

Amendment 47
Prohibition on Mandatory Labor Union Membership and Dues

1 **Ballot Title:** An amendment to the Colorado constitution concerning participation in
2 a labor organization as a condition of employment, and, in connection therewith,
3 prohibiting an employer from requiring that a person be a member and pay any moneys
4 to a labor organization or to any other third party in lieu of payment to a labor
5 organization and creating a misdemeanor criminal penalty for a person who violates the
6 provisions of the section.

7 **Text of Proposal:**

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

9 **SECTION 1.** Article XVIII of the constitution of the state of Colorado is amended
10 BY THE ADDITION OF A NEW SECTION to read:

11 **Section 16. Right to work.** (1) THIS AMENDMENT SHALL BE KNOWN AND MAY BE
12 CITED AS THE "COLORADO RIGHT TO WORK AMENDMENT".

13 (2) (a) NO PERSON SHALL, AS A CONDITION OF EMPLOYMENT, BE REQUIRED TO:

14 (I) BE A MEMBER OF A LABOR UNION; AND

15 (II) PAY ANY DUES, FEES, ASSESSMENTS, OR OTHER CHARGES OF ANY KIND TO A
16 LABOR UNION OR TO ANY CHARITY OR OTHER THIRD PARTY, IN LIEU OF SUCH PAYMENTS.

17 (b) NOTHING IN THIS SECTION SHALL PREVENT ANY PERSON FROM VOLUNTARILY
18 BELONGING OR VOLUNTARILY PROVIDING FINANCIAL SUPPORT TO A LABOR UNION.

19 (3) ANY PERSON WHO DIRECTLY OR INDIRECTLY VIOLATES ANY PROVISION OF THIS
20 SECTION COMMITS A MISDEMEANOR AND UPON CONVICTION THEREOF SHALL BE
21 PUNISHED BY A FINE IN AN AMOUNT EQUIVALENT TO THE MOST STRINGENT
22 MISDEMEANOR CLASSIFICATION PROVIDED BY LAW.

23 (4) THIS SECTION SHALL APPLY TO ALL UNION EMPLOYMENT CONTRACTS ENTERED
24 INTO AFTER THE EFFECTIVE DATE OF THIS SECTION AND SHALL APPLY TO ANY RENEWAL
25 OR EXTENSION OF ANY EXISTING UNION CONTRACT.

1 (5) AS USED IN THIS SECTION, "LABOR UNION" MEANS ANY ORGANIZATION OF ANY
2 KIND, OR AGENCY OR EMPLOYEE REPRESENTATION COMMITTEE OR ORGANIZATION, THAT
3 EXISTS FOR THE PURPOSE, IN WHOLE OR IN PART, OF DEALING WITH EMPLOYERS
4 CONCERNING WAGES, RATES OF PAY, HOURS OF WORK, OTHER CONDITIONS OF
5 EMPLOYMENT, OR OTHER FORMS OF COMPENSATION; ANY ORGANIZATION THAT EXISTS
6 FOR THE PURPOSE OF COLLECTIVE BARGAINING OR OF DEALING WITH EMPLOYERS
7 CONCERNING GRIEVANCES; AND ANY ORGANIZATION PROVIDING OTHER MUTUAL AID OR
8 PROTECTION IN CONNECTION WITH EMPLOYMENT.

9 **SECTION 2. Effective date.** This amendment shall take effect upon proclamation
10 of the vote by the governor.