

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 4452

By: Lepak

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5  
6 AS INTRODUCED

7 An Act relating to school employees; prohibiting  
8 specified existing organizations from continuing to  
9 represent employees after certain date; requiring a  
10 school district board of education to hold secret  
11 ballot election; directing the board of education to  
12 conduct in person elections; authorizing the board of  
13 education to establish a fee schedule to fund the  
14 election; eliminating recognition of organization if  
15 it fails to receive a majority of votes; providing  
16 for continuation of contract terms if an organization  
17 is eliminated; providing exception; allowing board of  
18 education to recognize a new employee organization  
19 under certain circumstances; providing requirements  
20 for elections to certify majority support; amending  
21 70 O.S. 2021, Section 5-139, which relates to payroll  
22 deductions; prohibiting certain payroll deductions;  
23 amending 62 O.S. 2021, Section 34.70.1, which relates  
24 to state agency payroll deductions; modifying  
prohibition against payroll deductions on behalf of  
certain employees for certain membership dues;  
modifying date of application; 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 509.13 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 or  
4 1-116 of Title 70 of the Oklahoma Statutes after December 31, 2020,  
5 except as provided for in this section.

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

11           2. The school district board of education shall conduct  
12 elections in person with valid government-issued identification.  
13 The board of education shall allow employees in the bargaining unit  
14 to cast ballots for three (3) business days, excluding weekends,  
15 holidays, or any day school is not in session.

16           3. Elections shall use only paper ballots and shall have a five  
17 (5) day period for challenging election results. The board of  
18 education shall prescribe rules for submitting and reviewing  
19 election result challenges.

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

1 C. If a majority of all employees in the bargaining unit votes  
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 preexisting 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, 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, 2026, and no later than  
4 December 1, 2026, and every three (3) years thereafter. Elections  
5 shall occur no earlier than August 1 and no later than December 1.

6 SECTION 2. AMENDATORY 70 O.S. 2021, Section 5-139, is  
7 amended to read as follows:

8 Section 5-139. ~~School~~ A. Except as provided by subsection B of  
9 this section, school districts shall make payroll deductions for  
10 either or both professional organization dues and political  
11 contributions at the written request of any school employee and  
12 shall transmit deducted funds to the organization designated by the  
13 school district employee. Such deductions shall be on a ten-month  
14 basis unless otherwise designated by the employee organization.  
15 However, a school employee may request at any time in writing,  
16 including by email or fax, for the school district to immediately  
17 terminate or initiate payroll deductions to a professional  
18 organization. Upon receipt of any written request, the school  
19 district shall within five (5) business days or by the next pay  
20 period, whichever is earlier, terminate or initiate any future  
21 payroll deductions of the requesting school employee to a  
22 professional organization. Upon receipt of a written request, the  
23 school district shall notify the professional organization of the  
24 initiation or termination of payroll deductions within fifteen (15)

1 business days. If the request is to terminate a deduction, the  
2 school district shall not make any advance payments to any  
3 professional organization of any future dues on behalf of the school  
4 employee. No school district policy or negotiated agreement shall  
5 place any other conditions or requirements, including but not  
6 limited to personal hand delivery, upon any employee to initiate or  
7 terminate any payroll deduction to a professional organization  
8 except for a written request as outlined in this section. Any  
9 school district policy or provision in a negotiated agreement that  
10 places additional conditions or requirements on initiation or  
11 termination beyond those outlined in this section shall be null and  
12 void. A school district which fails to terminate payroll deductions  
13 for an employee in accordance with this section shall immediately  
14 reimburse the employee the amount of all payroll deductions made by  
15 the school district after the employee's request, and the amount due  
16 the employee shall double every thirty (30) days until paid in full.

17 B. School districts shall not make payroll deductions for any  
18 public employee association or organization or professional  
19 organization that collectively bargains on behalf of its membership.

20 SECTION 3. AMENDATORY 62 O.S. 2021, Section 34.70.1, is  
21 amended to read as follows:

22 Section 34.70.1. A. It shall be unlawful for any state agency  
23 or school district to make payroll deductions on behalf of a ~~state~~  
24 an employee for membership dues in any public employee association

1 or organization or professional organization that on or after  
2 ~~November 1, 2015~~ December 31, 2026, collectively bargains on behalf  
3 of its membership pursuant to any provision of ~~federal~~ state law.

4 B. For purposes of this section:

5 1. "State agency" means any office, officer, bureau, board,  
6 counsel, court, commission, institution, unit, division, body or  
7 house of the executive or judicial branches of the state government,  
8 whether elected or appointed, excluding political subdivisions of  
9 the state. State agency shall include public school districts, the  
10 Oklahoma State Regents for Higher Education, the institutions,  
11 centers, or other constituent agencies of The Oklahoma State System  
12 of Higher Education, the State Board of Career and Technology  
13 Education, technology center school districts, the State  
14 Legislature, and the Office of the Governor; and

15 2. "Public employee" means an elected or appointed officer or  
16 employee or contract employee of a state agency as defined in this  
17 section, unless otherwise indicated.

18 SECTION 4. This act shall become effective July 1, 2026.

19 SECTION 5. It being immediately necessary for the preservation  
20 of the public peace, health or 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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24 60-2-14781 TKR 01/13/26