

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1724

By: Dahm

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5  
6 AS INTRODUCED

7 An Act relating to school employee payroll  
8 deductions; amending 70 O.S. 2011, Section 5-139, as  
9 amended by Section 1, Chapter 193, O.S.L. 2018 (70  
10 O.S. Supp. 2019, Section 5-139), which relates to  
11 payroll deductions for professional organizations;  
12 subjecting certain payroll deductions and political  
13 contributions to certain provisions; prohibiting  
14 certain deductions from exceeding one year without  
15 reauthorization; requiring authorization for  
16 professional organization dues and political  
17 contributions to be on certain form containing  
18 certain statement; requiring certain authorization to  
19 include certain information; requiring a school  
20 district to confirm certain authorization; directing  
21 certain authorizations agreed to before certain date  
22 to be invalid and void; providing for codification;  
23 providing an effective date; and declaring an  
24 emergency.

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

19 SECTION 1. AMENDATORY 70 O.S. 2011, Section 5-139, as  
20 amended by Section 1, Chapter 193, O.S.L. 2018 (70 O.S. Supp. 2019,  
21 Section 5-139), is amended to read as follows:

22 Section 5-139. School districts shall make payroll deductions  
23 for either or both professional organization dues and political  
24 contributions at the written request of any school employee subject

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

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

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

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

16 "I am aware that I have a First Amendment right, as recognized  
17 by the U.S. Supreme Court, to refrain from joining and paying dues  
18 or making political contributions to a professional employee  
19 organization. I further realize that membership and payment of dues  
20 or political contributions are voluntary and that I may not be  
21 discriminated against for my refusal to join or financially support  
22 a professional employee organization. I hereby waive my First  
23 Amendment right to refrain from professional employee organization  
24 membership and dues payments or political contributions and

1 authorize my employer to deduct dues and/or political contributions  
2 from my salary in the amounts specified in accordance with my  
3 professional employee organization's bylaws. I understand that I  
4 may revoke this authorization at any time."

5 B. Authorization containing an employee's full name, position,  
6 professional organization and signature shall be submitted to the  
7 school district. The school district shall confirm the  
8 authorization by emailing the employee's school district-provided  
9 email address and shall wait for confirmation of the authorization  
10 before starting any deduction. If the employee does not possess a  
11 school district-provided email address, the school district may use  
12 other means it deems appropriate to confirm the authorization.

13 C. Any authorization agreed to before June 27, 2018, or that  
14 does not comply with the methods provided for in this section shall  
15 be invalid and void as of the effective date of this act.

16 SECTION 3. This act shall become effective July 1, 2020.

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

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22 57-2-3407

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