

*Be it Enacted by the People of the State of Colorado:*

Article 32, Title 22, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**SECTION 22-32-110.2. Prohibition on donation of school district facilities for labor organization activities.**

(1) THE PEOPLE OF THE STATE OF COLORADO FIND AND DECLARE THAT PUBLIC SCHOOLS SHOULD NOT SUBSIDIZE LABOR ORGANIZATIONS BY DONATING THE USE OF PUBLIC SCHOOL FACILITIES. FURTHER, PUBLIC SCHOOL DISTRICT FACILITIES, PROPERTIES AND RESOURCES ARE EXTENSIVELY USED BY LABOR ORGANIZATIONS AT NO CHARGE, THEREBY RESULTING IN A TAXPAYER SUBSIDY FOR LABOR ORGANIZATIONS. PUBLIC SCHOOL DISTRICTS MUST, THEREFORE, CHARGE LABOR ORGANIZATIONS THE FAIR MARKET VALUE FOR THEIR USE OF ANY PUBLIC SCHOOL DISTRICT FACILITY, PROPERTY, OR RESOURCE.

(2) ANY LABOR ORGANIZATION THAT USES A SCHOOL DISTRICT FACILITY, PROPERTY OR RESOURCE FOR ANY OF THE FOLLOWING ACTIVITIES MUST PAY FAIR MARKET VALUE FOR USE OF SUCH FACILITY, PROPERTY, OR RESOURCE.

(a) EVENTS OR MEETINGS ORGANIZED, SPONSORED, OR PUBLICIZED BY LABOR ORGANIZATIONS.

(b) COMMUNICATIONS INVOLVING LABOR ORGANIZATION MATTERS, INCLUDING BUT NOT LIMITED TO, LABOR ORGANIZATION MEETINGS, EVENTS, ADMINISTRATION, ELECTIONS, OR OTHER INTERNAL ISSUES.

(c) COMMUNICATIONS THAT PUBLICIZE LABOR ORGANIZATION OPINIONS, POLICY POSITIONS, OR OTHER OFFICIAL STATEMENTS.

(d) COMMUNICATIONS THAT PUBLICIZE OPINIONS, POLICY POSITIONS, OR OTHER STATEMENTS MADE BY LABOR ORGANIZATION EMPLOYEES OR OFFICERS.

(3) IF THE SCHOOL DISTRICT DOES NOT REGULARLY CHARGE MEMBERS OF THE PUBLIC FOR THE USE OF ITS FACILITY, PROPERTY, OR RESOURCE, THEN FOR PURPOSES OF THIS PROVISION FAIR MARKET VALUE WILL BE FIXED AT \$100 FOR EACH USE OF SUCH FACILITY, PROPERTY, OR RESOURCE.

(4) THE PROVISIONS IN THIS SECTION SHALL NOT APPLY TO ANY COLLECTIVE BARGAINING AGREEMENT ENTERED INTO PRIOR TO THE APPROVAL OF THIS MEASURE. THE PROVISIONS IN THIS SECTION SHALL APPLY TO ANY AGREEMENT, AND ANY RENEWAL OR EXTENSIONS OF AN EXISTING AGREEMENT, ENTERED INTO BY SCHOOL DISTRICTS AFTER APPROVAL OF THIS MEASURE.

**(5) ENFORCEMENT PROVISIONS**

(a) ANY PERSON OR ORGANIZATION THAT VIOLATES ANY PROVISION OF THIS SECTION SHALL BE SUBJECT TO EITHER A FINE OF \$2,000 OR TWICE THE FAIR MARKET VALUE OF THE USE OF THE SCHOOL DISTRICT FACILITY, PROPERTY OR RESOURCE, WHICHEVER IS GREATER.

(b) ANY PERSON OR ORGANIZATION THAT KNOWINGLY AND INTENTIONALLY VIOLATES ANY PROVISION OF THIS SECTION SHALL BE SUBJECT TO A FINE OF \$5,000, OR FIVE TIMES THE FAIR MARKET VALUE OF THE USE OF THE SCHOOL DISTRICT FACILITY, PROPERTY OR RESOURCE, WHICHEVER IS GREATER.

(c) ANY PRIVATE PARTY MAY BRING AN ACTION IN A COURT OF LAW SEEKING FINES OR INJUNCTIVE RELIEF.

(d) NO CAUSE OF ACTION MAY BE BROUGHT MORE THAN TWO YEARS AFTER ANY VIOLATION OF THIS SECTION.

(5) THIS MEASURE SHALL TAKE EFFECT IMMEDIATELY UPON APPROVAL BY THE PEOPLE OF THE STATE OF COLORADO.

