

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1617
97TH GENERAL ASSEMBLY

Reported from the Committee on Small Business, Insurance and Industry, April 30, 2014, with recommendation that the Senate Committee Substitute do pass.

5565S.04C

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 105, RSMo, by adding thereto one new section relating to labor organizations, with an effective date and 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 purpose 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, public employees who are not members
5 except upon the annual written authorization of the public employee
6 member, or the public employees who are not members.**

7 **2. No public labor organization shall use or obtain any portion
8 of dues, agency shop fees, or any other fees paid by public employee
9 members of the labor organization, or public employees who are not
10 members to make contributions or expenditures as defined in section
11 130.011, except on the written authorization of such member or non
12 member received within the previous twelve months.**

13 **3. Individuals who do not authorize contributions or
14 expenditures under subsection 2 of this section shall not have their
15 dues, agency shop fees, or other fees increased in lieu of contributions
16 or expenditures.**

17 **4. The requirements of this section shall not be waived by the
18 member or non member, and waiver of the requirements shall not be
19 made a condition of employment or continued employment.**

20 **5. Signing or refraining from signing the authorizations referred**

21 to in subsections 1 and 2 of this section shall not be made a condition
22 of employment or continued employment.

23 6. This section shall not apply to first responders or municipal
24 utility employees or any labor organization that represents such an
25 individual.

26 7. For the purposes of this section, the following terms shall
27 mean:

28 (1) "Agency shop", an arrangement that requires an employee, as
29 a condition of continued employment, either to join the recognized
30 employee organization or to pay the organization a service fee;

31 (2) "First responder", any person trained and authorized by law
32 or rule to render emergency medical assistance or treatment which
33 shall include, but not be limited to, emergency first responders, police
34 officers, sheriffs, deputy sheriffs, firefighters, ambulance attendants
35 and attendant drivers, emergency medical technicians, mobile
36 emergency medical technicians, emergency medical technician-
37 paramedics, registered nurses and physicians;

38 (3) "Public labor organization", any organization which exists
39 and is constituted for the purpose, in whole or in part, of collective
40 bargaining or dealing with public employers concerning grievances,
41 terms, conditions of employment, or 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 2014, or at any other successor primary election date in 2014 as provided by law,
5 pursuant to the laws and constitutional provisions of this state for the submission
6 of referendum measures by the general assembly, and this act shall become
7 effective when approved by a majority of the votes cast thereon at such election
8 and not otherwise.

Section C. Pursuant to chapter 116, RSMo, and other applicable
2 constitutional provisions and laws of this state allowing the general assembly to
3 adopt ballot language for the submission of this referendum to the voters of this
4 state, the official summary statement of this referendum shall be as follows:

5 "Shall Missouri statutes be amended to, excepting first responders,
6 prohibit public labor organizations from withholding sums from the earnings of
7 public employee members and non members for the payment of dues or fees

8 without consent, or use dues or fees paid by such members and non members for
9 political contributions or expenditures without consent?"

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