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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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03/23/2023 12:45 PM

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Senator Ingoglia moved the following:

Senate Amendment (with title amendment)

Delete lines 174 - 307

and insert:

(d) The current annual financial statement or the current audited annual financial statement, as applicable, of the organization.

(e) The name of its business agent, if any; if different from the business agent, the name of its local agent for service of process; and the addresses where such person or persons can be reached.



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12 (f) A pledge, in a form prescribed by the commission, that
13 the employee organization will conform to the laws of the state
14 and that it will accept members without regard to age, race,
15 sex, religion, or national origin.

16 (g) A copy of the current constitution and bylaws of the
17 employee organization.

18 (h) A copy of the current constitution and bylaws of the
19 state and national groups with which the employee organization
20 is affiliated or associated. In lieu of this provision, and upon
21 adoption of a rule by the commission, a state or national
22 affiliate or parent organization of any registering labor
23 organization may annually submit a copy of its current
24 constitution and bylaws.

25 (2) A registration granted to an employee organization
26 pursuant to the provisions of this section shall run for 1 year
27 from the date of issuance. A registration shall be renewed
28 annually by filing application for renewal under oath with the
29 commission, which application shall reflect any changes in the
30 information provided to the commission in conjunction with the
31 employee organization's preceding application for registration
32 or previous renewal, whichever is applicable. Each application
33 for renewal of registration shall include a current annual
34 financial statement. If the employee organization does not
35 represent law enforcement officers, correctional officers, or
36 correctional probation officers as those terms are defined in s.
37 943.10(1), (2), or (3), respectively, or firefighters as defined
38 in s. 633.102, the current annual financial statement submitted
39 by the employee organization must be audited and certified by an
40 independent certified public accountant licensed under chapter



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41 473. An annual financial statement submitted pursuant to this
42 subsection must be ~~report~~, signed by the employee organization's
43 ~~its~~ president and treasurer or corresponding principal officers
44 and must contain, ~~containing~~ the following information in such
45 detail as may be necessary accurately to disclose its financial
46 condition and operations for its preceding fiscal year and in
47 such categories as the commission may prescribe:

48 (a) Assets and liabilities at the beginning and end of the
49 fiscal year;

50 (b) Receipts of any kind and the sources thereof;

51 (c) Salary, allowances, and other direct or indirect
52 disbursements, including reimbursed expenses, to each officer
53 and also to each employee who, during such fiscal year, received
54 more than \$10,000 in the aggregate from such employee
55 organization and any other employee organization affiliated with
56 it or with which it is affiliated or which is affiliated with
57 the same national or international employee organization;

58 (d) Direct and indirect loans made to any officer,
59 employee, or member which aggregated more than \$250 during the
60 fiscal year, together with a statement of the purpose, security,
61 if any, and arrangements for repayment; and

62 (e) Direct and indirect loans to any business enterprise,
63 together with a statement of the purpose, security, if any, and
64 arrangements for repayment.

65 (3) In addition to subsection (2), an employee organization
66 that has been certified as the bargaining agent for public
67 employees must include for each such certified bargaining unit
68 the following information and documentation as of the 30th day
69 immediately preceding the date of renewal in its application for



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70 any renewal of registration on or after October 1, 2023:
71 (a) The number of employees in the bargaining unit who are
72 eligible for representation by the employee organization.
73 (b) The number of employees in the bargaining unit who have
74 submitted signed membership authorization forms without a
75 subsequent revocation of such membership.
76 (c) The number of employees in the bargaining unit who paid
77 dues to the employee organization.
78 (d) The number of employees in the bargaining unit who did
79 not pay dues to the employee organization.
80 (e) Documentation provided by an independent certified
81 public accountant retained by the employee organization which
82 verifies the information provided in paragraphs (a)-(d).
83 (4) The employee organization must provide a copy of its
84 application for renewal of registration relating to a public
85 employer's employees to the public employer on the same day the
86 application is submitted to the commission.
87 (5) An application for renewal of registration is
88 incomplete and is not eligible for consideration by the
89 commission if it does not include all of the information and
90 documentation required in subsection (3). The commission shall
91 notify the employee organization if the application is
92 incomplete. An incomplete application must be dismissed if the
93 required information and documentation are not provided within
94 10 days after the employee organization receives such notice.
95 (6) Notwithstanding the provisions of this chapter relating
96 to collective bargaining, an employee organization that had less
97 than 60 percent of the employees eligible for representation in
98 the bargaining unit pay dues during its last registration period



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99 must petition the commission pursuant to s. 447.307(2) and (3)
100 for recertification as the exclusive representative of all
101 employees in the bargaining unit within 1 month after the date
102 on which the employee organization applies for renewal of
103 registration pursuant to subsection (2). The certification of an
104 employee organization that does not comply with this section is
105 revoked.

106 (7) The public employer or a bargaining unit employee may
107 challenge an employee organization's application for renewal of
108 registration if the public employer or bargaining unit employee
109 believes that the application is inaccurate. The commission or
110 one of its designated agents shall review the application to
111 determine its accuracy and compliance with this section. If the
112 commission finds that the application is inaccurate or does not
113 comply with this section, the commission shall revoke the
114 registration and certification of the employee organization.

115 (8) The commission may conduct an investigation to confirm
116 the validity of any information submitted pursuant to this
117 section. The commission may revoke or deny an employee
118 organization's registration or certification if it finds that
119 the employee organization:

120 (a) Failed to cooperate with the investigation conducted
121 pursuant to this subsection; or

122 (b) Intentionally misrepresented the information it
123 submitted pursuant to subsection (3).

124
125 A decision issued by the commission pursuant to this subsection
126 is a final agency action that is reviewable pursuant to s.
127 447.504.



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128 (9) Subsections (3)-(8) do not apply to an employee
129 organization that has been certified as the bargaining agent to
130 represent law enforcement officers, correctional officers, or
131 correctional probation officers as those terms are defined in s.
132 943.10(1), (2), or (3), respectively, or firefighters as defined
133 in s. 633.102.

134 ~~(10)-(3)~~ A registration fee shall accompany each application
135 filed with the commission. The amount charged for an application
136 for registration or renewal of registration shall not exceed
137 \$15. All such money collected by the commission shall be
138 deposited in the General Revenue Fund.

139 ~~(11)-(4)~~ Every employee organization shall keep accurate
140 accounts of its income and expenses, which accounts shall be
141 open for inspection at all reasonable times by any member of the
142 organization or by the commission. In addition, each employee
143 organization that has been certified as a bargaining agent must
144 provide to its members an annual financial report or, if the
145 employee organization does not represent law enforcement
146 officers, correctional officers, or correctional probation
147 officers as those terms are defined in s. 943.10(1), (2), or
148 (3), respectively, or firefighters as defined in s. 633.102, an
149 audited annual financial report. Such financial reports must
150 include a detailed breakdown of revenues and expenditures, and

151
152 ===== T I T L E A M E N D M E N T =====

153 And the title is amended as follows:

154 Delete lines 52 - 53

155 and insert:

156 organizations to provide its members with a specified



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report; requiring employee