AMENDING TITLE 38, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 38-601.01; RELATING TO PUBLIC EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 38, chapter 4, article 1, Arizona Revised Statutes, is amended by adding section 38-601.01, to read:

38-601.01. Public employee compensation; union activities; prohibitions; definitions

A. Public employers shall compensate public employees only for work that directly and primarily benefits the public employer or the general public.

B. Employment contracts for public employees shall not include compensation for union activities.

C. Public employers shall not formally or informally agree with public employees or unions to compensate public employees or third parties for union activities.

D. This section does not prohibit any of the following:
   1. A public employer from allowing a representative to be present on behalf of a public employee during interviews or other proceedings that could result in dismissal, demotion or suspension or that the employee reasonably believes could result in dismissal, demotion or suspension, if the representation occurs at no cost to the employer.
   2. A public employee from receiving compensated leave time for any personal purpose if the leave time is not knowingly taken or given to compensate for union activities.
   3. A public employee from receiving uncompensated leave time to engage in union activities.

E. This section does not apply to any existing nonexecutory employment contracts under which an entitlement to compensation that conflicts with this section has vested, but an existing contract shall not be renewed if the contract has any terms that conflict with this section.

F. The attorney general and any resident of this state who pays taxes have standing in state court to file an appropriate action at law or equity to compel compliance with this section. In any court challenge to the validity of this section, a resident of this state who pays taxes has standing to intervene.

G. For the purposes of this section:
   1. "Public employee" means any individual who is employed by a public employer.
   2. "Public employer" means any branch, department, division, office, agency or political subdivision of this state that has employees.
   3. "Union" means any association or organization, incorporated or unincorporated, that primarily exists to represent the interests of member employees in wages, benefits and terms and conditions of employment.
   4. "Union activities" means activities that are performed by a union, union members or representatives and that relate to representing or advancing the interests of member employees in wages, benefits, terms and conditions of employment or the enforcement, fulfillment or advancement of the union's
ORGANIZATIONAL PURPOSES, OBLIGATIONS, EXTERNAL RELATIONS OR INTERNAL POLICIES
AND PROCEDURES.

Sec. 2. **Severability**

If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.