

REFERENCE TITLE: payroll deduction; dues; activities; statement

State of Arizona  
Senate  
Forty-eighth Legislature  
First Regular Session  
2007

## **SB 1297**

Introduced by  
Senators Harper: Gorman, Gould; Representatives Adams, Anderson, Barnes,  
Biggs, Clark, Crandall, Crump, Driggs, Murphy, Nichols, Pearce, Tobin,  
Weiers JP, Yarbrough

AN ACT

AMENDING TITLE 23, CHAPTER 8, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 23-1308; AMENDING TITLE 38, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 38-612.01; RELATING TO EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 23, chapter 8, article 1, Arizona Revised Statutes,  
3 is amended by adding section 23-1308, to read:

4 23-1308. Labor organization; statement of political activities;  
5 definition

6 A. ANY LABOR ORGANIZATION THAT PARTICIPATES IN POLITICAL ACTIVITIES  
7 SHALL ANNUALLY PROVIDE TO EACH EMPLOYEE A STATEMENT OF POLITICAL ACTIVITIES  
8 THAT INDICATES THE TOTAL AMOUNT OF DUES RECEIVED AND THE TOTAL AMOUNT SPENT  
9 FOR POLITICAL ACTIVITIES DURING THE PREVIOUS CALENDAR YEAR. THE LABOR  
10 ORGANIZATION SHALL PROVIDE THE EMPLOYEE THE STATEMENT OF POLITICAL ACTIVITIES  
11 AT THE SAME TIME THE STATEMENT OF WITHHOLDING IS PROVIDED TO THE EMPLOYEE  
12 PURSUANT TO SECTION 43-413.

13 B. FOR THE PURPOSES OF THIS SECTION, LABOR ORGANIZATION DOES NOT  
14 INCLUDE ANY ORGANIZATION, AGENCY OR EMPLOYEE REPRESENTATION COMMITTEE THAT  
15 REPRESENTS PUBLIC SAFETY EMPLOYEES OR EMERGENCY MEDICAL SERVICE EMPLOYEES WHO  
16 SERVE THIS STATE OR ANY CITY, TOWN, COUNTY OR FIRE DISTRICT IN THIS STATE.

17 C. FOR THE PURPOSES OF THIS SECTION, "POLITICAL ACTIVITIES" MEANS  
18 ADVOCATING THE ELECTION OR DEFEAT OF ANY CANDIDATE OR ENGAGING IN LOBBYING,  
19 AS DEFINED IN SECTION 41-1231.

20 Sec. 2. Title 38, chapter 4, article 1, Arizona Revised Statutes, is  
21 amended by adding section 38-612.01, to read:

22 38-612.01. Payroll deduction; declaration of purpose; audit

23 A. THE FOLLOWING APPLIES TO ANY NONGOVERNMENTAL PAYEE THAT RECEIVES  
24 MONIES AS A RESULT OF A PAYROLL SALARY DEDUCTION FROM THE SALARY OF AN  
25 OFFICER OR EMPLOYEE OF THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE,  
26 INCLUDING AN OFFICER OR EMPLOYEE OF A SCHOOL DISTRICT.

27 B. THE PAYEE SHALL ANNUALLY FILE A DECLARATION WITH THE APPROPRIATE  
28 OFFICER WHO ADMINISTERS THE PAYROLL DEDUCTION THAT:

29 1. DESCRIBES THE PURPOSE OF THE PAYROLL DEDUCTION.

30 2. STATES THAT NO PART OF THE MONIES RECEIVED AS A RESULT OF THE  
31 DEDUCTION WILL BE USED FOR THE PURPOSES OF INFLUENCING THE OUTCOME OF AN  
32 ELECTION AS PROVIDED IN TITLE 16.

33 C. THE AUDITOR GENERAL SHALL VERIFY THE DECLARATIONS FILED PURSUANT TO  
34 SUBSECTION B.

35 D. IF THE AUDITOR GENERAL FINDS THAT THE PAYEE HAS FILED A FALSE  
36 DECLARATION, THE PAYEE FORFEITS ANY RIGHT UNDER A STATE OR LOCAL LAW, A LOCAL  
37 ORDINANCE OR ANY AGREEMENT THAT AUTHORIZES AN OFFICER OR EMPLOYEE TO ALLOW  
38 DEDUCTIONS TO BE MADE FROM THE SALARY OF THE OFFICER OR EMPLOYEE TO THE  
39 PAYEE.