

1                    **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                    STATE OF OKLAHOMA

3                                    2nd Session of the 56th Legislature (2018)

4  ENGROSSED SENATE  
5  BILL NO. 960

By: Daniels of the Senate  
and  
Sears of the House

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9            An Act relating to school employees; amending 70 O.S.  
10           2011, Section 5-139, which relates to professional  
11           organization dues; requiring certain request to be  
12           written; prohibiting a school district policy or  
13           negotiated agreement from placing certain conditions  
14           to initiate or terminate certain payroll deduction;  
15           requiring a school district to reimburse certain  
16           deductions made after certain request; providing an  
17           effective date; and declaring an emergency.

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

19           SECTION 1.            AMENDATORY            70 O.S. 2011, Section 5-139, is  
20           amended to read as follows:

21           Section 5-139. School districts shall make payroll deductions  
22           for either or both professional organization dues and political  
23           contributions ~~upon~~ at the written request of any school employee and  
24           shall transmit deducted funds to the organization designated by the  
             school district employee. Such deductions shall be on a ten-month  
             basis unless otherwise designated by the employee organization.

1 However, a school employee may request at any time in writing ~~at any~~  
2 ~~time, including by email or fax,~~ for the school district to  
3 immediately terminate or initiate payroll deductions to a  
4 professional organization. Upon receipt of ~~a~~ any written request,  
5 the school district shall within five (5) business days or by the  
6 next pay period, whichever is earlier, terminate or initiate any  
7 future payroll deductions of the requesting school employee to a  
8 professional organization. Upon receipt of a written request, the  
9 school district shall notify the professional organization of the  
10 initiation or termination of payroll deductions within fifteen (15)  
11 business days. If the request is to terminate a deduction, the  
12 school district shall not make any advance payments to any  
13 professional organization of any future dues on behalf of the school  
14 employee. No school district policy or negotiated agreement shall  
15 place any other conditions or requirements, including but not  
16 limited to personal hand delivery, upon any employee to initiate or  
17 terminate any payroll deduction to a professional organization  
18 except for a written request as outlined in this section. Any  
19 school district policy or provision in a negotiated agreement that  
20 places additional conditions or requirements on initiation or  
21 termination beyond those outlined in this section shall be null and  
22 void. A school district which fails to terminate payroll deductions  
23 for an employee in accordance with this section shall immediately  
24 reimburse the employee the amount of all payroll deductions made by

1 the school district after the employee's request, and the amount due  
2 the employee shall double every thirty (30) days until paid in full.

3 SECTION 2. This act shall become effective July 1, 2018.

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

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9 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 04/16/2018  
- DO PASS.

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