

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

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8 SYNOPSIS: Under existing law, every labor organization
9 functioning in the State of Alabama is required to
10 file an annual report and pay a \$2 fee at the time
11 of filing the report.

12 This bill would remove the \$2 fee.

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14 A BILL
15 TO BE ENTITLED
16 AN ACT

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

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

24 "§25-7-5.

25 "(a) Every labor organization functioning in
26 Alabama, and every labor organization hereafter desiring to
27 function in Alabama shall, before doing so, file a copy of its

1 constitution and its bylaws and a copy of the constitution and
2 bylaws of the national or international union, if any, to
3 which the labor organization belongs, with the Department of
4 Labor, but this provision shall not be construed to require
5 the filing of any ritual relating solely to the initiation or
6 reception of members. All changes or amendments to the
7 constitution or bylaws, local, national, or international,
8 adopted subsequent to their original filing must be filed with
9 the Department of Labor within 30 days after the adoption
10 thereof.

11 "(b) Every labor organization functioning in the
12 State of Alabama and having 25 or more members in any calendar
13 year shall file annually, on or before March 31, or, if the
14 organization's fiscal year does not coincide with the calendar
15 year, within 90 days after the close of the organization's
16 fiscal year, with every member of their respective labor
17 organizations and with the Commissioner of the Department of
18 Labor, a report in writing showing certain facts hereinafter
19 required as of the close of business on the last day of the
20 previous calendar or fiscal year. Such report shall be filed
21 by the secretary or business agent of such labor organization
22 and shall show the following facts:

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

24 "(2) The location of its principal office and its
25 offices in Alabama;

26 "(3) The name of the president, secretary,
27 treasurer, and other officers and business agents, together

1 with the salaries, wages, bonuses, and other remuneration paid
2 each and post office address of each;

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

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

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

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

14 ~~"Said The report shall be duly verified by the oath~~
15 ~~of the president, secretary, or some other regularly selected~~
16 ~~and acting officer of such labor organization having knowledge~~
17 ~~of the facts therein stated. It shall be the duty of the~~
18 ~~Commissioner of Labor to cause to be printed and to make~~
19 ~~available to the public forms for making such report. At the~~
20 ~~time of filing each such report it shall be the duty of every~~
21 ~~such labor organization to pay the Commissioner of Labor an~~
22 ~~annual fee therefor in the sum of \$2.00. The Commissioner of~~
23 ~~Labor shall receive, file, and index the reports provided for~~
24 ~~in this section.~~

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

1 "(d) It shall be unlawful for any fiscal or other
2 officer or agent of any labor organization to collect or
3 accept payment of any dues, fees, assessments, fines, or any
4 other moneys from any member while such labor organization is
5 in default with respect to filing the annual report required
6 in this section."

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