

BILL ANALYSIS

Senate Research Center
78R1305 CAS-D

S.B. 744
By: Williams
Education
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DIGEST AND PURPOSE

Currently, an independent school district (ISD) is responsible for deducting from its employees' pay the dues for professional organizations. These organizations can collect contributions for their political action committee (PAC), therefore, placing the ISDs' in the position of collecting union dues as well as PAC contributions. As proposed, S.B. 744 gives educators the option of deciding whether to participate in professional organizations and provides that no ISD is responsible for collection of association dues.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 22.001, Education Code, as follows:

Sec. 22.001. New heading: **RIGHT TO CONTROL SALARY**. Provides that a school district employee is entitled, as are other employees in this state, to control the use of the employee's salary in the manner the employee determines and prohibits the employee from being coerced into joining any type of professional organization through an automatic salary deduction program. Deletes text providing that a school district employee is entitled to have an amount deducted from the employee's salary for membership fees or dues to a professional organization and requiring the employee to take certain actions to effect that deduction.

(b) Deletes Subsection (b), requiring the district to deduct fees or dues from the employee's pay for membership.

(c) Deletes Subsection (c), authorizing the district to charge an administrative fee for making deductions.

SECTION 2. Amends Chapter 21H, Education Code, by adding Section 21.3531, as follows:

Sec. 21.3531. **APPRAISAL ON BASIS OF PARTICIPATION IN PROFESSIONAL ORGANIZATION PROHIBITED**. Prohibits a school district from considering a teacher or administrator's participation or lack of participation in a professional organization in appraising the performance of the teacher or administrator.

SECTION 3. (a) Repealer: Section 22.002, Education Code (Assignment, Transfer, or Pledge of Compensation).

(b) Repealer: Section 63.002, Labor Code (Exemption).

SECTION 4. Provides that this Act applies beginning with the 2003-2004 school year.

SECTION 5. Effective date: upon passage or September 1, 2003.