

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 29
97TH GENERAL ASSEMBLY

Reported from the Committee on Governmental Accountability and Fiscal Oversight, February 14, 2013, with recommendation that the Senate Committee Substitute do pass.

0308S.02C

TERRY L. SPIELER, Secretary.

AN ACT

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

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 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 public employee for the purposes of paying any portion of dues, agency shop fees, or any other fees paid by public employee members of a public labor organization, or public employees who are not members.

2. No public labor organization shall use or obtain any portion of dues, agency shop fees, or any other fees paid by public employee members of the labor organization, or public employees who are not members, to make contributions or expenditures as defined in section 130.011, except upon the written authorization of such member or non member, received within the previous twelve months on a form described by subsection 3 of this section signed by such member or nonmember and an officer of the union.

3. The authorization referred to in subsection 2 of this section shall be made on the following form, the sole purpose of which is the documentation of such authorization. The form's title shall read, in at least twenty-four point bold type, "Consent for Political Use of Dues/Fees", and shall state in at least fourteen point bold type, the following specific text:

"Signing this form authorizes your union to use the amount of \$..... 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 use the amount 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 labor organization that uses any portion of dues,
31 agency shop fees, or other fees to make contributions or expenditures
32 under subsection 2 of this section shall maintain records that include
33 a copy of each authorization obtained under subsection 3 of this
34 section, the amounts and dates funds were actually transferred, 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 4 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 2 of this section shall 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 shall 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 3 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.**

61 **11. This section shall not apply to first responders as defined**
62 **under subdivision (3) of section 192.800 or any labor organization that**
63 **represents such an individual.**

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