

1 HB459  
2 146284-2  
3 By Representative Scott  
4 RFD: Commerce and Small Business  
5 First Read: 20-MAR-13

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

ENROLLED, An Act,

To amend Section 25-7-5, Code of Alabama 1975, relating to labor organizations; to remove the \$2 fee associated with filing an annual report.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 25-7-5, Code of Alabama 1975, is amended to read as follows:

"§25-7-5.

"(a) Every labor organization functioning in Alabama, and every labor organization hereafter desiring to function in Alabama shall, before doing so, file a copy of its constitution and its bylaws and a copy of the constitution and bylaws of the national or international union, if any, to which the labor organization belongs, with the Department of Labor, but this provision shall not be construed to require the filing of any ritual relating solely to the initiation or reception of members. All changes or amendments to the constitution or bylaws, local, national, or international, adopted subsequent to their original filing must be filed with the Department of Labor within 30 days after the adoption thereof.

"(b) Every labor organization functioning in the State of Alabama and having 25 or more members in any calendar year shall file annually, on or before March 31, or, if the

1 organization's fiscal year does not coincide with the calendar  
 2 year, within 90 days after the close of the organization's  
 3 fiscal year, with every member of their respective labor  
 4 organizations and with the Commissioner of the Department of  
 5 Labor, a report in writing showing certain facts hereinafter  
 6 required as of the close of business on the last day of the  
 7 previous calendar or fiscal year. Such report shall be filed  
 8 by the secretary or business agent of such labor organization  
 9 and shall show the following facts:

10 "(1) The name of the labor organization;

11 "(2) The location of its principal office and its  
 12 offices in Alabama;

13 "(3) The name of the president, secretary,  
 14 treasurer, and other officers and business agents, together  
 15 with the salaries, wages, bonuses, and other remuneration paid  
 16 each and post office address of each;

17 "(4) The date of the regular election of officers of  
 18 such labor organization;

19 "(5) The number of its paid up members;

20 "(6) A complete financial statement of all fees,  
 21 dues, fines, or assessments levied and/or received, together  
 22 with an itemized list of all disbursements, with the names of  
 23 recipients and purpose therefor, covering the preceding 12  
 24 months; and

1           "(7) A complete statement of all property owned by  
2 the labor organization, including any moneys on hand or  
3 accredited to such labor organization.

4           "~~Said~~ The report shall be duly verified by the oath  
5 of the president, secretary, or some other regularly selected  
6 and acting officer of such labor organization having knowledge  
7 of the facts therein stated. It shall be the duty of the  
8 Commissioner of Labor to cause to be printed and to make  
9 available to the public forms for making such report. ~~At the~~  
10 ~~time of filing each such report it shall be the duty of every~~  
11 ~~such labor organization to pay the Commissioner of Labor an~~  
12 ~~annual fee therefor in the sum of \$2.00.~~ The Commissioner of  
13 Labor shall receive, file, and index the reports provided for  
14 in this section.

15           "(c) The records provided for in this section shall  
16 be made available by the Commissioner of Labor in his office  
17 to the Governor of Alabama for examination.

18           "(d) It shall be unlawful for any fiscal or other  
19 officer or agent of any labor organization to collect or  
20 accept payment of any dues, fees, assessments, fines, or any  
21 other moneys from any member while such labor organization is  
22 in default with respect to filing the annual report required  
23 in this section."

1                   Section 2. This act shall become effective on the  
2 first day of the third month following its passage and  
3 approval by the Governor, or its otherwise becoming law.

