

Senate File 2144 - Introduced

SENATE FILE 2144

BY CHELGREN

A BILL FOR

1 An Act prohibiting labor unions from knowingly collecting dues
2 from persons not lawfully present in the United States and
3 providing penalties.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 731A.1 Union dues from persons not
2 lawfully present in United States prohibited.

3 1. It shall be unlawful for a labor union, association,
4 or organization, or an officer, representative, agent, or
5 member thereof, to knowingly accept dues, charges, fees,
6 contributions, fines, or assessments from a person who is not
7 lawfully present in the United States.

8 2. *a.* If a labor union, association, or organization, or
9 an officer, representative, agent, or member thereof, violates
10 this section, the labor union, association, or organization
11 shall pay the following civil penalty:

12 (1) For a first violation, not less than two hundred fifty
13 dollars and not more than two thousand dollars for each person
14 who is not lawfully present in the United States from whom
15 dues, charges, fees, contributions, fines, or assessments are
16 accepted.

17 (2) For a second violation, not less than two thousand
18 dollars and not more than five thousand dollars for each person
19 who is not lawfully present in the United States from whom
20 dues, charges, fees, contributions, fines, or assessments are
21 accepted.

22 (3) For a third or subsequent violation, not less than
23 three thousand dollars and not more than ten thousand dollars
24 for each person who is not lawfully present in the United
25 States from whom dues, charges, fees, contributions, fines, or
26 assessments are accepted.

27 *b.* In addition, if a labor union, association, or
28 organization, or an officer, representative, agent, or member
29 thereof, is found to have violated this section, the labor
30 union, association, or organization shall be assessed the costs
31 of the action to enforce the civil penalty, including the
32 reasonable costs of investigation and attorney fees.

33 3. A civil action to enforce this provision shall be by
34 equitable proceedings instituted by the attorney general or
35 county attorney.

1 4. Penalties collected pursuant to this section shall be
2 paid to the treasurer of state for deposit in the general fund
3 of the state.

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EXPLANATION

5 This bill prohibits any labor union, association, or
6 organization, or the officers, representatives, agents or
7 members thereof, from knowingly accepting dues, charges, fees,
8 contributions, fines, or assessments from a person who is not
9 lawfully present in the United States.

10 The bill provides that if a labor union, association,
11 or organization, or the officers, representatives, agents,
12 or members thereof, violate the bill, the labor union,
13 association, or organization shall pay a civil penalty in
14 the amount of at least \$250 and not more than \$2,000 for a
15 first violation, at least \$2,000 and not more than \$5,000 for
16 a second violation, and at least \$3,000 and not more than
17 \$10,000 for a third or subsequent violation. The labor union,
18 association, or organization shall also be assessed the costs
19 of the action to enforce the civil penalty, including the
20 reasonable costs of investigation and attorney fees. The bill
21 provides that a civil action to enforce the bill shall be by
22 equitable proceedings instituted by the attorney general or
23 county attorney. The bill provides that penalties collected
24 pursuant to the bill shall be paid to the treasurer of state
25 for deposit in the state general fund.