

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1761

By: Manger

4
5
6 AS INTRODUCED

7 An Act relating to schools; amending Section 1,
8 Chapter 135, O.S.L. 2022 (70 O.S. Supp. 2022, Section
9 509.12), which relates to employee associations;
10 requiring school employee on certain leave to receive
11 pay and maintain certain benefits; directing payment
12 or reimbursement from association; providing for
13 certain advancement and accrual; authorizing return
14 to service upon end of leave; deleting requirement to
15 not recognize certain employee associations; and
16 providing an effective date.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY Section 1, Chapter 135, O.S.L.
19 2022 (70 O.S. Supp. 2022, Section 509.12), is amended to read as
20 follows:

21 Section 509.12 A. A school district board of education may
22 approve a request from a school district employee for a leave of
23 absence to hold office as an officer, director, trustee, or agent of
24 a national, statewide, or school district employee association. The
employee requesting the leave shall provide the school district
superintendent with proof of election and proof of the term of

1 office for the national, statewide, or school district employee
2 association. Proof of election shall include but not be limited to
3 certification by the national, statewide, or school district
4 employee association of the date of the election and the results of
5 the election. Board of education approval for leave requested
6 pursuant to this section shall have definitive beginning and end
7 dates.

8 B. ~~Leave granted pursuant to this section shall be leave~~
9 ~~without pay.~~ The school employee on leave shall ~~not~~ receive pay and
10 be entitled to maintain ~~any~~ all benefits and associated service
11 credits granted by the school district ~~regardless of whether the~~
12 ~~benefit is~~ which shall be paid or reimbursed by the ~~employee on~~
13 ~~leave or the~~ association for which the person is serving as an
14 officer, director, trustee, or agent.

15 C. During the leave period, the school employee's position with
16 the school district shall be maintained ~~without~~ including
17 advancement on the minimum salary schedule adopted pursuant to
18 Section 5-141 of Title 70 of the Oklahoma Statutes and ~~with no~~
19 accrual of sick leave, personal business leave, ~~or~~ and personal
20 leave. The employee on leave shall ~~not~~ accumulate service credit
21 within the Teachers' Retirement System of Oklahoma. Following the
22 term of leave granted pursuant to the provisions of this section,
23 the employee granted leave may return to his or her ~~former~~ position
24 or a comparable position.

1 D. A school district employee granted leave pursuant to the
2 provisions of this section shall be prohibited from accessing school
3 district office space.

4 ~~E. If a national, statewide, or school district employee~~
5 ~~association that serves as a school district employee organization~~
6 ~~established pursuant to Section 509.2 of Title 70 of the Oklahoma~~
7 ~~Statutes fails to comply with the provisions of this section, the~~
8 ~~school district board of education shall no longer recognize the~~
9 ~~organization as a representative of employees.~~

10 SECTION 2. This act shall become effective November 1, 2023.

11
12 59-1-6673 EK 12/19/22

13
14
15
16
17
18
19
20
21
22
23
24