continued employment.**

52 **9. For the purposes of this section "agency shop" means an**
53 **arrangement that requires an employee, as a condition of continued**
54 **employment, either to join the recognized employee organization, or to**
55 **pay the organization a service fee.**

56 **10. For the purposes of this section, "public labor organization"**
57 **includes any organization which exists and is constituted for the**
58 **purpose, in whole or in part, of collective bargaining or dealing with**
59 **public employers concerning grievances, terms, or conditions of**
60 **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 August,
4 2012, 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.

Bill ✓

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