

HOUSE BILL No. 2175

By Committee on Commerce, Labor and Economic Development

2-7

1 AN ACT concerning labor organizations; relating to fair share charitable
2 fees; enacting the fair share act; amending K.S.A. 44-803 and repealing
3 the existing section.
4

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

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

13 (b) (1) *A fair share charitable fee shall apply, as a condition of the*
14 *employee's employment, to any employee who elects not to be a member of*
15 *a labor organization that is the exclusive bargaining representative of the*
16 *employee's bargaining unit under applicable federal law. The fair share*
17 *charitable fee shall be an amount determined by the labor organization*
18 *and shall be equal to not less than 85% and not more than 100% of the*
19 *regular dues and initiation fees assessed by the labor organization to its*
20 *members. The fair share charitable fee shall be deducted by the employer*
21 *from a nonmember employee's wages and transmitted by the employer as*
22 *follows: 90% to the labor organization and 10% to a charitable*
23 *organization selected by the labor organization.*

24 (2) *An employee who elects to be a member of the labor organization*
25 *shall not be required to pay the fair share charitable fee.*

26 (3) *The charge, receipt or retention of the fair share charitable fee as*
27 *provided in this subsection shall not constitute a violation of K.S.A. 44-*
28 *809(6), and amendments thereto.*

29 (4) *This subsection shall be implemented no more than 95 days after*
30 *its effective date.*

31 (5) *This subsection shall be known and may be cited as the fair share*
32 *act.*

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 K.S.A. 44-803 is hereby repealed.

34 Sec. 3. This act shall take effect and be in force from and after its
35 publication in the statute book.