

SECOND REGULAR SESSION

SENATE BILL NO. 814

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KINDER.

Read 1st time January 22, 1998, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S3075.011

AN ACT

To amend chapter 130, RSMo, by adding thereto one new section relating to the use of labor organization dues, with penalty provisions.

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

Section A. Chapter 130, RSMo, is amended by adding thereto one new section, to be known as section 130.200, to read as follows:

130.200. 1. No labor organization shall use any portion of dues, agency shop fees, or any other fees paid by members of the labor organization, or individuals who are not members, to make contributions or expenditures except upon the written authorization of the member, or individual who is not a member, received within the previous twelve months on a form described by subsection 2 of this section.

2. The authorization referred to in subsection 1 shall be provided on a form, the sole purpose of which is for the documentation of such an authorization. The form shall be prescribed by the commission and at a minimum shall contain the name of the individual granting the authorization, the labor organization to which the authorization is granted, the total annual amount of the dues, agency shop fees, or any other fees which will be used to make contributions or expenditures and the signature of the individual granting the authorization. The form's title shall read, in at least twenty-four point bold type, "Authorization for Political Use of Fees" and shall also state, in at least 14 point bold type, the following words immediately above the signature line:

"Signing this form authorizes a portion of your dues, agency shop fees, or other fees to be used for making political contributions or expenditures. You are not obligated to sign this authorization. Your signature below is completely voluntary and cannot in any way affect your employment."

3. Any labor organization that uses any portion of dues, agency shop fees or other fees to make contributions or expenditures under subsection 1 of this section shall maintain records that shall include a copy of each authorization obtained under subsection 2 of this section, the amounts and dates funds were actually withheld, the amounts and dates funds were transferred to a committee and the committee to which the funds were transferred.

4. Copies of all records maintained under subsection 3 of this section shall be sent to the ethics commission, established pursuant to the provisions of section 105.955, RSMo.

5. Individuals who do not authorize contributions or expenditures under subsection 1 of this section shall not have their dues, agency shop fees or other fees raised in lieu of the contribution or expenditure.

6. If the dues, agency shop fees or other fees referred to in subsections 1 and 3 of this section included an amount for a contribution or expenditure the dues, agency shop fees or other fees shall be reduced by that amount for any individual who does not sign an authorization as described under subsection 1 of this section.

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

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

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

10. The provisions of this section shall be subject to the provisions of sections 130.072 and 130.081.

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