

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 605

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO LABOR UNIONS; AMENDING CHAPTER 20, TITLE 44, IDAHO CODE, BY THE  
2 ADDITION OF A NEW SECTION 44-2014, IDAHO CODE, TO PROVIDE FOR A NOTICE OF  
3 RIGHTS REGARDING UNION MEMBERSHIP AND DUES; AMENDING SECTION 44-2014,  
4 IDAHO CODE, TO REDESIGNATE A SECTION; AMENDING SECTION 74-120, IDAHO  
5 CODE, TO PROVIDE A LIMITATION ON LABOR ORGANIZATION ACCESS TO STATE  
6 AND LOCAL EMPLOYEE INFORMATION, TO PROVIDE FOR A PENALTY, AND TO MAKE  
7 A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN  
8 EFFECTIVE DATE.  
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Chapter 20, Title 44, Idaho Code, be, and the same is  
12 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
13 ignated as Section 44-2014, Idaho Code, and to read as follows:

14 44-2014. NOTICE OF RIGHTS REGARDING MEMBERSHIP AND DUES. An employer  
15 whose employees are in a collective bargaining unit represented by a labor  
16 organization as defined in section 44-2602, Idaho Code, shall annually pro-  
17 vide the following notice to its employees in fourteen (14) point type in  
18 written or electronic form and separate from any other notice or informa-  
19 tion:

20 The State of Idaho is a right-to-work state. Membership or nonmem-  
21 bership in a labor organization (union) is not required as a con-  
22 dition of employment. Union membership and payment of union dues,  
23 fees, and assessments are voluntary. Each person has the right to  
24 join and pay dues to a labor union or to refrain from joining and  
25 paying dues to a labor union. No employee may be discriminated  
26 against in any manner for joining and financially supporting a la-  
27 bor union or for refusing to join or financially support a labor  
28 union.

29 SECTION 2. That Section 44-2014, Idaho Code, be, and the same is hereby  
30 amended to read as follows:

31 44-2014<sup>5</sup>. SEVERABILITY. The provisions of this chapter are hereby de-  
32 clared to be severable, and if any provision is declared void, invalid, or  
33 unenforceable in whole or in part, such declaration shall not affect the re-  
34 maining provisions of this chapter.

35 SECTION 3. That Section 74-120, Idaho Code, be, and the same is hereby  
36 amended to read as follows:

37 74-120. PROHIBITION ON DISTRIBUTION OR SALE OF MAILING OR TELEPHONE  
38 NUMBER LISTS -- PENALTY. (1) Except as provided in subsections (2), (3), (4),

1 (5), (6), (7), (8), and (9) of this section, in order to protect the privacy  
2 of those who deal with public agencies:

3 (a) No agency may distribute or sell for use as a mailing list or a tele-  
4 phone number list any list of persons without first securing the permis-  
5 sion of those on the list; and

6 (b) No list of persons prepared by the agency may be used as a mailing  
7 list or a telephone number list except by the agency or by another agency  
8 without first securing the permission of those on the list.

9 (2) Except as may be otherwise provided in this chapter, this section  
10 does not prevent an individual from compiling a mailing list or a telephone  
11 number list by examination or copying of public records, original documents  
12 or applications otherwise open to public inspection.

13 (3) (a) The provisions of this section do not apply to the lists of reg-  
14 istered electors compiled pursuant to title 34, Idaho Code, or to lists  
15 of the names of employees governed by chapter 53, title 67, Idaho Code.  
16 However, the director of the department of labor, any board of trustees  
17 of a school district, or any other employer shall not provide a labor or-  
18 ganization as defined in section 44-2602, Idaho Code, with greater ac-  
19 cess to state or local employee information than the public receives un-  
20 der subsection (1) of this section.

21 (b) The provisions of paragraph (a) of this subsection shall not ap-  
22 ply with respect to the names of state or local employees in a bargaining  
23 unit during a representation election if collective bargaining is pro-  
24 vided for under state law or if the employer chooses to bargain.

25 (4) The provisions of this section shall not apply to agencies that is-  
26 sue occupational or professional licenses.

27 (5) This section does not apply to the right of access by Idaho law en-  
28 forcement agencies or, by purchase or otherwise, the right to access public  
29 records dealing with motor vehicle registration.

30 (6) This section does not apply to a corporate information list devel-  
31 oped by the office of the secretary of state containing the name, address,  
32 registered agent, officers and directors of corporations authorized to do  
33 business in this state or to a business information list developed by the de-  
34 partment of commerce containing the name, address, telephone number or other  
35 relevant information of Idaho businesses or individuals requesting informa-  
36 tion regarding the state of Idaho or to business lists developed by the de-  
37 partment of agriculture, market development division, used to promote food  
38 and agricultural products produced in Idaho.

39 (7) This section does not apply to lists used for ordinary utility pur-  
40 poses that are requested by a person who supplies utility services in this  
41 state. Ordinary utility purposes, as used in this chapter only, do not in-  
42 clude marketing or marketing research.

43 (8) This section does not apply to lists used to give notice required by  
44 any statute, ordinance, rule, or law or by any governing agency.

45 (9) This section does not apply to student directory information pro-  
46 vided by colleges, universities, secondary schools and school districts to  
47 military recruiters for military recruiting purposes pursuant to the re-  
48 quirements of federal laws.

1 (10) Nothing in this section shall prohibit the release of information  
2 to the state controller as the state social security administrator as pro-  
3 vided in section 59-1101A, Idaho Code.

4 (11) If a court finds that a person or public official has deliberately  
5 and in bad faith violated the provisions of subsection (1) ~~(a) or (1) (b)~~ or  
6 (3) (a) of this section, the person or public official shall be liable for a  
7 civil penalty assessed by the court in an amount not in excess of one thousand  
8 dollars (\$1,000), which shall be paid into the general fund.

9 SECTION 4. An emergency existing therefor, which emergency is hereby  
10 declared to exist, this act shall be in full force and effect on and after  
11 July 1, 2024.