The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Matt DeVille.

DIGEST

SB 264 Original

2024 Regular Session

Seabaugh

<u>Present law</u> authorizes payroll deductions from public employees for mandated federal or state income withholdings, credit unions, garnishments, liens, union dues, savings bonds programs, qualified United Way entities, health and life insurance products offered through the Office of Group Benefits, and products having state participating contributions, sponsored by the Office of Group Benefits, which qualify and are offered under Section 125 of the Internal Revenue Code (Cafeteria Plan), products offered without state contributory participation which have been evaluated and approved in accordance with rules and procedures promulgated by the commissioner of administration, and donations to any qualified nonprofit community health and human services charities, coordinated and payable through the Louisiana Association of United Ways.

<u>Proposed law</u> retains <u>present law</u> and requires any organization that requests a public entity to arrange for collection of membership dues via salary deduction of its employees to certify that none of the membership dues will be used for political activity.

<u>Proposed law</u> further requires each organization receiving membership dues from salary deductions of public employees to provide the governmental employer with a detailed breakdown of the expenditure of membership dues.

<u>Proposed law</u> provides that any organization that fails to provide the certification and expenditure report regarding use of membership dues required by <u>proposed law</u> will be permanently barred from the collection of membership dues through salary deduction.

<u>Present law</u> provides that employee of the state or of any political subdivision of the state may authorize his employer to withhold from his salary a specific amount for payment of his dues to any labor organization to which he belongs or professional state or local law enforcement or firefighter association which is located or is operating a chapter within the respective jurisdiction and to which the employee belongs.

<u>Present law</u> further provides that the employee must voluntarily execute and furnish to the employer a written and specific authorization to deduct a portion of his salary for payment of membership dues and transmit the amount withheld to the organization designated by the employee.

<u>Proposed law</u> retains <u>present law</u> and further provides that an employee has the unwaivable right to immediately cease the salary deduction upon the submission of a written or emailed request to his employer and stop accruing any further debt to the association. Further provides the employer must immediately notify the association of the employee's decision.

Proposed law provides that all employee authorizations for salary deductions are only valid for one

year, require annual renewal to remain effective, and that any prior authorizations for deductions are deemed invalid.

<u>Proposed law</u> applies prospectively to any new collective bargaining agreement or contract that is entered into or any existing collective bargaining agreement that is modified, extended, or otherwise affected by a new or modified memorandum of understanding.

<u>Proposed law</u> requires the employer to provide written or electronic notification on an annual basis at minimum advising the employee of his right to cease payment of membership dues and to withdraw membership from the association.

<u>Proposed law</u> requires salary deduction authorizations to be made on a form prescribed by the employer that contains a statement advising the employee of his rights to not join or pay dues to a labor organization and to revoke the authorization at any time.

<u>Proposed law</u> requires salary deduction authorizations to be submitted to the employer and to contain the employee's full name, position, employee organization, and signature.

<u>Proposed law</u> provides that an employer cannot deduct any portion of an employee's salary for purposes of payment of labor organization dues without emailed receipt of confirmation of the employee's authorization from the employee's employer-provided email address. Further provides that if the employee does not have an employer-provided email address the employer may use other means it deems appropriate to confirm the authorization.

<u>Proposed law</u> provides that no state or local governmental officer, agent, or governing body shall be vested with or otherwise possess any authority to recognize any labor union or other employee association as a bargaining or meet-and-confer agent of any public officers or employees or to collectively bargain, meet-and-confer, or enter into any collective bargaining contract or memorandum of understanding that outlines terms and conditions of employment with any union or association or its agents with respect to any matter relating to them or their employment or service.

Effective August 1, 2024.

(Amends R.S. 42:456(A)(1), 457, and 457.1; adds R.S. 42:456(C))