

1 **SENATE FLOOR VERSION**

2 February 28, 2023

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 99

6 By: Daniels

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

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

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

25 Section 5-139. School districts shall make payroll deductions
26 for either or both professional organization dues and political
27 contributions at the written request of any school employee subject
28 to the provisions of Section 2 of this act and shall transmit
29 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~~7~~ including by
5 email or fax~~7~~ 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~~7~~ including~~7~~, but not
20 limited to~~7~~ 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 and as
23 outlined in Section 2 of this act. Any school district policy or
24 provision in a negotiated agreement that places additional

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

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

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

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

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

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

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

5 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
6 February 28, 2023 - DO PASS AS AMENDED BY CS
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