

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL DRS35256-LR-100A (03/17)

Short Title: Protect NC Right to Work Constitutional Amend. (Public)

Sponsors: Senators B. Jackson, Daniel, and Edwards (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO GUARANTEE A
3 PERSON'S RIGHT TO WORK.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article I of the North Carolina Constitution is amended by adding a
6 new section to read:

7 "**Sec. 38. Right to Work.**

8 (1) The right to live includes the right to work. The exercise of the right to work must
9 be protected and maintained free from undue restraints and coercion. It is hereby declared to be
10 the public policy of North Carolina that the right of persons to work shall not be denied or
11 abridged on account of membership or nonmembership in a labor organization.

12 (2) No person shall be required by an employer to become or remain a member of a
13 labor organization as a condition of employment or continuation of employment with the
14 employer.

15 (3) No person shall be required by an employer to abstain or refrain from membership
16 in any labor organization as a condition of employment or continued employment.

17 (4) No employer shall require any person, as a condition of employment or continued
18 employment, to pay to a labor organization any dues, fees, or other charges of any kind.

19 (5) This section does not apply to any lawful contract in force on the effective date but
20 shall apply in all respects to contracts entered into thereafter and to any renewal or extension of
21 any existing contract.

22 (6) The term "labor organization" as used in this section means any trade union, labor
23 union, or other labor association."

24 SECTION 2. The amendment set out in Section 1 of this act shall be submitted to
25 the qualified voters of the State at a statewide election to be conducted on November 6, 2018,
26 which election shall be conducted under the laws then governing elections in the State. The
27 question to be used in the voting systems and ballots shall be:

28 "[] FOR [] AGAINST

29 Constitutional amendment to provide that the right to live includes the right to work
30 and therefore the right of persons to work shall not be denied or abridged on account of
31 membership or nonmembership in any labor organization."

32 SECTION 3. If a majority of votes cast on the question are in favor of the
33 amendment set out in Section 1 of this act, the State Board of Elections shall certify the
34 amendment to the Secretary of State. The Secretary of State shall enroll the amendment so
35 certified among the permanent records of that office.



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- 1 **SECTION 4.** The amendment set out in Section 1 of this act is effective upon
2 certification.
3 **SECTION 5.** This act is effective when it becomes law.