

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 148, Page 1, In the Title, Line 10, by
2 removing the word "regulations" and inserting in lieu thereof the word "organizations"; and
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4 Further amend said substitute, Page 8, Section 274.190, Line 10, by inserting immediately after said
5 line the following:

6 "290.590. 1. As used in this section, the term "labor organization" means any organization
7 of any kind or agency or employee representation committee or union which exists for the purpose in
8 whole or in part of dealing with employers concerning wages, rates of pay, hours of work, other
9 conditions of employment, or other forms of compensation.

10 2. No person shall be required as a condition or continuation of employment to:

11 (1) Become or refrain from becoming a member of a labor organization;

12 (2) Pay any dues, fees, assessments, or other similar charges however denominated of any
13 kind or amount to a labor organization; or

14 (3) In lieu of the payments listed under subdivision (2) of this subsection, pay to any charity
15 or other third party any amount equivalent to, or on a pro rata basis, any dues, fees, assessments, or
16 other charges required of members of a labor organization.

17 3. Any agreement, understanding, or practice, written or oral, implied or expressed, between
18 any labor organization and employer that violates the rights of employees as guaranteed under this
19 section is declared to be unlawful, null and void, and of no legal effect.

20 4. Any person who directly or indirectly violates any provision of this section shall be guilty
21 of a class C misdemeanor.

22 5. (1) Any person injured as a result of any violation or threatened violation of this section
23 shall be entitled to injunctive relief against any and all violators or persons threatening violations.

24 (2) Any person injured as a result of any violation or threatened violation of this section may
25 recover any and all damages of any character resulting from such violation or threatened violation
26 including costs and reasonable attorney fees. Such remedies shall be independent of and in addition
27 to the other penalties and remedies proscribed under this section.

28 6. It shall be the duty of the prosecuting attorney of each county and of the attorney general
29 of this state to investigate complaints of violation or threatened violation of this section and to
30 prosecute any person violating this section and to use all means at their command to ensure the
31 effective enforcement of this section.

32 7. This section shall not apply:

33 (1) To employers and employees covered by the federal Railway Labor Act;

34 (2) To federal employers and employees;

35 (3) To employers and employees on exclusive federal enclaves;

36 (4) Where this section conflicts with or is preempted by federal law; or

Action Taken _____ Date _____

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1 (5) To any collective bargaining agreement or any other type of agreement between an
2 employer and a labor organization entered into before the effective date of this section but shall
3 apply to any new agreement or renewal or extension of any existing collective bargaining
4 agreement."; and

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6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.