

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS35273-LR-94 (03/13)

Short Title: No State Payroll Deductions for Politics.

(Public)

Sponsors: Senator Brock.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT AMENDING THE STATE PERSONNEL ACT TO PROHIBIT PUBLIC
3 EMPLOYERS FROM MAKING PAYROLL DEDUCTIONS FOR POLITICAL
4 PURPOSES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 5 of Chapter 126 of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 126-13.1. Payroll deductions for political purposes prohibited.**

9 (a) The following definitions apply in this section:

10 (1) Labor organization. – Any lawful organization that is composed, in whole or
11 in part, of employees and that exists for the purpose, in whole or in part, of
12 dealing with employers concerning grievances, labor disputes, wages, rates
13 of pay, hours of employment, or other terms and conditions of employment.
14 The term includes each employee association and union for public
15 employees. The term does not include organizations governed by the
16 National Labor Relations Act, 29 U.S.C. § 151, et seq., or the Railroad
17 Labor Act, 45 U.S.C. § 151, et seq.

18 (2) Political purposes. – An act done with the intent or in a way to influence or
19 tend to influence, directly or indirectly, any person to refrain from voting or
20 to vote for or against any candidate for public office at any caucus, political
21 convention, primary, or election.

22 (3) Public employee. – A person employed by any of the following:

23 a. The State of North Carolina or any administrative subunit of the
24 State.

25 b. The University of North Carolina.

26 c. The Community College System.

27 d. A city, county, local board of education, authority, special service
28 district, or any other political subdivision of the State.

29 (4) Public employer. – An employer that is any of the following:

30 a. The State of North Carolina or any administrative subunit of the
31 State.

32 b. The University of North Carolina.

33 c. The Community College System.

34 d. A city, county, local board of education, authority, special service
35 district, or any other political subdivision of the State.



1 (5) Union dues. – Dues, fees, assessments, or other monies required as a
2 condition of membership or participation in a labor organization.

3 (b) A public employer may not deduct from the wages of its employees any amounts to
4 be paid to (i) a candidate for political office, (ii) a personal campaign committee, (iii) a political
5 action committee, (iv) a political issues committee, (v) a registered political party, (vi) a
6 political fund, or (vii) any entity established by a labor organization to solicit, collect, or
7 distribute monies primarily for political purposes.

8 (c) Notwithstanding G.S. 126-5 or any other provision of law, this section applies to all
9 public employees regardless of whether the employees are exempt or not exempt from this
10 Chapter.

11 (d) The Attorney General may bring a civil action to require a public employer to
12 comply with the requirements of this section."

13 **SECTION 2.** This act is effective when it becomes law.