

1 HB583
2 152179-3
3 By Representatives Ford and Hammon
4 RFD: Internal Affairs
5 First Read: 09-APR-13

1 legislative process, including, but not limited to,
2 formulating and preparing policy for the caucus, preparing an
3 analysis of issues to be considered or under consideration by
4 the Legislature, or formulating a recommendation to the caucus
5 on issues before, or likely to come before, the caucus. As
6 used in this subdivision, "political caucus" means a caucus of
7 either house of the Legislature that represents the political
8 party that is in the majority in the respective house or a
9 political party that is in the minority in either house.

10 " (b) (1) No person in the employment of the State of
11 Alabama, a county, a city, a local school board, or any other
12 governmental agency may arrange by salary deduction or
13 otherwise for any payments to a political action committee or
14 arrange by salary deduction or otherwise for any payments for
15 the dues of any person so employed to a membership
16 organization which uses any portion of the dues for political
17 activity. For purposes of this subsection only, political
18 activity shall be limited to all of the following:

19 "a. Making contributions to or contracting with any
20 entity which engages in any form of political communication,
21 including communications which mention the name of a political
22 candidate.

23 "b. Engaging in or paying for public opinion
24 polling.

25 "c. Engaging in or paying for any form of political
26 communication, including communications which mention the name
27 of a political candidate.

1 "d. Engaging in or paying for any type of political
2 advertising in any medium.

3 "e. Phone calling for any political purpose.

4 "f. Distributing political literature of any type.

5 "g. Providing any type of in-kind help or support to
6 or for a political candidate.

7 "(2) Any organization that requests the State of
8 Alabama, a county, a city, a local school board, or any other
9 governmental agency to arrange by salary deduction or
10 otherwise for the collection of membership dues from persons
11 employed by the State of Alabama, a county, a city, a local
12 school board, or any other governmental agency shall certify
13 to the appropriate governmental entity that none of the
14 membership dues will be used for political activity.
15 Thereafter, at the conclusion of each calendar year, each
16 organization that has arranged for the collection of its
17 membership dues from persons employed by the State of Alabama,
18 a county, a city, a local school board, or any other
19 governmental agency shall provide the appropriate governmental
20 entity a detailed breakdown of the expenditure of the
21 membership dues of persons employed by the State of Alabama, a
22 county, a city, a local school board, or any other
23 governmental agency and collected by the governmental entity.
24 Any organization that fails to provide the required
25 certifications, that reports any expenditures for political
26 activity, or that files false information about political
27 activity in any of its reports shall be permanently barred

1 from arranging for the collection of its membership dues by
2 any governmental entity. The Examiners of Public Accounts
3 shall annually review a sample of at least 10 percent of the
4 certifications filed with each governmental entity and report
5 its findings to the appropriate governmental entity.

6 "(c) Any person who is in the employment of the
7 State of Alabama, a county, a city, a local school board, the
8 State Board of Education or any other governmental agency,
9 shall be on approved leave to engage in political action or
10 the person shall be on personal time before or after work and
11 on holidays. It shall be unlawful for any officer or employee
12 to solicit any type of political campaign contributions from
13 other employees who work for the officer or employee in a
14 subordinate capacity. It shall also be unlawful for any
15 officer or employee to coerce or attempt to coerce any
16 subordinate employee to work in any capacity in any political
17 campaign or cause. Any person who violates this section shall
18 be guilty of the crime of trading in public office and upon
19 conviction thereof, shall be fined or sentenced, or both, as
20 provided by Section 13A-10-63."

21 Section 2. This act shall become effective October
22 1, 2013, following its passage and approval by the Governor,
23 or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Internal Affairs
..... 09-APR-13

Read for the second time and placed
on the calendar with 1 substitute
and..... 23-APR-13

Read for the third time and passed
as amended..... 25-APR-13

Yeas 94, Nays 0, Abstains 0

Jeff Woodard
Clerk