

FIRST REGULAR SESSION

# HOUSE BILL NO. 48

## 98TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE LANT.

0547H.011

D. ADAM CRUMBLISS, Chief Clerk

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### 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.

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*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:

3 **105.504. 1. No sum shall be withheld from the earnings of any public employee for**  
4 **the purpose of paying any portion of dues, agency shop fees, or any other fees paid by**  
5 **public employee members of a public labor organization, public employees who are**  
6 **nonmembers except upon the annual written authorization of the public employee member,**  
7 **or the public employees who are nonmembers.**

8 **2. No public labor organization shall use or obtain any portion of dues, agency shop**  
9 **fees, or any other fees paid by public employee members of the labor organization, or**  
10 **public employees who are nonmembers to make contributions or expenditures as defined**  
11 **in section 130.011, except on the written authorization of such member or nonmember**  
12 **received within the previous twelve months.**

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

16 **4. The requirements of this section shall not be waived by the member or**  
**nonmember, and waiver of the requirements shall not be made a condition of employment**  
**or continued 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           **5. Signing or refraining from signing the authorizations referred to in subsections**  
18 **1 and 2 of this section shall not be made a condition of employment or continued**  
19 **employment.**

20           **6. This section shall not apply to first responders or any labor organization that**  
21 **represents such an individual.**

22           **7. For the purposes of this section, the following terms shall mean:**

23           **(1) “Agency shop”, an arrangement that requires an employee, as a condition of**  
24 **continued employment, either to join the recognized employee organization or to pay the**  
25 **organization a service fee;**

26           **(2) “First responder”, any person trained and authorized by law or rule to render**  
27 **emergency medical assistance or treatment which shall include, but not be limited to,**  
28 **emergency first responders, police officers, sheriffs, deputy sheriffs, firefighters,**  
29 **ambulance attendants and attendant drivers, emergency medical technicians, mobile**  
30 **emergency medical technicians, emergency medical technician-paramedics, registered**  
31 **nurses, and physicians;**

32           **(3) “Public labor organization”, any organization which exists and is constituted for**  
33 **the purpose, in whole or in part, of collective bargaining or dealing with public employers**  
34 **concerning grievances, terms, conditions of employment, or other mutual aid or protection.**

          Section B. This act is hereby submitted to the qualified voters of this state for approval  
2 or rejection at an election which is hereby ordered and which shall be held and conducted on  
3 Tuesday next following the first Monday in August 2016, or at any other successor primary  
4 election date in 2016 as provided by law, pursuant to the laws and constitutional provisions of  
5 this state for the submission of referendum measures by the general assembly, and this act shall  
6 become effective when approved by a majority of the votes cast thereon at such election and not  
7 otherwise.

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

5           “Shall Missouri statutes be amended to, excepting first responders, prohibit public labor  
6 organizations from withholding sums from the earnings of public employee members and  
7 nonmembers for the payment of dues or fees without consent, or use dues or fees paid by such  
8 members and nonmembers for political contributions or expenditures without consent?”.

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