

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 99

6 By: Daniels

7 COMMITTEE SUBSTITUTE

8 An Act relating to school employee payroll
9 deductions; amending 70 O.S. 2021, Section 5-139,
10 which relates to payroll deductions for professional
11 organizations; subjecting certain payroll deductions
12 and political contributions to certain provisions;
13 prohibiting certain deductions from exceeding one
14 year without reauthorization; prohibiting accrual of
15 certain debt after certain request to terminate is
16 provided; requiring authorization for professional
17 organization dues and political contributions to be
18 on certain form; requiring certain authorization to
19 include certain information; providing for expiration
20 of certain authorization; directing applicability of
21 certain provisions after certain date; providing for
22 codification; and declaring an emergency.

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

24 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

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

1 provision in a negotiated agreement that places additional
2 conditions or requirements on initiation or termination beyond those
3 outlined in this section and as outlined in Section 2 of this act
4 shall be null and void. A school district which fails to terminate
5 payroll deductions for an employee in accordance with this section
6 shall immediately reimburse the employee the amount of all payroll
7 deductions made by the school district after the employee's request,
8 and the amount due the employee shall double every thirty (30) days
9 until paid in full.

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

13 A. Authorization for professional organization dues and
14 political contributions as provided for in Section 5-139 of Title 70
15 of the Oklahoma Statutes shall be on a form prescribed by the
16 Secretary of Education.

17 B. Authorization containing an employee's full name, position,
18 professional organization, and signature shall be submitted to the
19 school district.

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

22 D. The provisions of this section and Section 5-139 of Title 70
23 of the Oklahoma Statutes shall apply to any new or modified
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1 collective bargaining agreement entered into after the effective
2 date of this act.

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

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