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1                   A bill to be entitled  
2           An act relating to employee organizations representing  
3           public employees; amending s. 447.301, F.S.; requiring  
4           a public employee who desires to be a member of an  
5           employee organization to sign a membership  
6           authorization form beginning on a specified date;  
7           requiring that such form include a specified  
8           statement; authorizing a public employee to revoke  
9           membership in an employee organization at any time of  
10          the year; requiring an employee organization to revoke  
11          a public employee's membership upon receipt of his or  
12          her written request for revocation; prohibiting an  
13          employee organization from limiting an employee's  
14          right to revoke membership to certain dates;  
15          prohibiting a revocation form from requiring a reason  
16          for the public employee's decision to revoke his or  
17          her membership; requiring employee organizations to  
18          retain such authorization forms and requests for  
19          revocation for inspection by the Public Employees  
20          Relations Commission; providing applicability with  
21          respect to certain employee organizations; authorizing  
22          the commission to adopt rules; amending s. 447.303,  
23          F.S.; prohibiting certain employee organizations from  
24          having dues and uniform assessments deducted and  
25          collected by the employer from certain salaries;  
26          authorizing public employees to pay dues and uniform  
27          assessments directly to the employee organization;  
28          authorizing certain employee organizations to have  
29          dues and uniform assessments deducted and collected by

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30 the employer from certain salaries; amending s.  
31 447.305, F.S.; revising requirements for applications  
32 for initial registrations and renewals of registration  
33 of employee organizations; providing procedures for  
34 incomplete applications; requiring certain employee  
35 organizations to petition the commission for  
36 recertification as bargaining agents; authorizing a  
37 public employer or bargaining unit employee to  
38 challenge an employee organization's application for  
39 renewal of registration; requiring the commission or  
40 one of its designated agents to review the  
41 application; requiring the commission to revoke the  
42 registration and certification of the employee  
43 organization in certain circumstances; authorizing the  
44 commission to conduct investigations for specified  
45 purposes; authorizing the commission to revoke or deny  
46 an employee organization's registration or  
47 certification under certain circumstances; specifying  
48 that certain decisions issued by the commission are  
49 reviewable final agency actions; providing  
50 applicability with respect to certain employee  
51 organizations; requiring certain employee  
52 organizations to provide their members with an annual  
53 audited financial report; requiring employee  
54 organizations to notify their members annually of all  
55 costs of membership; amending s. 447.509, F.S.;  
56 revising prohibitions for employee organizations and  
57 certain persons and entities relating to employee  
58 organizations; amending s. 1012.2315, F.S.; removing

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59 duplicative provisions; reenacting ss. 110.114(3) and  
60 447.507(6) (a), F.S., relating to employee wage  
61 deductions and violation of strike prohibition and  
62 penalties, respectively, to incorporate the amendment  
63 made to s. 447.303, F.S., in references thereto;  
64 providing effective dates.

65  
66 Be It Enacted by the Legislature of the State of Florida:

67  
68 Section 1. Subsection (1) of section 447.301, Florida  
69 Statutes, is amended to read:

70 447.301 Public employees' rights; organization and  
71 representation.—

72 (1) (a) Public employees shall have the right to form, join,  
73 and participate in, or to refrain from forming, joining, or  
74 participating in, any employee organization of their own  
75 choosing.

76 (b)1. Beginning July 1, 2023, a public employee who desires  
77 to be a member of an employee organization must sign and date a  
78 membership authorization form, as prescribed by the commission,  
79 with the bargaining agent.

80 2. The membership authorization form must identify the name  
81 of the bargaining agent, the name of the employee, the class  
82 code and class title of the employee, the name of the public  
83 employer and employing agency, if applicable, the amount of the  
84 initiation fee and of the monthly dues which the member must  
85 pay, and the name and total amount of salary, allowances, and  
86 other direct or indirect disbursements, including  
87 reimbursements, paid to each of the five highest compensated

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88 officers and employees of the employee organization disclosed  
89 under s. 447.305(2)(c).

90 3. The membership authorization form must contain the  
91 following statement in 14-point type:

92  
93 The State of Florida is a right-to-work state.  
94 Membership or non-membership in a labor union is not  
95 required as a condition of employment, and union  
96 membership and payment of union dues and assessments  
97 are voluntary. Each person has the right to join and  
98 pay dues to a labor union or to refrain from joining  
99 and paying dues to a labor union. No employee may be  
100 discriminated against in any manner for joining and  
101 financially supporting a labor union or for refusing  
102 to join or financially support a labor union.

103  
104 4. A public employee may revoke membership in the employee  
105 organization at any time of the year. Upon receipt of the  
106 employee's written revocation of membership, the employee  
107 organization must revoke a public employee's membership. The  
108 employee organization may not limit an employee's right to  
109 revoke membership to certain dates. If a public employee must  
110 complete a form to revoke membership in the employee  
111 organization, the form may not require a reason for the public  
112 employee's decision to revoke his or her membership.

113 5. An employee organization must retain for inspection by  
114 the commission such membership authorization forms and any  
115 revocations.

116 6. This paragraph does not apply to members of an employee

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117 organization that has been certified as a bargaining agent to  
118 represent law enforcement officers, correctional officers, or  
119 correctional probation officers as those terms are defined in s.  
120 943.10(1), (2), or (3), respectively, or firefighters as defined  
121 in s. 633.102.

122 7. The commission may adopt rules to implement this  
123 paragraph.

124 Section 2. Effective July 1, 2023, section 447.303, Florida  
125 Statutes, is amended to read:

126 447.303 Dues; deduction and collection.—

127 (1) Except as authorized in subsection (2), an employee  
128 organization that has been certified as a bargaining agent may  
129 not have its dues and uniform assessments deducted and collected  
130 by the employer from the salaries of those employees in the  
131 unit. A public employee may pay dues and uniform assessments  
132 directly to the employee organization that has been certified as  
133 the bargaining agent.

134 (2) (a) An ~~Any~~ employee organization ~~that~~ ~~which~~ has been  
135 certified as a bargaining agent to represent law enforcement  
136 officers, correctional officers, or correctional probation  
137 officers as those terms are defined in s. 943.10(1), (2), or  
138 (3), respectively, or firefighters as defined in s. 633.102 has  
139 ~~shall have~~ the right to have its dues and uniform assessments  
140 deducted and collected by the employer from the salaries of  
141 those employees who authorize the deduction and collection of  
142 said dues and uniform assessments. However, such authorization  
143 is revocable at the employee's request upon 30 days' written  
144 notice to the employer and employee organization. Said  
145 deductions shall commence upon the bargaining agent's written

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146 request to the employer.

147 (b) Reasonable costs to the employer of said deductions is  
148 ~~shall be~~ a proper subject of collective bargaining.

149 (c) Such right to deduction, unless revoked under ~~pursuant~~  
150 ~~to~~ s. 447.507, is ~~shall be~~ in force for so long as the employee  
151 organization remains the certified bargaining agent for the  
152 employees in the unit.

153 (3) The public employer is expressly prohibited from any  
154 involvement in the collection of fines, penalties, or special  
155 assessments.

156 Section 3. Effective October 1, 2023, section 447.305,  
157 Florida Statutes, is amended to read:

158 447.305 Registration of employee organization.—

159 (1) Every employee organization seeking to become a  
160 certified bargaining agent for public employees shall register  
161 with the commission pursuant to the procedures set forth in s.  
162 120.60 prior to requesting recognition by a public employer for  
163 purposes of collective bargaining and prior to submitting a  
164 petition to the commission requesting certification as an  
165 exclusive bargaining agent. Further, if such employee  
166 organization is not registered, it may not participate in a  
167 representation hearing, participate in a representation  
168 election, or be certified as an exclusive bargaining agent. The  
169 application for registration required by this section shall be  
170 under oath and in such form as the commission may prescribe and  
171 shall include:

172 (a) The name and address of the organization and of any  
173 parent organization or organization with which it is affiliated.

174 (b) The names and addresses of the principal officers and

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175 all representatives of the organization.

176 (c) The amount of the initiation fee and of the monthly  
177 dues which members must pay.

178 (d) The current annual audited financial statement of the  
179 organization.

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

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

188 (g) A copy of the current constitution and bylaws of the  
189 employee organization.

190 (h) A copy of the current constitution and bylaws of the  
191 state and national groups with which the employee organization  
192 is affiliated or associated. In lieu of this provision, and upon  
193 adoption of a rule by the commission, a state or national  
194 affiliate or parent organization of any registering labor  
195 organization may annually submit a copy of its current  
196 constitution and bylaws.

197 (2) A registration granted to an employee organization  
198 pursuant to the provisions of this section shall run for 1 year  
199 from the date of issuance. A registration shall be renewed  
200 annually by filing application for renewal under oath with the  
201 commission, which application shall reflect any changes in the  
202 information provided to the commission in conjunction with the  
203 employee organization's preceding application for registration

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204 or previous renewal, whichever is applicable. Each application  
205 for renewal of registration shall include a current annual  
206 audited financial statement, certified by an independent  
207 certified public accountant licensed under chapter 473 and  
208 ~~report,~~ signed by the employee organization's ~~its~~ president and  
209 treasurer or corresponding principal officers, containing the  
210 following information in such detail as may be necessary  
211 accurately to disclose its financial condition and operations  
212 for its preceding fiscal year and in such categories as the  
213 commission may prescribe:

214 (a) Assets and liabilities at the beginning and end of the  
215 fiscal year;

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

217 (c) Salary, allowances, and other direct or indirect  
218 disbursements, including reimbursed expenses, to each officer  
219 and also to each employee who, during such fiscal year, received  
220 more than \$10,000 in the aggregate from such employee  
221 organization and any other employee organization affiliated with  
222 it or with which it is affiliated or which is affiliated with  
223 the same national or international employee organization;

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

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

231 (3) In addition to subsection (2), an employee organization  
232 that has been certified as the bargaining agent for public



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233 employees must include for each such certified bargaining unit  
234 the following information and documentation as of the 30th day  
235 immediately preceding the date of renewal in its application for  
236 any renewal of registration on or after October 1, 2023:

237 (a) The number of employees in the bargaining unit who are  
238 eligible for representation by the employee organization.

239 (b) The number of employees in the bargaining unit who have  
240 submitted signed membership authorization forms without a  
241 subsequent revocation of such membership.

242 (c) The number of employees in the bargaining unit who paid  
243 dues to the employee organization.

244 (d) The number of employees in the bargaining unit who did  
245 not pay dues to the employee organization.

246 (e) Documentation provided by an independent certified  
247 public accountant retained by the employee organization which  
248 verifies the information provided in paragraphs (a)-(d).

249 (4) The employee organization must provide a copy of its  
250 application for renewal of registration relating to a public  
251 employer's employees to the public employer on the same day the  
252 application is submitted to the commission.

253 (5) An application for renewal of registration is  
254 incomplete and is not eligible for consideration by the  
255 commission if it does not include all of the information and  
256 documentation required in subsection (3). The commission shall  
257 notify the employee organization if the application is  
258 incomplete. An incomplete application must be dismissed if the  
259 required information and documentation are not provided within  
260 10 days after the employee organization receives such notice.

261 (6) Notwithstanding the provisions of this chapter relating

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262 to collective bargaining, an employee organization that had less  
263 than 60 percent of the employees eligible for representation in  
264 the bargaining unit pay dues during its last registration period  
265 must petition the commission pursuant to s. 447.307(2) and (3)  
266 for recertification as the exclusive representative of all  
267 employees in the bargaining unit within 1 month after the date  
268 on which the employee organization applies for renewal of  
269 registration pursuant to subsection (2). The certification of an  
270 employee organization that does not comply with this section is  
271 revoked.

272 (7) The public employer or a bargaining unit employee may  
273 challenge an employee organization's application for renewal of  
274 registration if the public employer or bargaining unit employee  
275 believes that the application is inaccurate. The commission or  
276 one of its designated agents shall review the application to  
277 determine its accuracy and compliance with this section. If the  
278 commission finds that the application is inaccurate or does not  
279 comply with this section, the commission shall revoke the  
280 registration and certification of the employee organization.

281 (8) The commission may conduct an investigation to confirm  
282 the validity of any information submitted pursuant to this  
283 section. The commission may revoke or deny an employee  
284 organization's registration or certification if it finds that  
285 the employee organization:

286 (a) Failed to cooperate with the investigation conducted  
287 pursuant to this subsection; or

288 (b) Intentionally misrepresented the information it  
289 submitted pursuant to subsection (3).

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291 A decision issued by the commission pursuant to this subsection  
292 is a final agency action that is reviewable pursuant to s.  
293 447.504.

294 (9) Subsections (3)-(8) do not apply to an employee  
295 organization that has been certified as the bargaining agent to  
296 represent law enforcement officers, correctional officers, or  
297 correctional probation officers as those terms are defined in s.  
298 943.10(1), (2), or (3), respectively, or firefighters as defined  
299 in s. 633.102.

300 (10)~~(3)~~ A registration fee shall accompany each application  
301 filed with the commission. The amount charged for an application  
302 for registration or renewal of registration shall not exceed  
303 \$15. All such money collected by the commission shall be  
304 deposited in the General Revenue Fund.

305 (11)~~(4)~~ Every employee organization shall keep accurate  
306 accounts of its income and expenses, which accounts shall be  
307 open for inspection at all reasonable times by any member of the  
308 organization or by the commission. In addition, each employee  
309 organization that has been certified as a bargaining agent must  
310 provide to its members an annual audited financial report that  
311 includes a detailed breakdown of revenues and expenditures, and  
312 an accounting of membership dues and assessments. The employee  
313 organization must notify its members annually of all costs of  
314 membership.

315 Section 4. Paragraphs (d) and (e) are added to subsection  
316 (1) of section 447.509, Florida Statutes, to read:

317 447.509 Other unlawful acts.—

318 (1) Employee organizations, their members, agents, or  
319 representatives, or any persons acting on their behalf are

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320 hereby prohibited from:

321 (d) Offering anything of value to a public officer as  
322 defined in s. 112.313(1) which the public officer is prohibited  
323 from accepting under s. 112.313(2).

324 (e) Offering any compensation, payment, or thing of value  
325 to a public officer as defined in s. 112.313(1) which the public  
326 officer is prohibited from accepting under s. 112.313(4).

327 Section 5. Effective October 1, 2023, paragraph (c) of  
328 subsection (4) of section 1012.2315, Florida Statutes, is  
329 amended to read:

330 1012.2315 Assignment of teachers.—

331 (4) COLLECTIVE BARGAINING.—

332 ~~(c)1. In addition to the provisions under s. 447.305(2), an~~  
333 ~~employee organization that has been certified as the bargaining~~  
334 ~~agent for a unit of instructional personnel as defined in s.~~  
335 ~~1012.01(2) must include for each such certified bargaining unit~~  
336 ~~the following information in its application for renewal of~~  
337 ~~registration:~~

338 ~~a. The number of employees in the bargaining unit who are~~  
339 ~~eligible for representation by the employee organization.~~

340 ~~b. The number of employees who are represented by the~~  
341 ~~employee organization, specifying the number of members who pay~~  
342 ~~dues and the number of members who do not pay dues.~~

343 ~~2. Notwithstanding the provisions of chapter 447 relating~~  
344 ~~to collective bargaining, an employee organization whose dues~~  
345 ~~paying membership is less than 50 percent of the employees~~  
346 ~~eligible for representation in the unit, as identified in~~  
347 ~~subparagraph 1., must petition the Public Employees Relations~~  
348 ~~Commission pursuant to s. 447.307(2) and (3) for recertification~~

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349 ~~as the exclusive representative of all employees in the unit~~  
350 ~~within 1 month after the date on which the organization applies~~  
351 ~~for renewal of registration pursuant to s. 447.305(2). The~~  
352 ~~certification of an employee organization that does not comply~~  
353 ~~with this paragraph is revoked.~~

354 Section 6. Effective July 1, 2023, for the purpose of  
355 incorporating the amendment made by this act to section 447.303,  
356 Florida Statutes, in a reference thereto, subsection (3) of  
357 section 110.114, Florida Statutes, is reenacted to read:

358 110.114 Employee wage deductions.—

359 (3) Notwithstanding the provisions of subsections (1) and  
360 (2), the deduction of an employee's membership dues deductions  
361 as defined in s. 447.203(15) for an employee organization as  
362 defined in s. 447.203(11) shall be authorized or permitted only  
363 for an organization that has been certified as the exclusive  
364 bargaining agent pursuant to chapter 447 for a unit of state  
365 employees in which the employee is included. Such deductions  
366 shall be subject to the provisions of s. 447.303.

367 Section 7. Effective July 1, 2023, for the purpose of  
368 incorporating the amendment made by this act to section 447.303,  
369 Florida Statutes, in a reference thereto, paragraph (a) of  
370 subsection (6) of section 447.507, Florida Statutes, is  
371 reenacted to read:

372 447.507 Violation of strike prohibition; penalties.—

373 (6) (a) If the commission determines that an employee  
374 organization has violated s. 447.505, it may:

375 1. Issue cease and desist orders as necessary to ensure  
376 compliance with its order.

377 2. Suspend or revoke the certification of the employee

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378 organization as the bargaining agent of such employee unit.

379 3. Revoke the right of dues deduction and collection  
380 previously granted to said employee organization pursuant to s.  
381 447.303.

382 4. Fine the organization up to \$20,000 for each calendar  
383 day of such violation or determine the approximate cost to the  
384 public due to each calendar day of the strike and fine the  
385 organization an amount equal to such cost, notwithstanding the  
386 fact that the fine may exceed \$20,000 for each such calendar  
387 day. The fines so collected shall immediately accrue to the  
388 public employer and shall be used by him or her to replace those  
389 services denied the public as a result of the strike. In  
390 determining the amount of damages, if any, to be awarded to the  
391 public employer, the commission shall take into consideration  
392 any action or inaction by the public employer or its agents that  
393 provoked, or tended to provoke, the strike by the public  
394 employees.

395 Section 8. Except as otherwise expressly provided in this  
396 act, this act shall take effect upon becoming a law.