



762046

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

Senators Thrasher, Gaetz, and Gardiner moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsections (1) and (3) of section 110.114,
Florida Statutes, are amended to read:

110.114 Employee wage deductions.—

(1) The state or any of its departments, bureaus,
commissions, and officers are authorized and permitted, with the
concurrence of the Department of Financial Services, to make
deductions from the salary or wage of any employee or employees
in such amount as shall be authorized and requested by such
employee or employees and for such purpose as shall be



762046

14 authorized and requested by such employee or employees and shall
15 pay such sums so deducted as directed by such employee or
16 employees. The concurrence of the Department of Financial
17 Services shall not be required for the deduction of a certified
18 bargaining agent's membership dues deductions pursuant to s.
19 447.303 or any deductions authorized by a collective bargaining
20 agreement.

21 (3) Notwithstanding ~~the provisions of~~ subsections (1) and
22 (2), the deduction of an employee's membership dues deductions
23 as defined in s. 447.203(15) for an employee organization as
24 defined in s. 447.203(11) shall be authorized or permitted only
25 for an organization that has been certified as the exclusive
26 bargaining agent pursuant to chapter 447 for a unit of state
27 employees in which the employee is included. Such deductions
28 shall be subject to the provisions of s. 447.303. Deductions may
29 not be made, directly or indirectly, for the purposes of any
30 political activity, including contributions to a candidate,
31 political party, political committee, committee of continuous
32 existence, electioneering communications organization, or
33 organization exempt from taxation under s. 501(c)(4) or s. 527
34 of the Internal Revenue Code.

35 Section 2. Subsection (1) of section 112.171, Florida
36 Statutes, is amended to read:

37 112.171 Employee wage deductions.—

38 (1) The counties, municipalities, and special districts of
39 the state and the departments, agencies, bureaus, commissions,
40 and officers thereof are authorized and permitted in their sole
41 discretion to make deductions from the salary or wage of any
42 employee or employees in such amount as shall be authorized and



762046

43 requested by such employee or employees and for such purpose as
44 shall be authorized and requested by such employee or employees
45 and shall pay such sums so deducted as directed by such employee
46 or employees. However, deductions may not be made, directly or
47 indirectly, for the purposes of any political activity,
48 including contributions to a candidate, political party,
49 political committee, committee of continuous existence,
50 electioneering communications organization, or organization
51 exempt from taxation under s. 501(c)(4) or s. 527 of the
52 Internal Revenue Code.

53 Section 3. Section 447.18, Florida Statutes, is created to
54 read:

55 447.18 Written authorization required to expend certain
56 employee dues, assessments, fines, or penalties.-

57 (1) A labor organization may not, directly or indirectly,
58 collect dues, uniform assessments, fines, penalties, or special
59 assessments or other funds paid by an employee to make
60 contributions or expenditures, as defined in s. 106.011, for the
61 purposes of political activity, including contributions to a
62 candidate, political party, political committee, committee of
63 continuous existence, electioneering communications
64 organization, or organization exempt from taxation under s.
65 501(c)(4) or s. 527 of the Internal Revenue Code, without the
66 express written authorization of the employee. The written
67 authorization must be executed by the employee separately for
68 each fiscal year of the labor organization and shall be
69 accompanied with a detailed account, provided by the labor
70 organization, of all contributions and expenditures for
71 political activities made by the labor organization in the



762046

72 preceding 24 months. The labor organization shall maintain
73 detailed records relating to any such collections of
74 contributions used, directly or indirectly, for political
75 activity. Such records of an employee organization, as defined
76 in s. 447.203, are subject to review by the Public Employees
77 Relations Commission upon 30 days' written request. An employee
78 organization found to be in violation of this section shall be
79 subject to a penalty of \$1000 per day of noncompliance, and its
80 registration with the Public Employees Relations Commission
81 shall be suspended during the period of noncompliance.

82 (2) The employee may revoke the authorization described in
83 subsection (1) at any time. If an employee revokes the
84 authorization, the employee is entitled to a pro rata reduction
85 of such dues, uniform assessments, fines, penalties, or special
86 assessments for the remainder of the fiscal year of the labor
87 organization.

88 (3) A labor organization may not require an employee to
89 provide the authorization described in subsection (1) as a
90 condition of membership in the labor organization.

91 Section 4. Section 447.303, Florida Statutes, is amended to
92 read:

93 447.303 Dues; Deduction of dues for political activity
94 prohibited and collection.-

95 (1) Any employee organization that ~~which~~ has been certified
96 as a bargaining agent ~~may shall have the right to~~ have its dues
97 and uniform assessments deducted and collected by the employer
98 from the salaries of those employees who authorize the deduction
99 of said dues and uniform assessments provided that the
100 deductions are authorized by a collective bargaining agreement.



762046

101 However, such authorization is revocable at the employee's
102 request upon 30 days' written notice to the employer and
103 employee organization. ~~Said deductions shall commence upon the~~
104 ~~bargaining agent's written request to the employer.~~ Reasonable
105 costs to the employer of the said deductions shall be a proper
106 subject of collective bargaining. ~~Such right to deduction,~~
107 ~~unless revoked pursuant to s. 447.507, shall be in force for so~~
108 ~~long as the employee organization remains the certified~~
109 ~~bargaining agent for the employees in the unit.~~ The public
110 employer is expressly prohibited from any involvement in the
111 collection of fines, penalties, or special assessments.

112 (2) A public employer may not deduct or collect, directly
113 or indirectly, the dues, uniform assessments, fines, penalties,
114 or special assessments of an employee organization from the
115 compensation of any person employed by the public employer for
116 the purposes of any political activity, including contributions
117 to a candidate, political party, political committee, committee
118 of continuous existence, electioneering communications
119 organization, or organization exempt from taxation under s.
120 501(c)(4) or s. 527 of the Internal Revenue Code.

121 Section 5. If any provision of this act or its application
122 to any person or circumstance is held invalid, the invalidity
123 does not affect other provisions or applications of this act
124 which can be given effect without the invalid provision or
125 application, and to this end the provisions of this act are
126 severable.

127 Section 6. This act shall take effect July 1, 2011, and
128 applies to all collective bargaining agreements entered into on
129 or after that date.



762046

130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to labor and employment; amending s.
110.114, F.S.; prohibiting a state agency from
deducting from employee wages funds for political
activity; amending s. 112.171, F.S.; prohibiting a
county, municipality, or other local governmental
entity from deducting from employee wages funds for
political activity; creating s. 447.18, F.S.;
prohibiting labor organizations from collecting dues,
assessments, fines, or penalties for the purposes of
political activity without written authorization;
providing a penalty against employee organizations in
violation of the section; requiring that the labor
organization provide notice of such contributions and
expenditures; prohibiting a labor organization from
requiring an employee to authorize the collection of
funds for political contributions and expenditures as
a condition of membership in the organization;
amending s. 447.303, F.S.; allowing dues deductions
only when authorized by a collective bargaining
agreement; prohibiting a public employer from
deducting or collecting from employee wages the dues,
uniform assessments, fines, penalties, or special
assessments of an employee organization for the



762046

159
160
161

purposes of political activity; providing for
severability; providing for prospective application;
providing an effective date.