

1 ENGROSSED SENATE
2 BILL NO. 634

By: Daniels, Bergstrom and
Bullard of the Senate

3 and

4 O'Donnell of the House
5

6 An Act relating to school employee payroll
7 deductions; amending 70 O.S. 2011, Section 5-139, as
8 amended by Section 1, Chapter 193, O.S.L. 2018 (70
9 O.S. Supp. 2020, Section 5-139), which relates to
10 payroll deductions for professional organizations;
11 subjecting certain payroll deductions and political
12 contributions to certain provisions; prohibiting
13 certain deductions from exceeding one year without
14 reauthorization; prohibiting accrual of certain debt
15 after certain request to terminate is provided;
16 requiring authorization for professional organization
17 dues and political contributions to be on certain
18 form containing certain statement; requiring certain
19 authorization to include certain information;
20 requiring a school district to confirm certain
21 authorization; providing for expiration of certain
22 authorization if certain action is not taken in
23 certain school year; providing for codification; and
24 declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 5-139, as
amended by Section 1, Chapter 193, O.S.L. 2018 (70 O.S. Supp. 2020,
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

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, and no further debt
19 from the school employee to the professional organization shall
20 accrue. No school district policy or negotiated agreement shall
21 place any other conditions or requirements, including but not
22 limited to personal hand delivery, upon any employee to initiate or
23 terminate any payroll deduction to a professional organization
24 except for a written request as outlined in this section. Any

1 school district policy or provision in a negotiated agreement that
2 places additional conditions or requirements on initiation or
3 termination beyond those outlined in this section shall be null and
4 void. A school district which fails to terminate payroll deductions
5 for an employee in accordance with this section shall immediately
6 reimburse the employee the amount of all payroll deductions made by
7 the school district after the employee's request, and the amount due
8 the employee shall double every thirty (30) days 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 Secretary of Education and contain a statement in fourteen-point
16 boldface font reading:

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

1 salary in the amounts specified in accordance with my professional
2 employee organization's bylaws. I understand that I may revoke this
3 authorization at any time."

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

12 C. An authorization shall expire at the start of the first full
13 pay period each school year unless it was authorized or reauthorized
14 during the previous school year.

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

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1 Passed the Senate the 4th day of March, 2021.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2021.

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9 Presiding Officer of the House
10 of Representatives