

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 99

By: Daniels

AS INTRODUCED

An Act relating to school employee payroll deductions; amending 70 O.S. 2021, Section 5-139, which relates to payroll deductions for professional organizations; subjecting certain payroll deductions and political contributions to certain provisions; prohibiting certain deductions from exceeding one year without reauthorization; prohibiting accrual of certain debt after certain request to terminate is provided; requiring authorization for professional organization dues and political contributions to be on certain form containing certain statement; requiring certain authorization to include certain information; providing for expiration of certain authorization; providing for codification; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 5-139, is amended to read as follows:

Section 5-139. School districts shall make payroll deductions for either or both professional organization dues and political contributions at the written request of any school employee subject to the provisions of Section 2 of this act and shall transmit deducted funds to the organization designated by the school district

1 employee. Such deductions shall be on a ten-month basis unless
2 otherwise designated by the ~~employee~~ professional organization but
3 shall not exceed one (1) year without reauthorization. However, a
4 school employee may request at any time in writing, including by
5 email or fax, for the school district to immediately terminate or
6 initiate payroll deductions to a professional organization. Upon
7 receipt of any written request, the school district shall within
8 five (5) business days or by the next pay period, whichever is
9 earlier, terminate or initiate any future payroll deductions of the
10 requesting school employee to a professional organization. Upon
11 receipt of a written request, the school district shall notify the
12 professional organization of the initiation or termination of
13 payroll deductions within fifteen (15) business days. If the
14 request is to terminate a deduction, the school district shall not
15 make any advance payments to any professional organization of any
16 future dues on behalf of the school employee, and no further debt
17 from the school employee to the professional organization shall
18 accrue. No school district policy or negotiated agreement shall
19 place any other conditions or requirements, including but not
20 limited to personal hand delivery, upon any employee to initiate or
21 terminate any payroll deduction to a professional organization
22 except for a written request as outlined in this section. Any
23 school district policy or provision in a negotiated agreement that
24 places additional conditions or requirements on initiation or

1 termination beyond those outlined in this section shall be null and
2 void. A school district which fails to terminate payroll deductions
3 for an employee in accordance with this section shall immediately
4 reimburse the employee the amount of all payroll deductions made by
5 the school district after the employee's request, and the amount due
6 the employee shall double every thirty (30) days until paid in full.

7 SECTION 2. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 5-139a of Title 70, unless there
9 is created a duplication in numbering, reads as follows:

10 A. Authorization for professional organization dues and
11 political contributions as provided for in Section 5-139 of Title 70
12 of the Oklahoma Statutes shall be on a form prescribed by the
13 Secretary of Education and contain a statement in fourteen-point
14 boldface font reading:

15 "I am aware that I have a First Amendment right, as recognized
16 by the U.S. Supreme Court, to refrain from joining and paying dues
17 or making political contributions to a professional organization. I
18 further realize that membership and payment of dues or political
19 contributions are voluntary and that I may not be discriminated
20 against for my refusal to join or financially support a professional
21 organization. I hereby authorize my employer to deduct dues and/or
22 political contributions from my salary in the amounts specified in
23 accordance with my professional organization's bylaws. I understand
24 that I may revoke this authorization at any time."

1 B. Authorization containing an employee's full name, position,
2 professional organization, and signature shall be submitted to the
3 school district.

4 C. An authorization shall expire at the start of the first full
5 pay period each school year.

6 SECTION 3. It being immediately necessary for the preservation
7 of the public peace, health, or safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

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