

By: Olivo

H.B. No. 3543

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the electronic payroll deduction for state employee  
3 dues.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 403.0165, Governmental Code is amended  
6 to read as follows:

7 a) An employee of a state agency may authorize a transfer  
8 each pay period from the employee's salary or wage payment for a  
9 membership fee in an eligible state employee organization. The  
10 authorization shall remain in effect until an employee authorizes a  
11 change in the authorization. Authorizations and changes in  
12 authorizations must be provided in accordance with rules adopted by  
13 the comptroller.

14 (b) The comptroller shall adopt rules for transfers by  
15 employees to a certified eligible state employee organization. The  
16 rules may authorize electronic transfers of amounts deducted from  
17 employees' salaries and wages under this section.

18 (c) Participation by employees of state agencies in the  
19 payroll deduction program authorized by this section is voluntary.

20 (d) To be certified by the comptroller, a state employee  
21 organization must have a current dues structure for state employees  
22 in place and operating in this state for a period of at least 18  
23 months.

24 (e) Any organization requesting certification shall

1 demonstrate that the fee structure proposed from state employees is  
2 equal to an average of not less than one-half of the fees for that  
3 organization nationwide.

4 (f) An organization not previously certified may submit an  
5 application for certification as an eligible state employee  
6 organization to the comptroller at any time except during the  
7 period after June 2 and before September 1.

8 (g) The comptroller may approve an application under  
9 Subsection (f) if a state employee organization demonstrates to the  
10 satisfaction of the comptroller that it qualifies as an eligible  
11 state employee organization by providing the documentation  
12 required by this section and applicable rules adopted by the  
13 comptroller.

14 (i) The comptroller may adopt rules for the administration  
15 of this section.

16 (j) Repealed by Acts 1997, 75th Leg., ch. 1035, Sec. 90(a),  
17 eff. June 19, 1997.

18 (k) Any state employee organization that has a membership of  
19 at least [~~4,000~~] 200 state employee members on April 1, 1991, shall  
20 be certified by the comptroller as an eligible state employee  
21 organization. Such an organization may not be required to meet any  
22 other eligibility requirements as set out in this section for  
23 certification, including requirements in the definition of  
24 eligible state employee organization under Subsection (l).

25 (l) In this section:

26 (1) "Eligible state employee organization" means a  
27 state employee organization with a membership of at least [~~4,000~~]

1 200 state employees continuously for the 18 months preceding a  
2 request for certification from the comptroller that conducts  
3 activities on a statewide basis and that the comptroller has  
4 certified under this article.

5 (2) "State agency" means a department, commission,  
6 board, office, or any other state entity of state government.

7 SECTION 2. This Act takes effect immediately if it receives  
8 a vote of two-thirds of all the members elected to each house, as  
9 provided by Section 39, Article III, Texas Constitution. If this  
10 Act does not receive the vote necessary for immediate effect, this  
11 Act takes effect September 1, 2003.