

By: Williams

S.B. No. 744

A BILL TO BE ENTITLED

AN ACT

relating to public school employee participation in professional organizations and assignment, transfer, or pledge of compensation.

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

SECTION 1. Section 22.001, Education Code, is amended to read as follows:

Sec. 22.001. RIGHT TO CONTROL SALARY ~~[DEDUCTIONS FOR PROFESSIONAL DUES]~~. ~~[(a)]~~ A school district employee is entitled, as are other employees in this state, to control the use of [have an amount deducted from] the employee's salary in the manner the employee determines and may not be coerced into joining any type of [for membership fees or dues to a] professional organization through an automatic salary deduction program. ~~[The employee must:~~

~~[(1) file with the district a signed written request identifying the organization and specifying the number of pay periods per year the deductions are to be made, and~~

~~[(2) inform the district of the total amount of the fees and dues for each year or have the organization notify the district of the amount.~~

~~[(b) The district shall deduct the total amount of the fees or dues for a year in equal amounts per pay period for the number of periods specified by the employee. The deductions shall be made until the employee requests in writing that the deductions be discontinued.~~

1 ~~[(c) The school district may charge an administrative fee~~
2 ~~for making the deduction. A fee imposed for making a salary~~
3 ~~deduction under this section may not exceed either the actual~~
4 ~~administrative cost of making the deduction or the lowest fee the~~
5 ~~district charges for similar salary deductions, whichever is less.]~~

6 SECTION 2. Subchapter H, Chapter 21, Education Code, is
7 amended by adding Section 21.3531 to read as follows:

8 Sec. 21.3531. APPRAISAL ON BASIS OF PARTICIPATION IN
9 PROFESSIONAL ORGANIZATION PROHIBITED. A school district may not
10 consider a teacher's or administrator's participation or lack of
11 participation in a professional organization in appraising the
12 performance of the teacher or administrator.

13 SECTION 3. (a) Section 22.002, Education Code, is
14 repealed.

15 (b) Section 63.002, Labor Code, is repealed.

16 SECTION 4. This Act applies beginning with the 2003-2004
17 school year.

18 SECTION 5. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2003.