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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/18/2011	.	
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The Committee on Rules (Thrasher, Gaetz, Gardiner, and Negron) recommended the following:

Senate Amendment (with title amendment)

Delete lines 35 - 185

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



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

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

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

38 112.171 Employee wage deductions.—

39 (1) The counties, municipalities, and special districts of
40 the state and the departments, agencies, bureaus, commissions,
41 and officers thereof are authorized and permitted in their sole



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

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

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

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



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71 organization, of all contributions and expenditures for
72 political activities made by the labor organization in the
73 preceding 24 months. The labor organization shall maintain
74 detailed records relating to any such collections of
75 contributions used, directly or indirectly, for political
76 activity. Such records are subject to review by the commission
77 upon 30 days' written request.

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

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

87 Section 4. Section 447.303, Florida Statutes, is amended to
88 read:

89 447.303 ~~Dues; Deduction of dues for political activity~~
90 prohibited and collection.-

91 (1) Any employee organization that which has been certified
92 as a bargaining agent shall have the right to have its dues and
93 uniform assessments deducted and collected by the employer from
94 the salaries of those employees who authorize the deduction of
95 said dues and uniform assessments. However, such authorization
96 is revocable at the employee's request upon 30 days' written
97 notice to the employer and employee organization. The Said
98 deductions shall commence upon the bargaining agent's written
99 request to the employer. Reasonable costs to the employer of the



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100 ~~said~~ deductions shall be a proper subject of collective
101 bargaining. Such right to deduction, unless revoked pursuant to
102 s. 447.507, shall be in force for so long as the employee
103 organization remains the certified bargaining agent for the
104 employees in the unit. The public employer is expressly
105 prohibited from any involvement in the collection of fines,
106 penalties, or special assessments.

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

116
117 ===== T I T L E A M E N D M E N T =====

118 And the title is amended as follows:

119 Delete lines 2 - 29

120 and insert:

121 An act relating to labor and employment; amending s.
122 110.114, F.S.; prohibiting a state agency from
123 deducting from employee wages funds for political
124 activity; amending s. 112.171, F.S.; prohibiting a
125 county, municipality, or other local governmental
126 entity from deducting from employee wages funds for
127 political activity; creating s. 447.18, F.S.;
128 prohibiting labor organizations from collecting dues,



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129 assessments, fines, or penalties for the purposes of
130 political activity without written authorization;
131 requiring that the labor organization provide notice
132 of such contributions and expenditures; prohibiting a
133 labor organization from requiring an employee to
134 authorize the collection of funds for political
135 contributions and expenditures as a condition of
136 membership in the organization; amending s. 447.303,
137 F.S.; prohibiting a public employer from deducting or
138 collecting from employee wages the dues, uniform
139 assessments, fines, penalties, or special assessments
140 of an employee organization for the purposes of
141 political activity;