

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 824

By: Branan

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2001,
8 Section 5-139, as amended by Section 1, Chapter 132,
9 O.S.L. 2005 (70 O.S. Supp. 2008, Section 5-139),
10 which relates to employee payroll deductions;
11 removing authorization for deduction of professional
12 organization dues; prohibiting use of school district
13 personnel, equipment, materials, or buildings by
14 certain organization; defining terms; providing for
15 codification; providing an effective date; and
16 declaring an emergency.

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

18 SECTION 1. AMENDATORY 70 O.S. 2001, Section 5-139, as
19 amended by Section 1, Chapter 132, O.S.L. 2005 (70 O.S. Supp. 2008,
20 Section 5-139), is amended to read as follows:

21 Section 5-139. School districts shall make payroll deductions
22 for ~~either or both professional organization dues and political~~
23 contributions upon the request of any school employee and shall
24 transmit deducted funds to the organization designated by the school
district employee. Such deductions shall be on a ten-month basis
unless otherwise designated by the employee organization. ~~However,~~
~~a school employee may request in writing at any time for the school~~

1 ~~district to immediately terminate or initiate payroll deductions to~~
2 ~~a professional organization. Upon receipt of a request the school~~
3 ~~district shall within five (5) business days or by the next pay~~
4 ~~period, whichever is earlier, terminate or initiate any future~~
5 ~~payroll deductions of the requesting school employee to a~~
6 ~~professional organization. Upon receipt of a request the school~~
7 ~~district shall notify the professional organization of the~~
8 ~~initiation or termination of payroll deductions within fifteen (15)~~
9 ~~business days. If the request is to terminate a deduction, the~~
10 ~~school district shall not make any advance payments to any~~
11 ~~professional organization of any future dues on behalf of the school~~
12 ~~employee.~~

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 5-149 of Title 70, unless there
15 is created a duplication in numbering, reads as follows:

16 A. No school district shall allow use of school personnel,
17 equipment, materials, or buildings by any employee organization
18 recognized by the district pursuant to Section 509.11 of Title 70 of
19 the Oklahoma Statutes.

20 B. For purposes of this section, "school personnel, equipment,
21 materials, or buildings" means the following:

22 a. "personnel" means persons employed by the school
23 district whether they are salaried employees or
24 nonsalaried volunteers,

1 b. "equipment" includes, but is not limited to, copiers,
2 bulletin boards, telephones, automatic dialing
3 devices, facsimile machines, computers, mailboxes,
4 furniture, vehicles, postage meters, and Internet
5 connections. The term shall also include any district
6 communication networks, such as school newsletters,
7 public announcement systems or devices, web pages, and
8 advertising space in student newspapers,

9 c. "materials" means supplies or tools including, but not
10 limited to, paper, labels, facsimile paper, pens,
11 pencils, markers, paints, art supplies, food,
12 cafeteria supplies, and postage, and

13 d. "buildings" means buildings owned or leased by the
14 school district. The term shall also include real or
15 personal property owned or leased by a school district
16 including, but not limited to, playing fields, parking
17 lots, walls, and fencing.

18 SECTION 3. This act shall become effective July 1, 2009.

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

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