

1 HB37
2 173353-4
3 By Representatives Mooney, Wingo, Tuggle, Johnson (R), Hill
4 (J), Fridy, Lee, Ledbetter, Wilcox, Sanderford, Clouse, Holmes
5 (M), Boothe, Baker, Greer, McCutcheon, Millican, Martin,
6 Beckman, Garrett, Pettus, Chesteen, Carns, Poole, Shedd,
7 Hubbard and Faulkner (Constitutional Amendment)
8 RFD: Constitution, Campaigns and Elections
9 First Read: 02-FEB-16
10 PFD: 01/21/2016

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ENROLLED, An Act,

Proposing an amendment to the Constitution of Alabama of 1901, as amended; to declare that it is the public policy of Alabama that the right of persons to work may not be denied or abridged on account of membership or nonmembership in a labor union or labor organization; to prohibit an agreement to deny the right to work, or condition of prospective employment, on account of membership or nonmembership in a labor union or labor organization; to prohibit an employer from requiring its employee to abstain from union membership as a condition of employment; and to provide that an employer may not require a person, as a condition of employment or continuation of employment, to pay dues, fees, or other charges of any kind to any labor union or labor organization.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended:

PROPOSED AMENDMENT

1 (a) It is hereby declared to be the public policy of
2 Alabama that the right of persons to work may not be denied or
3 abridged on account of membership or nonmembership in a labor
4 union or labor organization.

5 (b) An agreement or combination between an employer
6 and labor union or labor organization which provides that a
7 person who is not a member of the union or organization shall
8 be denied the right to work for the employer, or where
9 membership in the union or organization is made a condition of
10 employment or continuation of employment by the employer, or
11 where the union or organization acquires an employment
12 monopoly in any enterprise, is hereby declared to be against
13 public policy and an illegal combination or conspiracy.

14 (c) No person shall be required by an employer to
15 become or remain a member of any labor union or labor
16 organization as a condition of employment or continuation of
17 employment.

18 (d) A person may not be required by an employer to
19 abstain or refrain from membership in any labor union or labor
20 organization as a condition of employment or continuation of
21 his or her employment.

22 (e) An employer may not require a person, as a
23 condition of employment or continuation of employment, to pay
24 dues, fees, or other charges of any kind to any labor union or
25 labor organization.

1 (f) This amendment shall not apply to any lawful
2 contract in force on or prior to the date of the ratification
3 of this amendment but it shall apply in all respects to
4 contracts entered into after the date of the ratification of
5 this amendment, and to any renewal or extension of an existing
6 contract.

7 Section 2. An election upon the proposed amendment
8 shall be held in accordance with Sections 284 and 285 of the
9 Constitution of Alabama of 1901, now appearing as Sections 284
10 and 285 of the Official Recompilation of the Constitution of
11 Alabama of 1901, as amended, and the election laws of this
12 state.

13 Section 3. The appropriate election official shall
14 assign a ballot number for the proposed constitutional
15 amendment on the election ballot and shall set forth the
16 following description of the substance or subject matter of
17 the proposed constitutional amendment:

18 "Proposing an amendment to the Constitution of
19 Alabama of 1901, to declare that it is the public policy of
20 Alabama that the right of persons to work may not be denied or
21 abridged on account of membership or nonmembership in a labor
22 union or labor organization; to prohibit an agreement to deny
23 the right to work, or place conditions on prospective
24 employment, on account of membership or nonmembership in a
25 labor union or labor organization; to prohibit an employer

1 from requiring its employees to abstain from union membership
2 as a condition of employment; and to provide that an employer
3 may not require a person, as a condition of employment or
4 continuation of employment, to pay dues, fees, or other
5 charges of any kind to any labor union or labor organization.

6 "Proposed by Act _____."

7 This description shall be followed by the following
8 language:

9 "Yes () No ()."

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 17-FEB-16, as amended.

Jeff Woodard
Clerk

Senate

17-MAR-16

Passed