

**ASSEMBLY BILL**

**No. 874**

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**Introduced by Assembly Member Williams**

February 22, 2013

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An act to amend Section 16645 of the Government Code, relating to state funds.

LEGISLATIVE COUNSEL'S DIGEST

AB 874, as introduced, Williams. State funds: unionization.

Existing law prohibits a grant recipient, state contractor, public employer, or private employer who receives state funds and meets other requirements from using state funds to assist, promote, or deter union organizing.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 16645 of the Government Code is
- 2 amended to read:
- 3 16645. For purposes of this chapter, the following ~~terms have~~
- 4 ~~the following meanings~~ *definitions shall apply*:
- 5 (a) "Assist, promote, or deter union organizing" means any
- 6 attempt by an employer to influence the decision of its employees
- 7 in this state or those of its subcontractors regarding either of the
- 8 following:

- 1 (1) Whether to support or oppose a labor organization that  
2 represents or seeks to represent those employees.
- 3 (2) Whether to become a member of any labor organization.
- 4 (b) “Employer” means any individual, corporation,  
5 unincorporated association, partnership, government agency or  
6 body, or other legal entity that employs more than one person in  
7 the state.
- 8 (c) “State contractor” means any employer that receives state  
9 funds for supplying goods or services pursuant to a written contract  
10 with the state or any of its agencies. “State contractor” includes  
11 an employer that receives state funds pursuant to a contract  
12 specified in paragraph (2) of subdivision (d). For purposes of this  
13 chapter, the contract shall be deemed to be a contract with a state  
14 agency.
- 15 (d) (1) “State funds” means any money drawn from the State  
16 Treasury or any special or trust fund of the state.
- 17 (2) “State funds” includes any money appropriated by the state  
18 and transferred to any public agency, including a special district,  
19 that is used by the public agency to fund, in whole or in part, a  
20 service contract in excess of two hundred fifty thousand dollars  
21 (\$250,000).
- 22 (e) “State property” means any property or facility owned or  
23 leased by the state or any state agency.