

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1767 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Todd Russ

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 1767

By: Russ

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to school employee organizations;
prohibiting specified existing organizations from
continuing to represent employees; requiring a school
district board of education to hold secret ballot
election; directing the board of education to
determine how the election shall be conducted;
authorizing the board of education to establish a fee
schedule to fund the election; eliminating
organization if it fails to receive a majority of
votes; providing for continuation of contract terms
if an organization is eliminated; providing
exception; allowing board of education to recognize a
new employee organization under certain
circumstances; providing requirements for elections
to certify majority support; providing for
codification; providing an effective date; and
declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 509.12 of Title 70, unless there
is created a duplication in numbering, reads as follows:

1 A. No existing employee organization established pursuant to
2 the provisions of Section 509.2 of Title 70 of the Oklahoma Statutes
3 shall continue to represent employees as defined in Section 509.2 of
4 Title 70 of the Oklahoma Statutes or Section 1-116 of Title 70 of
5 the Oklahoma Statutes after December 31, 2018, except as provided
6 for in this section.

7 B. 1. A school district board of education shall hold a secret
8 ballot election for all employees in any bargaining unit represented
9 by an existing employee organization to determine whether the
10 organization retains support of a majority of all employees in the
11 bargaining unit.

12 2. The school district board of education shall determine
13 whether elections shall be conducted in person, by mail, by
14 telephone, by Internet-based systems or by any other means
15 determined by the board of education to be fair, confidential and
16 reliable. The board of education shall allow employees in the
17 bargaining unit to cast ballots for a period of five (5) business
18 days.

19 3. The school district board of education may establish a fee
20 schedule, consistent with the provisions of Section 509.2 of Title
21 70 of the Oklahoma Statutes, for employee organizations subject to
22 elections conducted pursuant to the provisions of this section for
23 the purpose of funding the election.
24

1 C. If a majority of all employees in the bargaining unit vote
2 in favor of retaining the existing employee organization, the
3 organization shall remain the representative of employees in the
4 bargaining unit pursuant to the provisions of Section 509.2 of Title
5 70 of the Oklahoma Statutes. If a majority of all employees in the
6 bargaining unit do not vote in favor of retaining the existing
7 employee organization, the school district board of education shall
8 no longer recognize the organization as the representative of
9 employees in the unit and the employees shall be unrepresented.

10 D. When an existing employee organization is no longer
11 recognized, the terms of any pre-existing contract between the
12 employee organization and the school district employees represented
13 by the organization shall continue and remain in effect for the
14 remaining contract term, except for any provisions involving in any
15 manner the employee organization including but not limited to
16 organization security, dues and fees, grievances and arbitration.

17 E. A school district board of education may recognize a new
18 employee organization in accordance with the provisions of Section
19 509.2 of Title 70 of the Oklahoma Statutes, but the new employee
20 organization may not be substantially similar to or affiliated with
21 an employee organization that has lost recognition pursuant to the
22 provisions of subsection C of this section for twelve (12) months
23 from the date of the loss of recognition.

1 F. The school district board of education shall hold an
2 election to certify majority support of existing employee
3 organizations no earlier than August 1, 2018, and no later than
4 December 1, 2018, and at least once every ten (10) years thereafter.
5 Elections shall occur no earlier than August 1 and no later than
6 December 1.

7 SECTION 2. This act shall become effective July 1, 2017.

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

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13 56-1-7145 EK 02/27/17
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