

SECOND REGULAR SESSION

HOUSE BILL NO. 1093

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES LANT (Sponsor), JONES (110), DIEHL, REIBOLDT, DAVIS,
BURLISON, ALLEN, FLANIGAN, SWAN, REHDER, LICHTENEGGER, WOOD, FRAKER, LOVE,
ANDERSON, ROSS, KELLEY (127), PIKE AND SCHATZ (Co-sponsors).

4567H.011

D. ADAM CRUMBLISS, Chief Clerk

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
2 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
2 the purposes of paying any portion of dues, agency shop fees, or any other fees paid by
3 public employee members of a public labor organization, or public employees who are not
4 members except upon the annual written authorization of the public employee member,
5 or the public employee who is not a member, received on a form described by subsection
6 2 of this section.**

**7 2. The authorization referred to in subsection 1 of this section shall be made on the
8 following form, the sole purpose of which is the documentation of such authorization. The
9 form's title shall read, in at least twenty-four point bold type, "Consent for Withholding
10 Union Dues/Fees" and shall state in at least fourteen-point bold type, the following specific
11 text:**

**12 "Signing this form authorizes the amount of \$..... to be withheld from your
13 monthly earnings and allocated to your labor organization as a portion of your dues,
14 agency shop fees, or other fee payments for the next twelve months. You are not obligated
15 to sign this authorization. Your signature below is completely voluntary and cannot in any
16 way affect your employment."**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended
to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **3. No public labor organization shall use or obtain any portion of dues, agency shop**
18 **fees, or any other fees paid by public employee members of the labor organization, or**
19 **public employees who are not members, to make contributions or expenditures as defined**
20 **in section 130.011, except upon the written authorization of such member or non member,**
21 **received within the previous twelve months on a form described by subsection 4 of this**
22 **section signed by such member or non member and an officer of the union.**

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

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

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

34 **Check applicable box.**

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

37 **5. Any public labor organization that uses any portion of dues, agency shop fees,**
38 **or other fees to make contributions or expenditures under subsection 3 of this section shall**
39 **maintain records that include a copy of each authorization obtained under subsection 4 of**
40 **this section, the amounts and dates funds were actually transferred, the amounts and dates**
41 **funds were transferred to the public labor organization's continuing committee. Records**
42 **maintained under this subsection shall not include the employee's home address or**
43 **telephone number.**

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

46 **7. Individuals who do not authorize contributions or expenditures under subsection**
47 **3 of this section shall not have their dues, agency shop fees, or other fees increased in lieu**
48 **of contribution or expenditure.**

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

52 **9. Signing or refraining from signing the authorizations referred to in subsections**
53 **2 or 4 of this section shall not be made a condition of employment or continued**
54 **employment.**

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

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

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

✓