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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

**No. 834**      Session of  
2005

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INTRODUCED BY M. WHITE, PICCOLA, JUBELIRER, VANCE, PUNT,  
MADIGAN, CORMAN, WENGER, WAUGH, THOMPSON, WONDERLING AND  
ARMSTRONG, JULY 27, 2005

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REFERRED TO LABOR AND INDUSTRY, JULY 27, 2005

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AN ACT

1 Repealing the act of June 2, 1993 (P.L.45, No.15), entitled "An  
2 act requiring public employees who are not members of a  
3 collective bargaining unit to contribute a fair share fee;  
4 establishing payment, notice, objection and reporting  
5 procedures; and imposing penalties," relieving certain  
6 employee organizations of certain duties and obligations.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 Section 1. The act of June 2, 1993 (P.L.45, No.15), known as  
10 the Public Employee Fair Share Fee Law, is repealed.

11 Section 2. (a) No collective bargaining agreement made  
12 after the effective date of this section by a political  
13 subdivision nor an extension of an existing collective  
14 bargaining agreement made after the effective date of this  
15 section by a political subdivision may require payment of a fair  
16 share fee to the exclusive representative by a nonmember of the  
17 exclusive representative.

18 (b) Notwithstanding the provisions of section 606 of the act  
19 of July 23, 1970 (P.L.563, No.195), known as the Public Empl

1 Relations Act, or any other law to the contrary, an employee  
2 organization acting as an exclusive representative shall owe no  
3 duty and shall have no obligation to represent a public employee  
4 who is not a member of the employee organization in any  
5 grievance or other proceeding filed with or against a public  
6 employer.

7 Section 3. This act shall take effect immediately.