

HOUSE BILL No. 2401

By Committee on Federal and State Affairs

3-17

1 AN ACT concerning labor organizations; relating to dues; amending
2 K.S.A. 44-803 and repealing the existing section.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 44-803 is hereby amended to read as follows: 44-
6 803. (a) Employees shall have the right to self-organization, to form, join,
7 or assist labor organizations, to bargain collectively through
8 representatives of their own choosing, and to engage in concerted
9 activities, for the purpose of collective bargaining or other mutual aid or
10 protection, and such employees shall also have the right to refrain from
11 any or all such activities.

12 (b) (1) *Employees who are members of a labor organization shall*
13 *have the right to the control of such members' political free speech and the*
14 *use of such members' money for political purposes as provided in this*
15 *subsection. It shall be prohibited for any labor organization to use any*
16 *dues, fees, money or other assessments deducted from a member's*
17 *paycheck for the purpose of engaging in partisan or political purposes as*
18 *defined in paragraph (4). A labor organization may not require any*
19 *contribution to a candidate, personal campaign committee, political*
20 *action committee, registered political party or political fund as a condition*
21 *of membership or participation in the labor organization.*

22 (2) (A) *A labor employee organization wishing to make expenditures*
23 *for partisan or political purposes shall establish a political fund.*

24 (B) *Each labor organization that establishes a political fund shall:*

25 (i) *Maintain the political fund as a separate, segregated account*
26 *apart from any account containing money received by a labor*
27 *organization as union dues;*

28 (ii) *ensure that each contribution to the political fund is voluntary;*
29 *and*

30 (iii) *establish the political fund as a political action committee.*

31 (C) (i) *A labor organization may only make expenditures for partisan*
32 *or political purposes from a political fund established in accordance with*
33 *this section.*

34 (ii) *A labor organization shall not expend union dues for partisan or*
35 *political purposes or transfer union dues to a political fund.*

36 (3) (A) *Nothing in this section precludes a labor organization from*

1 *making expenditures of union dues to communicate directly with its own*
2 *members about political candidates or political issues.*

3 *(B) Nothing in this section precludes a labor organization from*
4 *making expenditures of union dues either for the establishment of a*
5 *political fund or to solicit contributions from its members to a political*
6 *fund.*

7 *(4) As used in this section:*

8 *(A) "Partisan or political purposes" means an act done with the*
9 *intent or in a way to influence or tend to influence, directly or indirectly,*
10 *any person to refrain from voting or to vote for or against any candidate*
11 *for public office at any caucus, political convention, primary or election.*

12 *(B) "Political fund" means a separate, segregated fund established by*
13 *a labor organization for partisan and political purposes that meets the*
14 *requirements of this section.*

15 *(C) "Union dues" means dues, fees, money or other assessments*
16 *required as a condition of membership or participation in a labor*
17 *organization.*

18 *Sec. 2. K.S.A. 44-803 is hereby repealed.*

19 *Sec. 3. This act shall take effect and be in force from and after its*
20 *publication in the statute book.*