

FIRST REGULAR SESSION
[P E R F E C T E D]
SENATE SUBSTITUTE FOR
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 29
97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

Offered March 11, 2013.

Senate Substitute adopted, March 11, 2013.

Taken up for Perfection March 11, 2013. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

0308S.08P

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
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 during**
36 **the next twelve months as a political contribution or expenditure."**

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

41 **Check applicable box.**

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

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

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

57 **7. Individuals who do not authorize contributions or**
58 **expenditures under subsection 3 of this section shall not have their**
59 **dues, agency shop fees, or other fees increased in lieu of contribution**
60 **or expenditure.**

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

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

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

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

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

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