

COMMITTEE ON GOVERNMENT
SENATE AMENDMENTS TO H.C.R. 2040
(Reference to House engrossed resolution)

Amendment instruction key:
[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.
[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.
[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
<<Green strikeout in carets>> indicates a section removed from the bill.

1 The resolution as proposed to be amended is reprinted as follows:
2 1. Article XVIII, Constitution of Arizona, is proposed to be
3 amended by adding section 11 as follows if approved by the voters and on
4 proclamation of the Governor:
5 11. School districts; labor organizations; use of
6 public monies or public resources prohibited;
7 conditions of employment; right to negotiate;
8 teacher strikes prohibited; definitions
9 SECTION 11. A. A SCHOOL DISTRICT MAY NOT USE PUBLIC
10 MONIES AND PUBLIC RESOURCES TO SUPPORT THE OPERATIONS OF A
11 LABOR ORGANIZATION.
12 B. A SCHOOL DISTRICT MAY NOT DEDUCT ANY PAYMENT FROM A
13 SCHOOL DISTRICT EMPLOYEE'S PAYCHECK FOR LABOR ORGANIZATION
14 MEMBERSHIP DUES.
15 C. A SCHOOL DISTRICT MAY NOT PROVIDE ACCESS TO THE
16 SCHOOL DISTRICT'S INTERNAL COMMUNICATIONS SYSTEMS TO
17 DISTRIBUTE LABOR ORGANIZATION MEMBERSHIP RECRUITING
18 INFORMATION OR POLITICAL MATERIALS.
19 D. SCHOOL DISTRICT EMPLOYEES MAY NOT DISTRIBUTE
20 WRITTEN, PRINTED OR DIGITAL COMMUNICATIONS IN A MANNER THAT
21 CONSUMES PUBLIC RESOURCES ON A LABOR ORGANIZATION'S BEHALF.
22 E. A SCHOOL DISTRICT MAY NOT USE PUBLIC MONIES OR
23 PUBLIC RESOURCES TO PERFORM LABOR ORGANIZATION ACTIVITIES
24 DURING WORKING HOURS, INCLUDING USING ANY OF THE FOLLOWING:
25 1. GOVERNMENT ACCOUNTING OR PAYROLL SYSTEMS TO COLLECT
26 DUES, FEE CONTRIBUTIONS OR OTHER ASSESSMENTS FOR A LABOR
27 ORGANIZATION.

1 2. FACILITIES FOR CAPTIVE AUDIENCE MEETINGS TO RECRUIT
2 LABOR ORGANIZATION MEMBERS DURING WORKING HOURS, INCLUDING NEW
3 HIRE ORIENTATIONS.

4 3. PAID LEAVE TO CONDUCT BUSINESS ON BEHALF OF A LABOR
5 ORGANIZATION. A SCHOOL DISTRICT MAY NOT APPROVE EMPLOYEE PAID
6 LEAVE FOR ANY BUSINESS RELATED TO A SCHOOL DISTRICT EMPLOYEE'S
7 LABOR ORGANIZATION ACTIVITIES.

8 4. INTERNAL GOVERNMENT COMMUNICATION SYSTEMS TO
9 DISTRIBUTE LABOR ORGANIZATION MEMBERSHIP RECRUITING
10 INFORMATION OR POLITICAL MATERIALS.

11 5. ANY OTHER PUBLIC RESOURCE FOR DISTRIBUTING WRITTEN,
12 PRINTED OR DIGITAL COMMUNICATIONS ON BEHALF OF THE LABOR
13 ORGANIZATION.

14 F. THIS SECTION SUPERSEDES ANY CONTRACT, MEMORANDUM OF
15 UNDERSTANDING, MEET AND CONFER AGREEMENT, POLICY, ORDINANCE OR
16 OTHER WRITTEN OR ORAL AGREEMENT.

17 [G. A SCHOOL DISTRICT EMPLOYEE HAS A RIGHT TO NEGOTIATE
18 THE SCHOOL DISTRICT EMPLOYEE'S OWN TERMS AND CONDITIONS OF
19 EMPLOYMENT, INCLUDING WAGES, BENEFITS AND WORKING CONDITIONS.
20 THIS STATE OR ANY POLITICAL SUBDIVISION OF THIS STATE MAY NOT
21 NEGOTIATE WITH A LABOR ORGANIZATION AN EXCLUSIVE
22 REPRESENTATION AGREEMENT, COLLECTIVE BARGAINING AGREEMENT,
23 MEMORANDUM OF UNDERSTANDING, CONTRACT OR OTHER AGREEMENT
24 REGARDING THE TERMS AND CONDITIONS OF EMPLOYMENT.

25 H. NOTWITHSTANDING ANY OTHER LAW, ANY TEACHER WHO IS
26 EMPLOYED BY A SCHOOL DISTRICT OR CHARTER SCHOOL IN THIS STATE
27 MAY NOT STRIKE OR ENGAGE IN AN ORGANIZED WORK STOPPAGE AGAINST
28 THE SCHOOL DISTRICT OR CHARTER SCHOOL. A TEACHER WHO VIOLATES
29 THIS SUBSECTION FORFEITS ALL CIVIL SERVICE RIGHTS, ALL
30 REEMPLOYMENT RIGHTS AND ANY OTHER RIGHTS, BENEFITS OR
31 PRIVILEGES THAT ACCRUE AS A RESULT OF EMPLOYMENT, OR FORMER
32 EMPLOYMENT, BY A SCHOOL DISTRICT OR CHARTER SCHOOL IN THIS
33 STATE.

34 I. SUBSECTION H OF THIS SECTION DOES NOT RESTRICT A
35 TEACHER'S RIGHT TO STOP WORK IF THE TEACHER IS NOT ACTING IN
36 CONCERT WITH ONE OR MORE OTHER INDIVIDUALS IN A STRIKE OR AN
37 ORGANIZED WORK STOPPAGE.]

38 ~~[G.]~~ [J.] FOR THE PURPOSES OF THIS SECTION:

39 1. "LABOR ORGANIZATION" MEANS ANY EMPLOYEE
40 REPRESENTATION ORGANIZATION THAT EXISTS FOR THE PURPOSE OF
41 DEALING WITH EMPLOYERS CONCERNING GRIEVANCES, LABOR DISPUTES,
42 WAGES, RATES OF PAY, HOURS OF EMPLOYMENT OR OTHER CONDITIONS
43 OF EMPLOYMENT.

44 2. "PUBLIC MONIES" MEANS MONIES THAT ARE RECEIVED BY A
45 SCHOOL DISTRICT AND THAT ARE DERIVED ALL OR IN PART FROM TAX
46 REVENUES.

1 3. "PUBLIC RESOURCES" MEANS FACILITIES, VEHICLES,
2 POSTAGE, TELECOMMUNICATIONS, COMPUTER HARDWARE AND SOFTWARE,
3 WEBSITES, PERSONNEL, EQUIPMENT, MATERIALS, BUILDINGS OR ANY
4 OTHER THING OF VALUE OF THE SCHOOL DISTRICT.

5 2. Applicability

6 This act applies to from and after December 31, 2027.

7 3. The Secretary of State shall submit this proposition to the
8 voters at the next general election as provided by article XXI,
9 Constitution of Arizona.

10 Enroll and engross to conform

11 Amend title to conform

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