

Bill Summary
2nd Session of the 58th Legislature

Bill No.:	SB 1404
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Author:	Sen. Daniels
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Bill Analysis

SB 1404 prohibits an existing school employee organization from continuing to represent employees after Dec. 31, 2023, unless approved in a secret ballot election to determine whether the organization retains support of a majority of all employees in the bargaining unit. It directs a school district board of education to determine whether elections are to be conducted in person, by mail, by telephone, by Internet-based systems, or other means. The measure provides that employees shall be allowed 5 business days to cast ballots. The bill allows a board of education to establish a fee schedule for employee organizations to fund the election. The measure states that if a majority of all employees in the bargaining unit vote in favor of retaining the existing employee organization, it shall remain the representative of employees, but if they do not vote in favor of retaining the existing organization, the board of education shall no longer recognize it as a representative of employees. It states that if an organization is no longer recognized, the terms of any pre-existing contract will remain in effect for the contract term.

The measure allows a board of education to recognize a new employee organization, but the board cannot recognize an organization that is substantially similar to or affiliated with the organization that lost recognition for a period of 12 months. It directs a board of education to hold an election to certify support of existing employee organizations no earlier than Aug. 1, 2023, and no later than Dec. 1, 2023, and every odd-numbered year thereafter. The measure clarifies that its provisions apply to new collective bargaining agreements or contracts or any contract that is modified, extended, amended or changed after the bill's effective date.

Prepared by: Kalen Taylor