

---

The original instrument was prepared by Michelle Ducharme. The following digest, which does not constitute a part of the legislative instrument, was prepared by Laura Gail Sullivan.

---

## DIGEST

### Martiny (SB 76)

Proposed law provides that a public entity, unless otherwise required by federal law, when engaged in procuring products or services or letting contracts for construction, manufacture, or operation of public works paid for in whole or in part by public funds, or when overseeing or administering such procurement, construction, manufacture, or operation, shall ensure that bid specifications, project agreements, and other controlling documents entered into, required, or subject to approval by the public entity shall not:

- (1) Require bidders, offerors, contractors, subcontractors, or operators to:
  - (a) Enter into or adhere to agreements with one or more labor organizations on the same or related projects.
  - (b) Enter into agreements whereby they are required to remain neutral toward any labor organization.
  - (c) Pay predetermined or prevailing wages.
- (2) Discriminate against bidders, offerors, contractors, subcontractors, or operators for refusing to:
  - (a) Become or remain signatories or otherwise adhere to agreements with one or more labor organizations on the same or related projects.
  - (b) Enter into any agreement whereby they are required to remain neutral toward any labor organization.
- (3) Require any bidders, offerors, contractors, subcontractors, or operators to enter into, adhere to, or enforce any agreement that requires any employee as a condition of employment to:
  - (a) Become a member of or become affiliated with a labor organization.
  - (b) Pay dues or fees to a labor organization over the employee's objection.

Proposed law prohibits public entities from providing financial assistance, issuing grants, or entering into cooperative agreements for projects that restrict certain rights of employers or their employees.

Proposed law does not prevent contractors and subcontractors from voluntarily entering into various agreements which are otherwise prohibited by proposed law.

Proposed law allows any interested party to challenge any bid specification, project agreement, neutrality agreement, controlling document, grant, or cooperative agreement which violates proposed law. Provides for injunctive relief for violation of proposed law.

Proposed law specifies that the provisions of proposed law shall not apply to any inmate work-release program or to any contract under the Louisiana Quality Jobs Program.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 38:2211(A)(12); adds R.S. 38:2225.5)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Labor and Industrial Relations to the original bill.

1. Specify that the provisions of proposed law shall not apply to any inmate work-release program or to any contract under the Louisiana Quality Jobs Program.