

44-806a. Penalties for failure to file constitution, bylaws or annual report; cause of action to collect. (a) In case any labor organization which is required to file a copy of its constitution or bylaws or amendments or changes therein under K.S.A. 44-805, and amendments thereto, or to file an annual report under K.S.A. 44-806, and amendments thereto, shall fail or neglect to make such filing at the time prescribed, such labor organization shall be subject to a civil penalty of \$100, and, if such labor organization shall not have made such filing within 60 days thereafter, it shall be subject to an additional civil penalty of \$5 per day for each day's omission after the time limited in such statutes for making such filing and such sixty-day period. Such civil penalties may be recovered by an action in the name of the state, and all moneys recovered shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund. Any labor organization shall have the right to be heard by the secretary of state upon the matter of determination of the amount of civil penalties due under this section. For good cause shown, the secretary of state may remit or waive all or any part of any such civil penalties.

(b) On complaint of the secretary of state that any labor organization has failed to make the filing required by said statutes, it shall be the duty of the county or district attorney, or the attorney general, to institute such action in the district court of Shawnee county, Kansas, or of any county in which such labor organization has an office.

History: L. 1974, ch. 207, § 1; L. 2001, ch. 5, § 143; July 1.