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# Oklahoma Ethics Law

## A Compilation of: Constitutional Provisions Statutes Ethics Rules

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**OKLAHOMA CONSTITUTION ARTICLE VII-B**  
**SELECTION OF JUSTICES AND JUDGES**

**§ 6. Political Activity Prohibited**

No Judicial Officer appointed or retained in office under the provisions hereof shall make, directly or indirectly, any contribution to or hold office in a political party or organization.

*Added by State Question No. 447, Legis. Ref. No. 163, adopted at election held July 11, 1967.*

**OKLAHOMA CONSTITUTION ARTICLE IX**  
**CORPORATIONS**

**§ 1. Corporation - Company - Charter - License**

As used in this article, the term “corporation” or “company” shall include all associations and joint stock companies having any power or privileges, not possessed by individuals, and exclude all municipal corporations and public institutions owned or controlled by the State; the term “charter” shall mean the charter of incorporation, by or under which any corporation is formed. The term "license" shall mean the authority under which all foreign corporations are permitted to transact business in this State.

**§ 40. Influencing Elections or Official Duty**

No corporation organized or doing business in this State shall be permitted to influence elections or official duty by contributions of money or anything of value.

**OKLAHOMA CONSTITUTION ARTICLE XXIX**  
**ETHICS COMMISSION**

**§ 1. Ethics Commission – Appointments – Qualifications – Terms – Vacancies – Quorum**

(A) There is hereby created the Ethics Commission which shall consist of five members. The Governor, Attorney General, President Pro Tempore of the Senate, Speaker of the House of Representatives, and Chief Justice of the Supreme Court shall each appoint a person who is a registered voter of this State to the Commission. The initial terms of the Governor's and Attorney General's appointees shall be one year; the initial terms of the President Pro Tempore's and Speaker's appointees shall be three years, and the initial term of the Chief Justice's appointee shall be five years.

(B) No congressional district shall be represented by more than one Commissioner, and no more than three persons of the same political registration shall serve on the Ethics Commission at the same time.

(C) After the initial terms, members of the Ethics Commission shall serve terms of five years.



No person shall be appointed to the Commission more than two times in succession, except the initial members who serve less than five-year terms may be appointed three times in succession. A vacancy on the Commission shall be filled for the remainder of the unexpired term by the appointing author.

(D) The members of the Commission shall choose a chair from among themselves.

(E) The term of office for a Commissioner shall commence at noon on the second Monday in July.

(F) No member of the Ethics Commission shall be eligible for elected office for two years after completing his or her term.

(G) A majority of the members serving shall constitute a quorum.

*Added by State Question No. 627, Initiative Petition No. 341, adopted at election held September 18, 1990.*

## **§ 2. Appropriation – Compensation – Staff**

(A) The Ethics Commission shall receive an annual appropriation by the Legislature sufficient to enable it to perform its duties as set forth in this Constitutional Amendment. Any funds appropriated to the Ethics Commission, which remain unspent at the end of the fiscal year shall be returned to the general revenue fund. The Commission shall present its proposed budget to the Governor and the Legislature on the second day of each legislative session.

(B) The Commissioners shall receive reimbursement for travel, lodging, and meals while on official business as provided for other officers of the State, but they shall not be otherwise compensated.

(C) The Commission may employ an executive director and other staff, including attorneys, necessary to fulfill its duties.

*Added by State Question No. 627, Initiative Petition No. 341, adopted at election held September 18, 1990.*

## **§ 3. Ethics Rules**

(A) After public hearing, the Ethics Commission shall promulgate rules of ethical conduct for campaigns for elective state office and for campaigns for initiatives and referenda, including civil penalties for violation of these rules.

(B) After public hearing, the Ethics Commission shall promulgate rules of ethical conduct for state officers and employees, including civil penalties for violation of these rules.

(C) Newly promulgated rules shall be presented to each House of the Legislature and to the Governor on the second day of each session of the Legislature. If these rules are not disapproved by joint resolution, subject to veto by the Governor, during the same legislative session, they shall be effective. In the event the Governor vetoes a joint resolution disapproving any Ethics Commission's rules, the procedure shall be the same as for the veto of any other bill or joint resolution. Effective Ethics Commission rules shall be published in the official statutes of the State.

(D) Effective Ethics Commission rules may be repealed or modified by the Commission, and the repeal or modification shall be submitted to the Legislature and the Governor in the same manner as newly promulgated rules. Effective Ethics Commission rules may also be repealed or modified by law passed by a majority vote of each House of the Legislature. If the Governor

vetoes such a law, the procedure shall be the same as for the veto of any other bill or joint resolution.

*Added by State Question No. 627, Initiative Petition No. 341, adopted at election held September 18, 1990.*

**§ 4. Investigation – Decision – Subpoena Power**

(A) The Ethics Commission shall investigate and, when it deems appropriate, prosecute in the District Court of the County where the violation occurred, violations of its rules governing ethical conduct of campaigns, state officers, and state employees. Where uncertainty exists as to the County in which the violation occurred, the Commission may prosecute in any County in which the evidence indicates the violation might have been committed. The Court may assess penalties for violation of ethical standards established by the Commission as provided in the Commission's rules. The Commission may settle investigations and accept payment of fines without Court order. Fines paid shall be deposited in the general revenue fund of the State.

(B) The Commission shall also enforce other ethics laws as prescribed by law.

(C) For purposes of its investigations, the Ethics Commission shall have subpoena power.

*Added by State Question No. 627, Initiative Petition No. 341, adopted at election held September 18, 1990.*

**§ 5. Ethics Interpretations**

The Ethics Commission may respond, pursuant to its rules, to questions of specific individuals seeking an interpretation of the Commission's rules governing ethical conduct for campaigns, state officers, or state employees. Any such official interpretation of ethics rules shall be binding on the Commission.

*Added by State Question No. 627, Initiative Petition No. 341, adopted at election held September 18, 1990.*

**§ 6. Criminal Penalties**

This Article shall not prevent enactment of laws prohibiting certain conduct by political candidates, government officers, government employees, or other persons and providing criminal penalties for such conduct. It also shall not prevent enactment of laws governing ethical conduct of local political subdivision officers and employees, nor shall it prevent enactment of law governing conditions of state government employment.

*Added by State Question No. 627, Initiative Petition No. 341, adopted at election held September 18, 1990.*

**§ 7. Removal**

A Commissioner shall only be removed from office pursuant to the provisions of Article VIII of this Constitution.

*Added by State Question No. 627, Initiative Petition No. 341, adopted at election held September 18, 1990.*

**TITLE 5, ATTORNEYS AND THE STATE BAR**  
**CHAPTER 1, ATTORNEYS AND COUNSELORS**

**Appendix 4 - Code of Judicial Conduct**

Please see the Oklahoma [Code of Judicial Conduct](#), effective April 15, 2011 for rules concerning Judges and Judicial Candidates. The code should be read in conjunction with the applicable Ethics Rules.

**TITLE 6, BANKS AND TRUST COMPANIES**  
**CHAPTER 1, THE OKLAHOMA BANKING CODE**

**Article VIII - Regulation of Banks**

**§ 808. Banks Prohibited From Making Political Contributions – Penalties**

(A) Prohibition against political expenditures. It is unlawful for any bank to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any candidate, political committee, or for any other person to accept or receive any contribution prohibited by this section (Section 808A).

(B) Penalties. Every bank which makes any contribution or expenditure in violation of this section (Section 808A) shall be fined not more than Five Thousand Dollars (\$5,000.00); and every officer or director of any bank who consents to any such contribution or expenditure by the bank, and any person who accepts or receives any such contribution, shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned not more than one (1) year, or both; and if the violation was willful shall be fined not more than Ten Thousand Dollars (\$10,000.00) or imprisoned not more than two (2) years, or both.

*Amended 1999 by HB 1009 [eff. July 1, 1999].*

## TITLE 17, CORPORATION COMMISSION

### CHAPTER 2A, PRESENTS AND GRATUITIES

#### § 48. **Prohibition of Transportation, Presents, or Gratuities to Corporation Commissioners or Employees – Exceptions – Penalty**

(A) No person who is subject to the regulations of the Corporation Commission, or has interests in any firm, corporation or business which is subject to regulation by the Corporation Commission shall furnish transportation, presents, or gratuities other than as provided by the Rules of the Ethics Commission to any member of the Corporation Commission or any employee thereof; provided, however, during a period beginning one hundred twenty (120) days prior to a primary election, through one hundred twenty (120) days following the general election, any person may make contributions not otherwise prohibited by the Rules of the Ethics Commission to the cost of any current candidate's political campaign. It shall be unlawful for any such member or employee to knowingly accept any such transportation, presents or gratuities from any such person, firm or association.

(B) A violation of the provisions of this section shall, upon conviction, be punishable as a misdemeanor.

*Added 1995 by HB 1608 [effective July 1, 1995].*

### CHAPTER 9, MISCELLANEOUS PROVISIONS

#### § 180.4. **Political Activities Prohibited - Exception**

No employee of the Corporation Commission in the unclassified service, shall, directly or indirectly, solicit, receive, or in any manner be concerned in soliciting or receiving any assessment, subscription or contribution for any political organization, candidacy or other political purpose; and no employee of the Commission in the unclassified service shall solicit or receive any such assessment, subscription or contribution from an employee in the classified service. No employee of the Corporation Commission in the unclassified service shall be a candidate for nomination or election to any paid public office, or take part in the management or affairs of any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote.

*Added 1979 by HB 1157 [effective June 5, 1979].*

**TITLE 20, COURTS**  
**CHAPTER 1, SUPREME COURT**

**§ 3. Justices Elected - When**

At the regular biennial election in 1918, a justice shall be elected for each of said four additional districts, who shall be nominated by the electors of the district in which he resides, at the primary election, next preceding such biennial election. The justice for districts six and nine shall be elected for a term of six years; the justice for district number seven, for a term of four years, and the justice for district number eight, for a term of two years, and thereafter, three of the Justices of the Supreme Court shall be elected at each general biennial election to serve for a term of six years each, from the second Monday in January, succeeding his election. The successors to the existing five justices shall be elected at the time authorized by existing laws, it not being the purpose of this act to disturb the terms or districts of such justices.

*Added 1917 by SB 252 [effective March 30, 1917].*

**§ 5. Justices Not to be Candidates - When**

No Justice of the Supreme Court shall become, during the term for which he may be elected or appointed, a candidate for any office other than a judicial position.

*Added 1917 by SB 252 [effective March 30, 1917].*

**CHAPTER 19, THE JUDICIARY**

**§ 1404. Additional Grounds for Removal of Judicial Officer**

(A) As used in this section, the term "judicial officer" includes the judges of all courts created by the state or municipalities of the state.

(B) In addition to the causes specified in Article VII-A, Section 1 of the Oklahoma Constitution, the acts and omissions enumerated below shall constitute grounds for the removal by the Court on the Judiciary of a judicial officer from his office, with or without disqualification to hold a judicial office in the future:

1. The acceptance of a fee, or gratuity, other than that specifically provided by law, for performing any act in a judicial officer's capacity as a judge.
2. Continued willful failure of a judicial officer to comply with rules and directives of the Supreme Court, the presiding judge of his administrative district, or the chief judge of the judicial district.
3. Participation by a judicial officer, while serving as such officer or while a candidate for judicial office, in any partisan political activity. But the term "partisan political activity," as used herein, shall not include the attendance by a judicial officer or by a candidate for a judicial office at a political gathering, upon payment of a nominal admission fee, for the sole purpose of campaigning in his own behalf for a judicial office.
4. Participation by a judicial officer, while serving as such officer or while a candidate

for a judicial office, in any election campaign other than that for his own election to a judicial office.

5. A judicial officer becoming a candidate for any nonjudicial office or for another judicial office whose term is to commence before the expiration of his present term of office; provided that no judge holding a nonelective judgeship shall become a candidate in a race in which the incumbent seeks to retain an elective judicial office unless he first resign his appointive judgeship.
6. A judicial officer, while serving as such officer or while a candidate for a judicial office, making publicly known in his campaign material or speeches, or knowingly permitting others to make publicly known, either directly or by implication, his political party affiliation.

(C) Violation by a judicial officer of the Code of Judicial Conduct as adopted by the Supreme Court of Oklahoma on July 15, 1974, or as may be thereafter amended, may constitute grounds for the removal by the court on the judiciary of a judicial officer from office, with or without disqualification to hold a judicial office in the future.

*Added 1969 by HB 1164 [effective April 24, 1969]; Amended 1971 by HB 1049 [effective April 16, 1971]; Amended 1973 by SB 83 [effective April 24, 1973]; Amended 1974 by HB 1656 [effective May 29, 1974]; Amended 1997 by HB [effective July 1, 1997].*

#### **§ 1404.1 Candidates for Judicial Office - Standards of Conduct – Removal - Disqualification**

A person who is not a judicial officer but is a candidate for a judicial office shall comply with the standards enumerated below, and any violation of these standards constitute grounds for the removal by the Court on the Judiciary of a person who is not a judicial officer elected to a judicial office with or without disqualification to hold a judicial office in the future.

1. Participation, while a candidate for judicial office, in any partisan political activity. The term “partisan political activity” as used in this paragraph shall not include attendance by a candidate for a judicial office at a political gathering, upon payment of a nominal admission fee, for the sole purpose of campaigning in his own behalf for a judicial office.
2. Participation, while a candidate for a judicial office, in any election campaign other than that for his own election to a judicial office.
3. While a candidate for a judicial office, making publicly known in his campaign material or speeches, or knowingly permitting others to make publicly known, either directly or by implications, his political party affiliation.

*Added 1979 by HB 1004.*

**TITLE 21, CRIMES AND PUNISHMENTS**  
**CHAPTER 5, CRIMES RELATING TO ELECTIONS**

**§ 181. Betting or Wagering on Elections**

Every person who makes, offers or accepts any bet or wager upon the result of any election, or upon the success or failure of any person or candidate, or upon the number of votes to be cast either in the aggregate, or for any particular candidate, or upon the vote to be cast by any person, or upon the decision to be made by any inspector or canvasser, of any question arising in the course of an election, or upon any event whatever depending upon the conduct or result of an election, is guilty of a misdemeanor.

*R.L. 1910, § 2108.*

**§ 182. Unlawful Offers by Election Candidates**

Every person who, being a candidate at any election, offers or agrees to appoint or procure the appointment of any particular person to office, as an inducement or consideration to any person to vote for, to procure or aid in procuring the election of such candidate, is guilty of a misdemeanor.

*R.L. 1910, § 2109.*

**§ 183. Communication of Unlawful Offer**

Every person who, not being a candidate, communicates any offer made in violation of the next preceding section, to any person, with intent to induce him to vote for or procure or aid in procuring the election of the candidate making the offer is guilty of a misdemeanor.

*R.L. 1910, § 2110.*

**§ 187. Definitions**

As used in this section through Section 187.2 of this title:

1. "Campaign" means and includes all activities for or against the election of a candidate for elective state office or for or against a state question;
2. "Candidate" means an individual who has filed or should have filed a statement of organization for a candidate committee for state office with the Ethics Commission as required by its Rules. A candidate committee shall include committees for candidates for partisan elective offices, for nonpartisan judicial offices and for judicial retention offices;
3. "Candidate committee" means the only committee authorized by a candidate to accept contributions or make expenditures on behalf of the candidate's campaign, including the campaign of a judicial retention candidate;
4. "Contribution" means any gift, subscription, loan, guarantee or forgiveness of a loan, conveyance, advance, payment, distribution or deposit of money made to, or anything of value given to, or an expenditure other than an independent expenditure

made on behalf of a political party, political action committee or candidate committee, but shall not include the value of services provided without compensation by an individual who volunteers those services;

5. "Expenditure" means a purchase, payment, distribution, loan, advance, compensation, reimbursement, fee deposit or a gift made by a political party, political action committee, candidate committee or other individual or entity that is used to expressly advocate the election, retention or defeat of one or more clearly identified candidates or for or against one or more state questions;
6. "Limited committee" means a political action committee organized to make contributions to candidates; a limited committee may make independent expenditures or electioneering communications, but may not accept contributions in excess of the limits prescribed for limited committees;
7. "Local office" means all elective offices for which a declaration of candidacy is filed with the secretary of any county election board;
8. "Political action committee" means a limited or unlimited committee that has filed or should have filed a statement of organization with the Ethics Commission as required by its Rules;
9. "Political party" means a political party recognized under the laws of this state;
10. "Political party committee" means a committee authorized by the political party to accept contributions or make expenditures on behalf of the political party; a political party committee may include a state committee, a Congressional District committee, a county committee, a precinct committee or any other committee or entity of the party officially recognized in the party's bylaws or similar governing document;
11. "State office" means all elective offices for which declarations of candidacy are filed with the Secretary of the State Election Board;
12. "State question" means an initiative or referendum petition for which the Governor has issued a proclamation setting the date on which an election shall be held or a legislative referendum referred by the Legislature for a vote of the people; and
13. "Unlimited committee" means an independent judicial retention committee, a political action committee organized exclusively for the purpose of making independent expenditures or electioneering communications or a political action committee organized exclusively for the purpose of advocating the approval or defeat of a state question.

*Added 1995 by HB 1608 [effective July 1, 1995]; Amended 2014 by SB 1744 [Effective January 1, 2015].*

**§ 187.1. Limitations on Contributions to Candidates – Exemption – Contributions by Intermediary – Penalty**

(A) No person may contribute more than:

1. The limits set forth in the Rules of the Ethics Commission to a political party committee or political action committee;
2. The limits set forth in the Rules of the Ethics Commission to a candidate committee for a candidate for state office; or
3. The limits set forth in the Rules of the Ethics Commission to a campaign committee



for a candidate for municipal office or to a campaign committee for a candidate for county office or to a municipal or county political committee.

(B) No candidate, candidate committee, or other committee shall knowingly accept contributions in excess of the amounts provided herein.

(C) These restrictions shall not apply to a committee supporting or opposing a state question or local question or to a candidate making a contribution of his or her own funds to his or her own campaign.

(D) It shall be prohibited for a campaign contribution to be made to a particular candidate or committee through an intermediary or conduit for the purpose of:

1. Evading requirements of effective Rules of the Ethics Commission promulgated pursuant to Article XXIX of the Oklahoma Constitution or law relating to the reporting of contributions and expenditures; or
2. Exceeding the contribution limitations imposed by subsection A of this section. Any person making a contribution in violation of this subsection or serving as an intermediary or conduit for such a contribution, upon conviction, shall be subject to the penalties prescribed in subsections E and F of this section.

(E) Any person who knowingly and willfully violates any provision of this section where the aggregate amount contributed exceeds the contribution limitation specified in subsection A of this section by Five Thousand Dollars (\$5,000.00) or more, upon conviction, shall be guilty of a felony punishable by a fine of up to four times the amount exceeding the contribution limitation or by imprisonment in the State Penitentiary for up to one (1) year, or by both such fine and imprisonment.

(F) Any person who knowingly and willfully violates any provision of this section where the aggregate amount contributed is less than Five Thousand Dollars (\$5,000.00) in excess of the contribution limitation specified in subsection A of this section, upon conviction, shall be guilty of a misdemeanor punishable by a fine of not more than three times the amount exceeding the contribution limitation or One Thousand Dollars (\$1,000.00), whichever is greater, or by imprisonment in the county jail for up to one (1) year, or by both such fine and imprisonment.

(G) No lobbyist or lobbyist principal as defined in the Rules of the Ethics Commission shall make or promise to make a contribution to, or solicit or promise to solicit a contribution for a member of the Oklahoma Legislature or a candidate for a state legislative office during any regular legislative session, beginning the first Monday in February, through its adjournment, and for five (5) calendar days following sine die adjournment. A member of the Oklahoma Legislature or a candidate for a state legislative office shall not intentionally solicit or accept a contribution from a lobbyist or lobbyist principal as defined in the Rules of the Ethics Commission during any regular legislative session and for five (5) calendar days after sine die adjournment. For the purposes of this subsection, a candidate shall mean any person who has filed a statement of organization for a state legislative office pursuant to the Rules of the Ethics Commission.

(H) Any person who knowingly and willfully violates any provision of subsection G of this section, upon conviction, shall be guilty of a misdemeanor punishable by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for up to one (1) year, or by both such fine and imprisonment.

*Added 1995 by HB 1608; Amended 1997 by HB 1213 [effective July 1, 1999]; Amended 1999 by HB 1009 [effective July 1, 1999]; Amended 2008 [Subsections G and H effective November 1, 2008]; Amended 2014 by SB 1744 [Effective January 1, 2015].*

**§ 187.2. Contributions by Corporation Prohibited – Exceptions – Penalty**

- (A) 1. No corporation or labor union may make a contribution to a political party, a political action committee or a candidate committee, and no political party committee, political action committee or candidate committee may accept a contribution from a corporation or labor union, except as permitted by law or the Rules of the Ethics Commission.
2. No limited liability company that has one or more incorporated members may make a contribution to a political party committee, a political action committee or a candidate committee, except as permitted by law or the Rules of the Ethics Commission.
3. No partnership that has one or more incorporated partners may make a contribution to a political party committee, a political action committee or a candidate committee, except as permitted by law or the Rules of the Ethics Commission.

(B) No candidate, candidate committee, political party committee, political action committee or other committee shall knowingly accept contributions given in violation of the provisions of subsection A of this section.

(C) The provisions of this section shall not apply to a bank, savings and loan association or credit union loaning money to a candidate in connection with his or her own campaign which is to be repaid with interest at a rate comparable to that of loans for equivalent amounts for other purposes.

(D) Any person who knowingly and willfully violates any provision of this section where the aggregate amount contributed exceeds Five Thousand Dollars (\$5,000.00), upon conviction, shall be guilty of a felony punishable by a fine of up to four times the amount of the prohibited contribution or by imprisonment in the State Penitentiary for up to one (1) year, or by both such fine and imprisonment.

(E) Any person who knowingly and willfully violates any provision of this section where the aggregate amount contributed is Five Thousand Dollars (\$5,000.00) or less, upon conviction, shall be guilty of a misdemeanor punishable by a fine of not more than three times the amount of the prohibited contribution or One Thousand Dollars (\$1,000.00), whichever is greater, or by imprisonment in the county jail for up to one (1) year, or by both such fine and imprisonment.

*Added 1995 by HB 1608 [effective July 1, 1995]; Amended 1997 by HB 1213 [effective July 1, 1999]; Amended 1999 by HB 1009 [effective July 1, 1999]; Amended 2014 by SB 1744 [Effective January 1, 2015].*

## CHAPTER 6, CRIMES AGAINST THE EXECUTIVE POWER

### § 265. Bribe to Executive Officer - Penalty

Any person who gives or offers any bribe to any executive officer, with intent to influence him in respect to any act, decision, vote, opinion, or other proceedings of such officer, shall be guilty of a felony punishable by imprisonment in the State Penitentiary, not exceeding ten (10) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00); or both.

*R.L. 1910, § 2148; Amended 1997 by HB 1213[effective date amended to July 1, 1999 by Amendment 1998 by HB 1002]; Amended 1999 by HB 1009 [effective July 1, 1999].*

### § 266. Receiving a Bribe - Penalty

Any executive officer or person elected or appointed to executive office who asks, receives or agrees to receive any bribe upon any agreement or understanding that his vote, opinion or action upon any matter then pending, or which may by law be brought before him in his official capacity, shall be influenced thereby, shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding ten (10) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or both; and in addition thereto, any such person forfeits office and is forever disqualified from holding any public office under the laws of the state.

*R.L. 1910, § 2149; Amended 1997 by HB 1213[effective date amended to July 1, 1999 by Amendment 1998 by HB 1002]; Amended 1999 by HB 1009 [effective July 1, 1999].*

### § 267. Attempt to Prevent Performance of Executive Duty - Penalty

Every person who attempts, by means of any threat or violence, to deter or prevent any executive officer from performing any duty imposed upon such officer by law, is guilty of a misdemeanor.

*R.L. 1910, § 2150.*

### § 269. Acceptance of Emolument, Gratuity, or Reward - Penalty

A. Every executive officer who asks or receives any emolument, gratuity or reward, or any promise of any emolument, gratuity or reward, excepting such as may be authorized by law, for doing any official act, is guilty of a misdemeanor.

B. It shall be unlawful for any state employee, with responsibility or oversight for processing a benefit or allowance, to solicit any portion of the benefit or allowance as a gratuity, kickback, or loan from a recipient who is otherwise entitled to the benefit or allowance.

C. Any state employee convicted of violating the provisions of subsection B of this section shall be guilty of a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for a term not to exceed one (1) year, or by both such fine and imprisonment.

*R.L. 1910, § 2152; Amended 2007 by HB 1646[effective November 1, 2007].*

**§ 270. Acceptance of Emolument, Gratuity, or Reward for Omission to Perform Duty**

Every executive officer who asks or receives any emolument, gratuity or reward, or any promise of any emolument, gratuity or reward, for omitting or deferring the performance of any official duty, is guilty of a misdemeanor.

*R.L. 1910, § 2153.*

**§ 271. Acceptance of Unearned Fees**

Every executive officer who asks or receives any fee or compensation for any official service which has not been actually rendered, except in cases of charges for prospective costs, or of fees demandable in advance in the cases allowed by law, is guilty of a misdemeanor.

*R.L. 1910, § 2154.*

**§ 275. Acceptance of Gratuity or Reward for Appointment or Exercise of Office - Penalty**

Any public officer who, for any gratuity or reward, appoints another person to a public office, or permits another person to exercise, perform or discharge any of the prerogatives or duties of his office, shall be guilty of a felony punishable by imprisonment in the county jail not less than six (6) months nor more than two (2) years, and by a fine of not be less than Two Hundred Dollars (\$200.00) or more than One Thousand Dollars (\$1,000.00); and in addition thereto the public officer forfeits office.

*R.L. 1910, § 2158; Amended 1997 by HB 1213[effective date amended to July 1, 1999 by Amendment 1998 by HB 1002]; Amended 1999 by HB 1009 [effective July 1, 1999].*

**§ 281. False Statements Made During Internal State Agency Investigations – Penalty - Notice**

(A) Any person who knowingly makes or utters a materially false statement, either verbally or in writing, in the course of an internal state agency investigation shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

(B) The person being interviewed pursuant to subsection A of this section shall be informed, in writing and prior to commencement of the interview, that providing a materially false statement shall subject the person to criminal prosecution.

*Added 2009 by SB 789 [effective May 19, 2009].*

## CHAPTER 7, CRIMES AGAINST THE LEGISLATIVE POWER

### SOLICITING FUNDS TO PROMOTE LEGISLATION

#### § 331. **Lobbying – Soliciting Funds – Receipts – Filed with Oklahoma Tax Commission**

Any person, firm or corporation soliciting or collecting funds, directly or indirectly for the primary purpose of promoting legislation for any person or group receiving grants or allotments from the state government must give a personal receipt for each amount collected. Each receipt must be on a form approved by the Oklahoma Tax Commission, must be made out in triplicate, one (1) copy to be retained by the donee and one (1) copy to be given to the donor and the third (3rd) copy must be sent to the Oklahoma Tax Commission on the first of each month. Each receipt must bear the date on which the money is received, must set forth the full name of the contributor and must be signed by the person collecting the money. Any person, firm, or corporation soliciting or collecting monies for the above cited purpose must give the receipt immediately after the money is received. Any person, firm or corporation soliciting or collecting money through the mail for the above cited reason must remit the receipt within five (5) days after receiving the donation. No receipt form shall be used unless it has had the prior approval of the Oklahoma Tax Commission.

*Added 1949 by HB 364.*

#### § 332. **Records Confidential**

Any records or information submitted to the Oklahoma Tax Commission under the provisions of this act shall be treated as confidential and shall not be released to any other department of state government except they shall be available to the Attorney General's office, to any court of competent jurisdiction, or any legislative committee desiring any information pertaining thereto.

*Added 1949 by HB 364.*

#### § 333. **Violations of Act**

Any person, firm or corporation failing to comply with the provisions of this act or using receipts not approved by the Oklahoma Tax Commission or who fails to give a receipt to a donor or who fails to send the third (3rd) copy of each receipt to the Oklahoma Tax Commission as required above shall be deemed guilty of a misdemeanor and shall be subject to a fine of Five Hundred Dollars (\$500.00) or six (6) months in jail, or both such fine and imprisonment.

*Added 1949 by HB 364.*

#### § 334. **Compensating Lobbyists on Contingent Basis Prohibited - Penalty**

No person may retain or employ a lobbyist, as defined in Section 4249 of Title 74\* of the Oklahoma Statutes, for compensation contingent in whole or in part on the passage or defeat of any official action or the approval or veto of any legislation, issuance of an executive order or approval or denial of a pardon or parole by the Governor. No lobbyist may accept any employment

or render any service for compensation contingent on the passage or defeat of any legislation or the approval or veto of any legislation by the Governor. Any person convicted of violating the provisions of this section shall be guilty of a felony punishable by a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment in the State Penitentiary not exceeding two (2) years or by both such fine and imprisonment.

*Added 1995 by HB 1608 [effective July 1, 1995]; Amended 1997 by HB 1213 [effective July 1, 1998]; Amended 1999 by HB 1009 [effective July 1, 1999].*

## **CHAPTER 8, CRIMES AGAINST STATE PROPERTY AND REVENUE**

### **§ 360. Coercing or Advising State Employees to Contribute to Political Activities - Retaliation Against Employee - Penalty**

No public employee or public officer, as defined in Section 304 of Title 51 of the Oklahoma Statutes, shall directly or indirectly coerce, attempt to coerce, command, advise or direct any state employee to pay, lend or contribute any part of his or her salary or compensation, time, effort or anything else of value to any party, committee, organization, agency or person for political purposes. No public employee or official shall retaliate against any employee for exercising his or her rights or for not participating in permitted political activities as provided in Ethics Commission Rule 10-1-4.<sup>1</sup> Any person convicted of willfully violating the provisions of this section shall be guilty of a felony and shall be punished by the imposition of a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not longer than two (2) years, or by both said fine and imprisonment.

*Added 1995 by HB 1608 [effective July 1, 1995]; Amended 1997 by HB 1213 [effective date amended to July 1, 1999 by 1998 Amendment by HB 1002]; Amended 1999 by HB 1009 [effective July 1, 1999].*

## **CHAPTER 10, BRIBERY AND CORRUPTION**

### **§ 382. Officers Receiving Bribes**

Every executive, legislative, county, municipal, judicial, or other public officer, or any employee of the State of Oklahoma or any political subdivision thereof, including peace officers and any other law enforcement officer, or any person assuming to act as such officer, who corruptly accepts or requests a gift or gratuity, or a promise to make a gift, or a promise to do an act beneficial to such officer, or that judgment shall be given in any particular manner, or upon a particular side of any question, cause or proceeding, which is or may be by law brought before him in his official capacity, or as a consideration for any speech, work, or service in connection therewith, or that in such capacity he shall make any particular nomination or appointment, shall forfeit his office, be forever disqualified to hold any public office, trust, or appointment under the laws of this state, and be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding ten (10) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00) and imprisonment in jail not exceeding one (1) year.

*R.L. 1910, § 2184; Amended 1967 by SB 24 [effective February 1, 1967]; Amended 1976 by SB 502 [effective April 5, 1976]; Amended 1997 by HB 1213 [effective June 19, 1998]; Amended 1999 by HB 1009 [effective July 1, 1999].*

## **CHAPTER 11, CONSPIRACY**

### **§ 424. Punishment for Conspiracy Against the State**

If two or more persons conspire either to commit any offense against the State of Oklahoma, any county, school district, municipality or subdivision thereof, or to defraud the State of Oklahoma, any county, school district, municipality or subdivision thereof, in any manner or for any purpose, and if one or more of such parties do any act to effect the object of the conspiracy, all the parties to such conspiracy shall be guilty of a felony punishable by a fine of not more than Twenty-five Thousand Dollars (\$25,000.00) or imprisonment for not more than ten (10) years or both such fine and imprisonment.

*Added 1915 by HB 611; Amended 1982 by HB 1574 [effective October 1, 1982]; Amended 1997 by HB 1213 [effective date amended to July 1, 1999 by 1998 Amendment by HB 1002]; Amended 1999 by HB 1009 [effective July 1, 1999].*

## **CHAPTER 13, CRIMES RELATING TO EVIDENCE**

### **§ 451. Offering Forged or Fraudulent Evidence**

Any person who, upon any trial, proceedings, inquiry or investigation whatever, authorized by law, offers in evidence, as genuine, any book, paper, document, record, or other instrument in writing, knowing the same to have been forged, or fraudulently altered, shall be guilty of a felony and shall be punished in the same manner as the forging or false alteration of such instrument is made punishable by the provisions of this title.

*R.L. 1910, § 2226; Amended 1997 by HB 1213 [effective date amended to July 1, 1999 by 1998 Amendment by HB 1002].*

### **§ 453. False Preparation of Exhibits as Evidence**

Any person guilty of falsely preparing any book, paper, record, instrument in writing, or other matter or thing, with intent to produce it, or allow it to be produced as genuine upon any trial, proceeding or inquiry whatever, authorized by law, shall be guilty of a felony.

*R.L. 1910, § 2228; Amended 1997 by HB 1213 [effective date amended to July 1, 1999 by 1998 Amendment by HB 1002].*

### **§ 454. Destroying Evidence - Penalty**

Every person who knowing that any book, paper, record, instrument in writing, or other matter or thing, is about to be produced in evidence upon any trial, proceeding, inquiry or investigation whatever, authorized by law, willfully destroys the same, with intent thereby to prevent the same from being produced, is guilty of a misdemeanor.

*R.L. 1910, § 2229.*

## CHAPTER 14, CRIMES RELATING TO PUBLIC RECORDS AND DOCUMENTS

### § 463. Offering False or Forged Instruments for Recordation

Any person who knowingly procures or offers any false or forged instrument to be filed, registered, or recorded in any public office within this state, which instrument, if genuine, might be filed or registered or recorded under any law of this state or of the United States, shall be guilty of a felony.

*R.L. 1910, § 2209; Amended 1997 by HB 1213[effective date amended to July 1, 1999 by Amendment 1998 by HB 1002].*

## CHAPTER 41, LOTTERIES

### § 1051. Lottery Defined – Exceptions

(A) A lottery is any scheme for the disposal or distribution of property by chance among persons who have paid, or promised, or agreed to pay any valuable consideration for the chance of obtaining such property, or a portion of it, or for any share of or interest in such property, upon any agreement, understanding or expectation that it is to be distributed or disposed of by a lot or chance, whether called a lottery, a raffle, or a gift enterprise, or by whatever name the same may be known. "Valuable consideration" shall be construed to mean money or goods of actual pecuniary value. Provided, it shall not be a violation of the lottery or gambling laws of this state for:

1. The Oklahoma Lottery Commission to conduct a lottery pursuant to the provisions of the Oklahoma Education Lottery Act;
2. A bona fide resident merchant or merchants of a city or town, acting in conjunction with the Chamber of Commerce or Commercial Club of this state thereof, to issue free of charge numbered tickets on sales of merchandise, the corresponding stub of one or more of which tickets to be drawn or chosen by lot by a representative or representatives of the Chamber of Commerce or of the Commercial Club in the manner set forth on the tickets, the numbered stub or stubs so drawn to entitle the holder of the corresponding numbered issued ticket to a valuable prize donated by the merchant;
3. A bona fide community chest welfare fund on a military post or reservation to issue numbered tickets in conjunction with voluntary contributions to the fund, the corresponding stub or stubs of one or more of the tickets to be drawn by lot under the supervision of a military commander, the stub or stubs so drawn entitling the ticket holder to a prize of some value. Provided, however, that no person shall sell tickets or receive contributions to the fund off the military reservation; or
4. a. A qualified organization to raise funds by issuing numbered tickets in conjunction with voluntary contributions to the qualified organization, the corresponding stub or stubs of one or more of the tickets to be drawn by lot under the supervision of an official of the qualified organization, the stub or stubs so drawn entitling the ticket holder to a prize. As used in this paragraph, "qualified organization" means:
  - (1) a church,
  - (2) a public or private school accredited by the State Department of Education or registered by the State Board of Education for purposes



- of participating in federal programs,
  - (3) a student group or organization affiliated with a public or private school qualified pursuant to division (2) of this subparagraph,
  - (4) a parent-teacher association or organization affiliated with a public or private school qualified pursuant to division (2) of this subparagraph,
  - (5) fire departments,
  - (6) police departments,
  - (7) organizations that are exempt from taxation pursuant to the provisions of subsection (c) of Section 501 of the United States Internal Revenue Code, as amended, 26 U.S.C., Section 501(c) et seq.,
  - (8) an "organization" as such term is defined in paragraph 20 of Section 402 of Title 3A of the Oklahoma Statutes, or
  - (9) a political party recognized by the State Election Board pursuant to Section 1-108 of Title 26 of the Oklahoma Statutes.
- b. Any raffle conducted by a qualified organization shall be conducted by members of the qualified organization without compensation to any member. The organization shall not hire or contract with any person or business association, corporation, partnership, limited partnership or limited liability company to conduct a raffle, to sell raffle tickets or to solicit contributions in connection with a raffle on behalf of the organization.
5. The Oklahoma Department of Wildlife Conservation to conduct controlled, draw, lottery or raffle hunts.

(B) If the Oklahoma Education Lottery Act ceases to have the force and effect of law pursuant to Section 36 of the Oklahoma Education Lottery Act, the provisions of paragraph 3 of subsection A of this section shall cease to have the force and effect of law.

*Amended by Laws 1929; Amended by Laws 1957; Amended by Laws 2003; Amended by Laws 2009 [Effective March 12, 2009]; Amended 2018 by HB 3319 [Effective November 1, 2018]; Amended 2020, by HB 3730 [Effective November 1, 2020].*

**§ 1052. Lottery Unlawful and Public Nuisance**

Every lottery is unlawful, and a common public nuisance.

*R.L. 1910, § 2471.*

**§ 1053. Penalty for Preparing Any Lottery**

Any person who contrives, prepares, sets up, proposes or draws any lottery shall be guilty of a felony punishable by a fine equal to double the amount of the whole sum or value for which such lottery was made, and if such amount cannot be ascertained, then, by imprisonment in the State Penitentiary not exceeding two (2) years or by imprisonment in a county jail not exceeding one (1) year, or by a fine of Two Thousand Five Hundred Dollars (\$2,500.00), or by both such fine and imprisonment.

*R.L. 1910, § 2472; Amended 1997 by HB 1213 [effective date amended to July 1, 1999, by Amendment 1998 by HB 1002; Amended 1999 by HB 1009 [effective July 1, 1999].*

**TITLE 26, ELECTIONS**  
**CHAPTER A1, ELECTION CODE**

**Article V - Filing**

**§ 5-105a. Eligibility for Candidate when Convicted of Misdemeanor Involving Embezzlement or Felony**

(A) A person who has been convicted of a misdemeanor involving embezzlement or a felony under the laws of this state or of the United States or who has entered a plea of guilty or nolo contendere to such misdemeanor involving embezzlement or felony or who has been convicted of a crime in another state which would have been a misdemeanor involving embezzlement or a felony under the laws of this state or has entered a plea of guilty or nolo contendere to such crime shall not be eligible to be a candidate for or to be elected to any state, county, municipal, judicial or school office or any other elective office of any political subdivision of this state for a period of fifteen (15) years following completion of his sentence or during the pendency of an appeal of such conviction or plea.

(B) The provisions of this section shall not be construed to preclude a person who has received a pardon from being eligible for or from holding public office.

*Added 1986 by HB 1706 [effective June 11, 1986].*

**Article VII – Conduct of Elections**

**§ 7-108. Electioneering Prohibited**

No person shall be allowed to electioneer within three hundred (300) feet of any ballot box while an election is in progress, nor shall any person or persons, except election officials and other persons authorized by law, be allowed within fifty (50) feet of any ballot box while an election is in progress. No printed material other than that provided by the election board shall be publicly placed or exposed within three hundred (300) feet of any ballot box, while an election is in progress.

*Added 1974 by SB 415 [effective January 1, 1975].*

## Article XVI - Penalties

### § 16-111. Electioneering

Any person who electioneers within three hundred (300) feet of any ballot box while an election is in progress, and any person except election officials and other persons authorized by law who remains within fifty (50) feet of any ballot box while an election is in progress shall be deemed guilty of a misdemeanor.

*Added 1974 by SB 415 [effective January 1, 1975].*

### § 16-119. Expenditure of Public Funds

Any official in this state who shall direct or authorize the expenditure of any public funds under his care, except as specifically authorized by law, to be used either in support of, or in opposition to, any measure which is being referred to a vote of the people by means of the initiative or referendum, or which citizens of this state are attempting to have referred to a vote of the people by the initiative or referendum, shall be deemed guilty of a misdemeanor, and the office held by such party shall be adjudged vacant and shall be filled in the manner prescribed by law.

*Added 1974 by SB 415 [effective January 1, 1975].*

**TITLE 51, OFFICERS**  
**CHAPTER 1, GENERAL PROVISIONS**

**§ 24.1. Suspension From Office or Employment Upon Conviction of Felony – Forfeiture of Office or Employment – Salary and Benefits**

(A) Any elected or appointed state or county officer or employee who, during the term for which he or she was elected or appointed, is, or has been, found guilty by a trial court of a felony in a state or federal court of competent jurisdiction shall be automatically suspended from the office or employment.

(B) The Governor shall appoint an interim successor to serve during the period of suspension of any county commissioner or any state officer other than a member of the State Legislature.

(C) A vacancy created by the suspension of a member of the State Legislature shall be filled as provided in Section 20 of Article V of the Oklahoma Constitution.

(D) A vacancy created by the suspension of a county officer other than a county commissioner shall be filled as provided by Section 10 of this title.

(E) In the event any elected or appointed state or county officer or employee who, during the term for which he or she was elected or appointed, pleads guilty or nolo contendere to a felony or any offense involving a violation of his or her official oath in a state or federal court of competent jurisdiction, he or she shall, immediately upon the entry of the plea, forfeit the office or employment.

(F) Any such officer or employee upon final conviction of, or pleading guilty or nolo contendere to, a felony in a state or federal court of competent jurisdiction shall vacate such office or employment and if such felony is for bribery, corruption, forgery or perjury or any other crime related to the duties of his or her office or employment, or related to campaign contributions or campaign financing for that or any other office, shall forfeit all benefits of the office or employment, including, but not limited to, retirement benefits provided by law, however, the forfeiture of retirement benefits shall not occur if any such officer or employee received a deferred sentence, but retirement benefits shall not commence prior to completion of the deferred sentence. The forfeiture of retirement benefits required by this subsection shall not include such officer's or employee's contributions to the retirement system or retirement benefits that are vested on the effective date of this act.

(G) The forfeiture of retirement benefits as provided by subsection F of this section shall also apply to any such officer or employee who, after leaving the office or employment, is convicted of, or pleads guilty or nolo contendere to, in a state or federal court of competent jurisdiction, a felony committed while in such office or employment, where the felony is for bribery, corruption, forgery or perjury or any other crime related to the duties of his or her office or employment, or related to campaign contributions or campaign financing for that or any other office.

(H) Any claims for payment of salary or wages, or any claims for payment of any other benefits, to any such officer or employee suspended from or forfeiting his or her office or employment shall be rejected by the proper authority.

(I) Such suspension or forfeiture shall continue until such time as the conviction or guilty plea is reversed by the highest appellate court to which the officer or employee may appeal.

(J) The attorney responsible for prosecuting such elected or appointed state or county officers or employees shall notify the retirement system in which such officer or employee is enrolled of

the forfeiture of such officer's or employee's retirement benefits. Upon receipt of the notice of forfeiture, the retirement system shall immediately suspend all benefits of the officer or employee, and notify the officer or employee of his or her right to a hearing to review whether the conviction or plea qualifies for forfeiture of benefits under this section. If the conviction or plea occurs in federal court or the notice of forfeiture is not forthcoming from the State prosecutor, the retirement system may investigate and gather court documents and contact prosecutors to determine whether the conviction or plea qualifies under this section. Upon obtaining sufficient documentation of the conviction or plea, the retirement system shall immediately suspend all benefits of the officer or employee, and notify the officer or employee of his or her right to a hearing to review whether the conviction or plea qualifies for forfeiture of benefits under this section.

(K) Within three (3) days of the conviction or plea of guilty or nolo contendere of a county commissioner, the district attorney of the county where such county commissioner served shall notify the Governor, in writing, of the suspension, the date of conviction or plea of guilty or nolo contendere resulting in suspension, and the felony committed.

(L) Within three (3) days of the conviction or plea of guilty or nolo contendere of an elected or appointed state officer, the attorney responsible for prosecuting such state officer, shall notify the Governor in writing of the suspension, the date of conviction or plea of guilty or nolo contendere resulting in suspension, and the felony committed.

*Added 1965 by HB 838 [effective June 28, 1965]; Amended 1981 by SB 2 [effective September 8, 1981]; Amended 1987 by HB 1278 [effective November 1, 1987]; Amended 1998 by SB 1032 [effective July 1, 1998]; Amended 2009 by SB 899 [effective July 1, 2009].*

## **TITLE 68, REVENUE AND TAXATION**

### **CHAPTER 1, TAX CODES**

#### **Article I – Oklahoma Tax Commission**

##### **§ 102.2. Political Activities by Members of Tax Commission Prohibited**

No member of the Oklahoma Tax Commission shall, directly or indirectly, solicit, receive or in any manner be concerned in soliciting or receiving any assessment, subscription or contribution for any political organization, candidacy or other political purpose. No member of said Commission shall be a member of any national, state or local committee of a political party, or an officer or a member of a committee of a partisan political club, or a candidate for nomination or election to any paid public office, or take part in the management or affairs of any political party or in any political campaign, except to exercise his right as a citizen privately to express his opinion and to cast his vote.

*Added 1969 by SB 205.*

## **TITLE 69, ROADS, BRIDGES, AND FERRIES**

### **CHAPTER 1, OKLAHOMA HIGHWAY CODE OF 1968**

#### **Article 3 – State Highway Administration**

##### **§ 303-A. Soliciting or Receiving Political Contributions by Members of Highway Commission Prohibited**

No appointed member of the State Highway Commission shall directly or indirectly solicit, receive or in any manner be concerned in soliciting or receiving any assessment, subscription or contribution for any political organization, candidacy or other political purpose.

*Added 1969 by SB 132 [effective May 14, 1969].*

**TITLE 70, SCHOOLS**  
**CHAPTER 50, HIGHER EDUCATION CODE**

**Article III – Oklahoma State System of Higher Education: Low-Cost Textbook Rental System**

**§ 3241.2. Instructional Materials Policy – No Inducement Payments**

(A) No employee or department at an institution within The Oklahoma State System of Higher Education shall demand or receive any payment, loan, subscription, advance, deposit of money, services or anything, present or promised, as an inducement for requiring students enrolled at the institution to purchase specific textbooks or instructional material required for coursework or instruction. An employee or department of an institution may receive:

1. Sample copies of textbooks or instructional material, instructor copies of textbooks or instructional material, or other instructional material, that are not to be sold by faculty, staff, or bookstores;
2. Royalties or other compensation from sales of textbooks or instructional materials that include the writing or work of the employee;
3. Honoraria for academic peer review of instructional materials; and
4. Training in the use of instructional materials and technologies.

(B) No instructional material vendor or bookstores located on campus or bookstores which contract with the institution to provide bookstore services to students shall solicit higher education faculty and staff members for the purpose of selling free review instructional materials that have been provided by a publisher at no charge to the faculty or staff. Bookstores shall not permit book wholesalers conducting buybacks on campus to accept review instructional materials from faculty or staff. No bookstore shall engage in any trade of any instructional material marked as or identified as free review instructional materials.

*Added 2007 by HB 2103 [effective November 1, 2007].*

## TITLE 74, STATE GOVERNMENT

### CHAPTER 14, TRAVEL AND MOVING EXPENSES

#### State Travel Reimbursement Act

#### § 500.4. Mode of Travel – Approval – Rate of Reimbursement

(A) Authorized persons traveling on official state business within the State of Oklahoma may utilize railroads, airplanes, buses, whether intracity or intercity, or other public conveyance. Reimbursement for fares paid for airplane transportation shall not exceed coach class fare except as provided herein. Reimbursement for fares paid for airplane transportation may be at the business class fare rate for international travel. Other public conveyance fares shall not exceed the lesser of the normal charge or coach class airplane fare. Taxicab or rideshare fares within the State of Oklahoma and communication charges may be reimbursed only upon justification as to the necessity for their use.

(B) Agency heads or their authorized designees may approve the use of motor vehicles for official travel within the State of Oklahoma. If available, agency owned motor vehicles or motor vehicles leased from the State Motor Pool, either on a full-time basis or for individual trips, shall be utilized for such travel. Reimbursement for use of privately owned motor vehicles may be authorized by the agency head.

(C) Reimbursement for authorized use of privately owned motor vehicles shall not exceed the amount prescribed by the Internal Revenue Code of 1986, as amended, or rules, procedures or other action by the Internal Revenue Service, for use in determining the standard mileage rate allowed for a business expense deduction. Distances for which reimbursement for use of privately owned motor vehicles is claimed shall be actual business miles based on a recognized Global Positioning System (GPS).

*Added 1972 by HB 1695 [effective July 1, 1972]; Amended 1974 by SB 518 [effective July 1, 1974]; Amended 1976 by HB 1805 [effective July 1, 1976]; Amended 1979 by HB 1377 [effective July 1, 1979]; Amended 1980 by SB 260 [effective July 1, 1980]; Amended 1985 by SB 243 [effective July 1, 1985]; Amended 1989 by SB 3 [effective November 1, 1989]; Amended 1995 by SB 547 [effective November 1, 1995]; Amended 1997 by HB 1895 [effective July 1, 1997]; Amended 1998 by SB 1246 [effective July 1, 1998]; Amended 2016 by HB 2704 [effective November 1, 2016].*



## **CHAPTER 47C, OKLAHOMA TOURISM, PARKS AND RECREATION ENHANCEMENT ACT**

### **Oklahoma Tourism and Recreation Commission**

#### **§ 2203. Oklahoma Tourism and Recreation Commission –Appointment of Members**

(D) With the exception of the ex officio, no member of the Commission shall seek election to a federal, state, or county office while serving on the Commission.

*Amended by Laws 2005; Amended by Laws 2008 [Effective July 1, 2008]; Amended by Laws 2018, HB 3603 [Effective January 14, 2019].*

## **CHAPTER 62, ETHICS COMMISSION ACT**

### **Lobbying**

#### **§ 4249. Definitions**

As used in Sections 4250 through 4255 of this title, terms used shall be defined as they are defined in the Rules of the Ethics Commission.

*Added 1995 by HB 1608; Amended 2014 by SB 1746 [Effective January 1, 2015].*

#### **§ 4250. Registration Requirement**

(A) Every lobbyist shall be required to register with the Ethics Commission no later than December 31 of each year or within five (5) days after engaging in lobbying on behalf of one or more lobbyist principals, and pay a registration fee of One Hundred Dollars (\$100.00). All monies collected from this registration fee shall be deposited with the State Treasurer to the credit of the Ethics Commission Fund. Lobbyists shall be required to file reports in accordance with the Rules of the Ethics Commission.

(B) All registrations and expenditure reports filed under this section shall be public records and shall be made available for public inspection pursuant to the Open Records Act.

*Added 1995 by HB 1608; Amended 2004 by HB 2664 [effective November 1, 2004]; Amended 2013 by SB 557 [effective May 24, 2013]; Amended 2014 by SB 1746 [effective January 1, 2015].*

**§ 4251. False Statements Prohibited**

No person required to be registered as a lobbyist with the Ethics Commission may:

1. Knowingly or willfully make any false statement or representation of the facts to a member of the legislative branch, judicial branch or executive branch; or
2. Knowing a document to contain a false statement, cause a copy of the document to be received by a member of the legislative branch, judicial branch or executive branch without notifying such member in writing of the truth.

*Added 1995 by HB 1608 [effective July 1, 1995]; Amended 2014 by SB 1746 [effective January 1, 2015].*

**§ 4252. Invitation Required for Lobbyist to Go On Floor of Either House of Legislature**

No lobbyist may go on the floor of either house of the Legislature while that house is in session, except on invitation of that house.

*Added 1995 by 1608 [effective July 1, 1995].*

**§ 4253. Non-Confidentiality of Lobbyist Registration Forms**

No information copied from lobbyist registration forms shall be confidential.

*Added 1995 by HB 1608 [effective July 1, 1995]; Amended 2014 by SB 1746 [effective January 1, 2015].*

**§ 4254. Additional Compensation or Reimbursement for Lobbying**

No state officer or state employee shall receive any additional compensation or reimbursement from any person for personally engaging in lobbying other than compensation or reimbursements provided by law for that member's job position.

*Added 1995 by HB 1608 [effective January 1, 1995].*

**§ 4255. Penalties for Violations**

(A) Any person who knowingly and willfully violates any provision of Sections 4249 through this section of this title commits a misdemeanor. Nothing in Sections 4249 through this section of this title relieves a person of criminal responsibility under the laws of this state relating to perjury.

(B) Any person who knowingly and willfully violates any provision of Sections 4249 through this section of this title a third and subsequent time, in addition to any other penalties provided herein, shall be prohibited from further lobbying for a period of five (5) years. If any person having been so prohibited, lobbies while prohibited, such person shall be permanently prohibited from lobbying and shall be guilty of a felony.

*Added 1995 by HB 1608 [effective July 1, 1995]; Amended 2014 by SB 1746 [effective January 1, 2015].*

## Miscellaneous Provisions

### § 4256. Late Filing Fees – Penalties for Campaign Reporting Rule Violations

(A) Every candidate or candidate committee for state or county office and every other committee failing to file registrations and reports of contributions and expenditures or statements of inactivity on or before the days specified in Chapter 10 of the Rules of the Ethics Commission shall be assessed by the Ethics Commission a late filing fee of up to One Hundred Dollars (\$100.00) for each day after a report of contributions and expenditures is due that said report remains unfiled; provided, the total amount of such fees assessed per report shall not exceed One Thousand Dollars (\$1,000.00).

(B) Committees campaigning for or against an initiative or referendum petition, legislative referendum, or a state question who fail to file reports of contributions and expenditures on or before the days specified in Chapter 10 of the Rules of the Ethics Commission shall be assessed by the Ethics Commission a late filing fee of up to One Thousand Dollars (\$1,000.00) for each day after a report of contributions and expenditures is due that said report remains unfiled; provided, the total amount of such fee assessed per report filing shall not exceed Ten Thousand Dollars (\$10,000.00).

(C) Every person failing to file a statement of financial interests or financial disclosure statement on or before the days specified in Chapter 15 of the Rules of the Ethics Commission shall be assessed by the Ethics Commission a late filing fee of up to One Hundred Dollars (\$100.00) for each day the statement remains unfiled; provided, the total amount of such fees assessed per statement shall not exceed One Thousand Dollars (\$1,000.00).

(D) The treasurer, except for treasurers for candidates or candidate committees, may be liable for the late fee. Failure to file a registration, report or statement shall be deemed to be a separate offense for each day that the registration, report or statement remains unfiled after it becomes due. The first Twenty-five Thousand Dollars (\$25,000.00) per calendar year derived from fees collected pursuant to the provisions of this section shall be deposited with the State Treasurer to the credit of the Ethics Commission Fund and any amount in excess of Twenty-five Thousand Dollars (\$25,000.00) per calendar year shall be deposited in the General Revenue Fund. Candidates or candidate committees shall not pay such fees from campaign funds.

*Added 1995 by HB 1608 [effective July 1, 1995]; Amended 2010 by HB 2408 [effective July 1, 2010].*

### § 4257. Former Member of Board or Commission – Employment – Violations

(A) Except as otherwise provided for by law, no state board or commission shall employ any former member of the board or commission.

- (B) 1. A state board or commission may employ a former member of the board or commission if at least one (1) year has passed since the term of office of the former member has expired or since the date the former member resigned from the board or commission.
2. An institution of higher education may employ a former member of the board of regents which has oversight over the institution if at least six (6) months have passed since the term of office of the former member has expired or since the date the former member resigned from the board of regents.

(C) Notwithstanding subsection B of this section, a state board or commission may employ:

- (1) A state employee who is an ex officio member of that board or commission and who is required by law to be a member of that board or commission; or
- (2) A former statewide elected official who was an ex officio member of that board or commission if the former statewide elected official completed the term in office. This subsection shall not apply to a statewide elected official who is an ex officio member of a board or commission.

(D) Any person who willfully violates any provision of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for not longer than six (6) months or by both such fine and imprisonment, and upon conviction shall be ineligible for appointment to or employment in a position in state service and, if at the time of conviction is an employee of the state, the employee shall forfeit the position.

*Added 1995 by HB 1608 [effective July 1, 1995]; Amended 1999 by SB 145 [effective April 19, 1999]; Amended 2001 [effective May 24, 2001]; Multiple amendment repealed 2002 by HB 2924 [effective March 8, 2002]; Amended 2003 by HB 1101 [effective June 3, 2003]; Amendment 2004 by SB 1074 [effective June 8, 2004]; Amended 2008 by HB 2977 [effective Feb. 28, 2008].*

#### **§ 4258. Creation of Ethics Commission Fund**

(A) There is hereby created in the State Treasury a revolving fund for the Ethics Commission to be designated the "Ethics Commission Fund". The Ethics Commission Fund shall be a continuing fund, not subject to fiscal year limitations and shall consist of the first One Hundred Fifty Thousand Dollars (\$150,000) of fees received by the Commission each fiscal year. Fees collected each fiscal year in excess of One Hundred Fifty Thousand Dollars (\$150,000) shall be placed to the credit of the General Revenue Fund.

(B) All monies accruing to the credit of the Ethics Commission Fund are hereby appropriated and may be budgeted and expended by the Commission for any expenses incurred in the implementation of its duties as provided by law. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment.

*Added 1995 by HB 1608 [effective July 1, 1995]; Amended 2004 by HB 2664 [effective June 8, 2004]; Amended 2012 by HB 3079; Amended 2015 by SB 347 [effective July 1, 2015]; Amended 2019 by HB 2745 [effective May 24, 2019].*

#### **§ 4258.1 Creation of Political Subdivisions Enforcement Fund**

There is hereby created in the State Treasury a revolving fund for the Ethics Commission to be designated the "Political Subdivisions Enforcement Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all funds appropriated by the Legislature to the fund and all late filing fees, fines from settlement agreements and fines assessed by the District Court for violations of the County Campaign Finance and Financial Disclosure Act, the Municipal Campaign Finance and Financial Disclosure Act, and the Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by

the Commission for any expenses incurred by the Political Subdivisions Enforcement Division. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment. No later than January 31, 2016, and every year thereafter, the State Treasurer shall transfer to the General Revenue Fund of the state any monies in the fund in excess of One Hundred Fifty Thousand Dollars (\$150,000.00). If at any time the amount of money in the fund is less than One Hundred Thousand Dollars (\$100,000.00), the Executive Director of the Commission may order that there be no further enforcement by the Political Subdivisions Enforcement Division until the amount of money in the fund is more than One Hundred Thousand Dollars (\$100,000.00).

*Added 2014 by SB 1745 [effective January 1, 2015].*

**§ 4261. Design and Internet Placement of Compliance Forms**

The Ethics Commission shall design all forms required for compliance with the County Campaign Finance and Financial Disclosure Act, the Municipal Campaign Finance and Financial Disclosure Act and the Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act. Such forms shall be made available in electronic form on the Commission's Internet website.

*Added 2014 by SB 1745 [effective January 1, 2015].*

**§ 4262. Establishment of Political Subdivisions Enforcement Division**

For purposes of enforcing the County Campaign Finance and Financial Disclosure Act, the Municipal Campaign Finance and Financial Disclosure Act, and the Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act, the Ethics Commission shall establish a special division to be known as the "Political Subdivisions Enforcement Division". The Executive Director of the Ethics Commission may employ staff for the Political Subdivisions Enforcement Division, or may contract for services to be performed by the Division, or both.

*Added 2014 by SB 1745 [effective January 1, 2015].*

**TITLE 74, STATE GOVERNMENT**  
**CHAPTER 62, APPENDIX I**

**Rule 1 - Administration**

**Rule 1.1. Purpose of Ethics Rules.**

The purpose of these Rules is to fulfill the duties of the Oklahoma Ethics Commission as provided by Article XXIX, Sections 3, 4 and 5 of the Constitution of the State of Oklahoma.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 1.2. Purpose of Rule 1.**

The purpose of Rule 1 is to set forth the administrative operations necessary to implement these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 1.3. Definition.**

As used in Rule 1, "Commission" shall mean the Oklahoma Ethics Commission.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 1.4. Determination of Timely Filing.**

(A) Documents required to be filed electronically with the Commission under these Rules shall be timely filed if filed at any time on the day specified, including weekends, holidays, or when the Commission offices are closed.

(B) All other documents filed with the Commission under these Rules shall be timely filed if filed no later than 4:30 p.m. on the day specified. When the day that a document is required to be filed falls on a day other than a business day, that document shall be timely filed if filed on the next succeeding business day. As used in this section, "business day" shall mean any day on which the Commission is open to conduct business, and "filed" means actually received by the Commission.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission February 5, 2018; effective upon Legislature's sine die adjournment May 3, 2018; operative May 3, 2018.*

**Rule 1.5. Political Activity of Ethics Commissioners.**

(A) No member of the Commission, while serving as a member of the Commission, shall:

1. be a candidate for elected office or hold any other public office;
2. be employed by any state agency; or
3. engage in any political activity, except to register and vote, to privately express opinions on political subjects or candidates, to participate in activities of a civic, community, social, labor, religious or professional organization and to engage in activities that further purposes of the Commission.

(B) As used in this section, “political activity” shall mean any activity to support or oppose (1) the election of a candidate for office; (2) a particular political party; or (3) initiative, referenda or state question.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 1.6. Ethics Commissioners Disqualification.**

A member of the Commission shall disqualify or shall be disqualified by a majority vote of the other members of the Commission, in any matter in which the member’s impartiality might reasonably be questioned.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 1.7. Advisory Opinions.**

The Commission may issue official advisory opinions interpreting these Rules as provided by Article XXIX, Section 5 of the Constitution of the State of Oklahoma and as requested by specific individuals. The Commission shall provide notice of at least thirty (30) days of a hearing on an advisory opinion. At least five (5) days before the hearing, comments and/or draft advisory opinions by Commission employees shall be made available to the public for comment. The Commission shall accept both written and oral comments about the draft advisory opinions and/or comments. Official advisory opinions shall be binding on the Commission. Failure of an individual to request an advisory opinion shall have no relevance in any subsequent proceeding involving that individual. The Commission shall not consider an advisory opinion on an issue that is pending before a court of law or before another agency of the State of Oklahoma. Any person with knowledge of such pending matter shall disclose such pending matter to the Commission.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 1.8. Ethics Commission Publications and Continuing Education.**

The Executive Director of the Commission shall prescribe forms, including software or other electronic forms, as required by these Rules and shall prescribe such other publications, including publications in an electronic format, as the Executive Director deems appropriate to facilitate implementation of and compliance with these Rules. The Executive Director is authorized to establish and collect fees to be charged to participants for training and educational seminars, classes and similar programs and for related materials. In establishing such registration fees, the Executive Director shall endeavor to recover costs to the Commission incurred in development and presentation of programs to assist in the implementation of and compliance with these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 9, 2015; effective upon sine die adjournment of the Legislature May 22, 2015; operative May 22, 2015.*

**Rule 1.9. Section Headings.**

Section headings in these Rules are intended only for convenience; they are not part of the Rules and shall not be interpreted as modifying or changing the meaning of the Rules themselves.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2 - Campaign Finance**

**Rule 2.1. Purpose of Rule 2.**

The purpose of Rule 2 is to establish rules of ethical conduct for campaigns for elective state office and for campaigns for state initiatives and referenda.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.2. Definitions.**

As used in Rule 2:

1. **“Campaign”** means all activities for or against the election of a candidate for elective state office or for or against a state question;
2. **“Candidate”** means an individual who has filed or should have filed a statement of organization for a candidate committee for state office with the Commission as required by these Rules. A candidate committee shall include committees for candidates for partisan elective offices, for nonpartisan judicial offices and for judicial retention offices;
3. **“Candidate committee”** means the only committee authorized by a candidate to accept contributions or make expenditures on behalf of the candidate’s campaign, including the campaign of a judicial retention candidate;



4. **“Clearly identified candidate”** means a candidate whose name, nickname, photograph or drawing appears, or whose identity is otherwise apparent by unambiguous reference;
5. **“Commission”** means the Oklahoma Ethics Commission;
6. **“Contribution”** means any gift, subscription, loan, guarantee or forgiveness of a loan, conveyance, advance, payment, distribution or deposit of money made to, or anything of value given to, or an expenditure other than an independent expenditure made on behalf of, a political party, political action committee or candidate committee, but shall not include the value of services provided without compensation by an individual who volunteers those services;
7. **“Electioneering communication”** means any communication or series of communications that is sent by Internet advertising, direct mail, broadcast by radio, television, cable or satellite, or appears in a newspaper or magazine that (a) refers to a clearly identified candidate for state office, (b) is made within sixty (60) days before a general election (including a special general election) or thirty (30) days before a primary or runoff primary election (including a special primary or runoff primary election) for the office sought by the candidate, (c) that is targeted to the relevant electorate and (d) does not explicitly advocate the election or defeat of any candidate. “Relevant electorate” shall mean twenty-five thousand (25,000) or more persons in the State of Oklahoma in the case of a candidate for statewide elective office, two thousand five hundred (2,500) or more persons in the district the candidate seeks to represent in the case of a candidate for the Oklahoma State House of Representatives or judge of the District Court, and five thousand (5,000) or more persons in the district the candidate seeks to represent in the case of all other elective state offices;
8. **“Expenditure”** means a purchase, payment, distribution, loan, advance, compensation, reimbursement, fee, deposit or gift made by a political party, political action committee, candidate committee or other individual or entity that is used to expressly advocate the election, retention or defeat of one or more clearly identified candidates or for or against one or more state questions;
9. **“Family member”** shall include spouse, children (including stepchildren), mother, father, sister or brother;
10. **“Independent expenditure”** means an expenditure made by a person for a communication expressly advocating the election or defeat of a clearly identified candidate or a vote for or against the retention of a judicial retention candidate that is not made in coordination with, cooperation with, consultation with, or concert with, or at the request or suggestion of, a candidate, a candidate committee, or their agents, or a political party committee or its agents. An independent expenditure shall not include the display of a noncommercial yard sign, lapel pin, button, bumper sticker or similar de minimis display of support or opposition to a political party or a candidate;
11. **“Independent judicial retention committee”** means a political action committee organized exclusively for the purpose of making independent expenditures or electioneering communications supporting or opposing the retention of a candidate for judicial retention;

12. **“Labor union”** means an organization of workers formed for the purpose of advancing its members’ interests in respect to wages, benefits and working conditions;
13. **“Limited committee”** means a political action committee organized to make contributions to candidates. A limited committee may make independent expenditures or electioneering communications, but may not accept contributions in excess of the limits prescribed for limited committees;
14. **“Officeholder expenses”** means ordinary and necessary expenses incurred in connection with a candidate’s duties as the holder of a state elective office, provided that the expenses are not otherwise reimbursed or paid for by the state. “Ordinary and necessary expenses” are those that would not exist but for the fact that the candidate was elected to and holds a state elective office;
15. **“Political action committee”** means a limited or unlimited committee that has filed or should have filed a statement of organization with the Commission as required by these Rules;
16. **“Political party”** means a political party recognized under laws of this state;
17. **“Political party committee”** means a committee authorized by the political party to accept contributions or make expenditures on behalf of the political party. A political party committee may include a state committee, a Congressional District committee, a county committee, a precinct committee or any other committee or entity of the party officially recognized in the party’s bylaws or similar governing document;
18. **“State question communication”** means an expenditure made by a person for a communication or series of communications that is sent by internet advertising, direct mail, broadcast by radio, television, cable or satellite, or appears in a newspaper, magazine, or other printed medium supporting or opposing a state question that is made within sixty (60) days before the election deciding the state question. A state question communication shall not include the display of a noncommercial yard sign, lapel pin, button, bumper sticker or similar de minimis display of support or opposition to a state question;
19. **“State question”** means an initiative or referendum petition for which the Secretary of State has assigned a state question number; and
20. **“Unlimited committee”** means an independent judicial retention committee, a political action committee organized exclusively for the purpose of making independent expenditures or electioneering communications or a political action committee organized exclusively for the purpose of advocating the approval or defeat of a state question.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 27, 2017; effective upon Legislature’s sine die adjournment May 26, 2017; operative May 26, 2017; Amended 2020 by HB3827 [Effective November 1, 2020].*

## Use of Public Funds, Property, Time

### **Rule 2.3. Prohibited Uses of Public Funds for Political Fund-Raising.**

No state officer or employee shall use or authorize the use of public funds, property or time to solicit, receive or accept funds for a political party, a political action committee, a candidate or a state question campaign, except as permitted by law or these Rules. Any unsolicited funds tendered in violation of this section shall not be accepted by the intended recipient and shall be returned to the sender as soon as possible. This prohibition shall apply to federal, state and political subdivision committees.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission December 11, 2015; effective upon sine die adjournment of the Legislature May 27, 2016; operative May 27, 2016.*

### **Rule 2.4. Prohibited Uses of Public Funds to Influence Elections.**

No person shall use or authorize the use of public funds, property or time to engage in activities designed to influence the results of an election for state office or a state question, except as permitted by law or these Rules. This section shall not prohibit an elected state officer from expressing his or her opinion or position on any issue.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### **Rule 2.5. Elective Officer Prohibited From Soliciting Contributions from Employees.**

No elected state officer shall knowingly solicit, directly or indirectly, a contribution to his or her campaign from any state officer or employee employed by the elected state officer's agency or any person who works for the elected state officer's agency through a third-party contract.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### **Rule 2.6. Political Fund-Raising Prohibited on State Property.**

No person shall solicit or accept a contribution for a political party, a political action committee, a candidate or a state question campaign in any area of the state capitol building under any circumstances. No person shall solicit or accept a contribution for a political party, a political action committee, a candidate or a state question campaign in any office or other space owned, leased, or occupied by the State of Oklahoma that ordinarily is used for the conduct of official state business. This does not include college campuses and public meeting rooms, auditoriums, or similar meeting areas that are available for use by the public at large.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission December 11, 2015; effective upon sine die adjournment of the Legislature May 27, 2016; operative May 27, 2016.*

**Rule 2.7. Prohibition on Distribution of Campaign Materials on State Property.**

No materials designed to influence the results of an election for state office or a state question shall be posted in the state capitol building or in any office or other space owned, leased or occupied by the State of Oklahoma that ordinarily is used for the conduct of official state business, except as permitted by law or these Rules. Provided, however, such materials may be posted for a reasonable period of time when state facilities are being used for political purposes as provided in these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission December 11, 2015; effective upon sine die adjournment of the Legislature May 27, 2016; operative May 27, 2016.*

**Rule 2.8. Use of Public Property for Political Purposes.**

Public meeting rooms, auditoriums, parks, colleges and other educational campuses or similar spaces may be used for political purposes provided (1) if a fee is customarily charged for use of the facility, that fee will be charged for use of the facility for political activities and (2) the facility will be made available upon request to all political parties, to all political action committees, to all candidates for the same state office or to all supporters or opponents of a state question, respectively, all in the order in which the requests were received. Nothing herein shall require that any public facility be made available for political purposes. Nothing herein shall prohibit the use for political purposes of a traditional public forum or other forum required by the United States Constitution or Oklahoma Constitution to be used for such purposes.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission December 11, 2015; effective upon sine die adjournment of the Legislature May 27, 2016; operative May 27, 2016.*

**Rule 2.9. Prohibitions on Activities of State Officers and Employees Designed to Influence Elections.**

No state officer or employee shall engage in activities designed to influence the results of an election for state office or a state question during hours in which the state officer or employee is in official work status or at any time while wearing a uniform or wearing identification that identifies that person as a state officer or employee. This prohibition shall not apply to elected state officers.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.10. Use of Public Facilities for Voter Registration.**

Voter registration activities may be conducted in public facilities, provided those activities are not used in any way to encourage registration in or support of the candidates of a particular political party or to encourage voting for or against any particular candidate or for or against any state question.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.11. Newsletters and Informational Materials by Elected State Officers.**

If otherwise permitted by law, elected state officers may use public funds, property or time to electronically or otherwise produce and distribute newsletters or similar informational materials to constituents and others, provided those materials do not advocate the election or defeat of a clearly identified candidate or candidates for any elective office or offices or a vote for or against a state question or other question to be voted upon at an election. Permitted uses shall not include recognition of holidays, birthdays, births or similar greetings in the absence of substantial informational materials related to public issues.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.12. Posting of Material by Elected State Officers Indicating Positions on Issues.**

If otherwise permitted by law, elected state officers, other than judicial officers, may use public funds, property or time to post materials in their offices to indicate their opinions or positions on issues, provided these materials do not advocate the election or defeat of a clearly identified candidate for any elective office or a vote for or against a state question or any other question to be voted upon at an election. Mere display of a photograph or similar depiction of a current or former elected federal or state officer, including autographed photographs or similar depictions, shall not be a violation of this section.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.13. State Employees Maintaining Schedule for Elected Officers.**

State employees whose regular duties include scheduling meetings, activities and events for elected state officers shall not be considered to have violated these Rules if, while on duty, they engage in scheduling political activities or events for an elected state officer.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.14. Prohibition on Use of State Owned Equipment and Resources for Campaigns.**

No state officer or employee shall use a state-owned telephone, state electronic mail or other state equipment, property or services to advocate the election or defeat of a clearly identified candidate for any elective office or a vote for or against a state question or any other question to be voted upon at an election.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.15. Prohibition on Use of State Owned Equipment to Make a Campaign Contribution.**

No state officer or employee shall use a state-owned telephone, state electronic mail or other state equipment, property or services to make a contribution to a political party, a political action committee, a candidate or a state question campaign.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.16. Use of Social Media Account by State Officer.**

No Internet social-media account maintained in the name of a state officer as a state officer or state agency may be (1) used to solicit, receive or accept funds for a political party, a political action committee, a candidate or a state question campaign; (2) used to advocate the election or defeat of a clearly identified candidate for any elective office or a vote for or against a state question or any other question to be voted upon at an election or (3) converted to use by a political party, a political action committee, a candidate or a state question campaign.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Contributions**

**Rule 2.17. General Rule for Contributions.**

(A) Unless otherwise prohibited or limited by law or these Rules, a contribution to a political party, a political action committee or a candidate committee may be made by any individual or other person or entity. A child under the age of eighteen (18) may make a contribution only if the contribution is attributed to his or her parent (or equally between two parents) or guardian.

(B) The name, address, occupation and employer shall be required for any individual contributor regardless of amount or value of contribution unless the contribution is an anonymous contribution of less than Fifty Dollars (\$50.00) as provided for in Rule 2.20.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission February 5, 2018; effective upon Legislature's sine die adjournment May 3, 2018; operative May 3, 2018.*

**Rule 2.18. Contribution in Name of Another.**

No contribution shall be made in the name of another.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.19. Cash Contributions.**

No contribution of more than Fifty Dollars (\$50.00) in cash in the aggregate may be made to or accepted by a political party committee, a political action committee or a candidate committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission February 5, 2018; effective upon Legislature's sine die adjournment May 3, 2018; operative May 3, 2018.*

**Rule 2.20. Anonymous Contributions.**

No anonymous contribution of more than Fifty Dollars (\$50.00) may be made to or accepted by a political party committee, a political action committee or a candidate committee. Any anonymous contribution of more than Fifty Dollars (\$50.00) received by a committee shall be deposited in the general revenue fund of the state to the extent that the contribution exceeds Fifty Dollars (\$50.00).

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission February 5, 2018; effective upon Legislature's sine die adjournment May 3, 2018; operative May 3, 2018.*

**Rule 2.21. Contribution Deemed Accepted if Not Returned.**

A contribution shall be deemed to have been accepted by a political party committee, a political action committee or a candidate committee if it is not returned within ten (10) business days after it has been received by the committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.22. Deposit of Contributions.**

A contribution shall be deposited in the account of a political party committee, a political action committee or a candidate committee within ten (10) business days after it has been received by the committee. If a contribution has not been deposited within ten (10) business days after it has been received by the committee, the contribution shall be returned to the contributor and shall be reported as having been accepted and refunded.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.23. Corporate and Labor Union Contributions Prohibited.**

No corporation or labor union may make a contribution to a political party, a political action committee or a candidate committee, and no political party, political action committee or candidate committee may accept a contribution from a corporation or labor union, except as permitted by law or these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.24. Contributions by Limited Liability Companies.**

No limited liability company that has one or more incorporated members may make a contribution to a political party committee, a political action committee, or a candidate committee, except as permitted by law or these Rules.

1. A political party committee, a limited committee, or a candidate committee, which receives a contribution from a limited liability company is required to report the contribution by attributing the contribution to the individual members of the limited liability company in proportions equal to the individual member's ownership interest in the limited liability company. This includes, but is not limited to, the individual member's name, address, occupation and employer.
2. An unlimited committee which receives a contribution from a limited liability company is required to report the contribution by attributing the contribution to each member of the limited liability company in proportion to the member's interest in the limited liability company. For individual members, this includes, but is not limited to, the individual's name, address, occupation and employer. For corporate members, this includes the name, address, and principal business activity of the corporation.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission February 5, 2018; effective upon Legislature's sine die adjournment May 3, 2018; operative May 3, 2018.*

**Rule 2.25. Contributions by Partnerships.**

No partnership that has one or more incorporated partners may make a contribution to a political party committee, a political action committee, or a candidate committee, except as permitted by law or these Rules.

1. A political party committee, a limited committee, or a candidate committee, which receives a contribution from a partnership is required to report the contribution by attributing the contribution to the individual partners of the partnership in proportions equal to the individual partner's ownership interest in the partnership. This includes, but is not limited to, the individual partner's name, address, occupation and employer.
2. An unlimited committee which receives a contribution from a partnership is required to report the contribution by attributing the contribution to each partner of the partnership in proportion to the partner's interest in the partnership. For individual partners, this includes, but is not limited to, the individual's name, address, occupation and employer. For corporate partners, this includes the name, address, and principal business activity of the corporation.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission February 5, 2018; effective upon Legislature's sine die adjournment May 3, 2018; operative May 3, 2018.*



**Rule 2.26. Use of Corporate Funds for Political Action Committees.**

A corporation may use its funds to pay for the establishment of, administration of and solicitation of contributions to, one (1) political action committee affiliated with the corporation. For purposes of this section, “corporation” shall mean a corporation, its parent, subsidiary, branch, division, department or local unit of such corporation.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.27. Use of Labor Union Funds for Political Action Committees.**

A labor union may use its funds to pay for the establishment of, administration of and solicitation of contributions to, one (1) political action committee affiliated with the labor union.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.28. Payroll Deduction.**

If a corporation or labor union uses payroll deduction or similar method to obtain contributions from its employees or members, funds equal to the amount of those contributions but drawn on the corporation or labor union’s account shall not be considered contributions by the corporation or labor union but shall be considered as contributions by the individuals from whose compensation the funds were withheld and shall be reported accordingly. When such funds are drawn on a corporation or labor union account, the payment shall be accompanied by all the information required for contributions to be reported as required by these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.29. Corporate and Labor Union Communications Not Considered as Contributions.**

A communication by a corporation intended to be received only by its stockholders, directors, officers or employees and their spouses, or a communication by a labor union intended to be received only by its members and their spouses shall not be considered a contribution.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.30. Candidate Committee Prohibited from Receiving Federal Candidate Committee Contributions.**

A candidate committee shall not accept a contribution from the authorized committee of a candidate for federal office.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

## **Political Party Committee Contribution Limits**

### **Rule 2.31. Contributions to Political Party Committees.**

No person shall make, and no political party shall accept, a contribution to any political party committee in excess of Ten Thousand Dollars (\$10,000.00) in any calendar year, except as otherwise permitted by law or these Rules. For purposes of this limitation, “contribution” shall include multiple contributions, the amounts of which shall be aggregated. For purposes of this limitation, contributions to a state committee, a Congressional District committee, a county committee, a precinct committee or any other committee or entity of the party officially recognized in the party’s bylaws or similar governing document shall be aggregated. Funds to be used for federal election activity, as defined in 2 U.S.C. Section 431(20) and subject to requirements of 2 U.S.C. Section 441i, commonly referred to as “Levin Funds”, shall not be aggregated with other contributions to a political party committee. A contribution to a political party committee that is designated directly or indirectly to be used for the benefit of a particular candidate or candidates shall be considered a contribution by the contributor to the candidate or candidates. If a political party committee sells goods or services to a candidate committee for ordinary and necessary campaign expenses as defined in Rule 2.43, the expenditure by the candidate committee shall not be considered as a contribution to the political party committee; provided further, that to the extent that it is practicable, the amount charged to a candidate committee for such goods or services shall not exceed the cost to the political party committee.

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### **Rule 2.32. Contributions by Political Party Committees.**

No political party committee shall make, and no candidate shall accept, a contribution in excess of Twenty-five Thousand Dollars (\$25,000.00) to any candidate for statewide office or in excess of Ten Thousand Dollars (\$10,000.00) to any candidate for other state elective office prior to any general election for that office. No political party shall make, and no candidate shall accept, a contribution to any candidate for judicial office. For purposes of this limitation, “contribution” shall include multiple contributions, the amounts of which shall be aggregated. For purposes of this limitation, contributions by a state committee, a Congressional District committee, a county committee, a precinct committee or any other committee or entity of the party officially recognized in the party’s bylaws or similar governing document shall be aggregated.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

## Political Action Committee Contribution Limits

### Rule 2.33. Contributions to and by Limited Committees.

(A) No person shall make, and no limited committee shall accept, a contribution to any limited committee in excess of Five Thousand Dollars (\$5,000.00) in any calendar year, except as otherwise permitted by law or these Rules. A contribution to a limited committee that is designated directly or indirectly to be used for the benefit of a particular candidate or candidates shall be considered a contribution by the contributor to the candidate or candidates.

(B) No limited committee shall make, and no political party committee shall accept, a contribution to the political party committee in excess of Ten Thousand Dollars (\$10,000.00) in any calendar year.

(C) No limited committee shall make, and no other limited committee shall accept, a contribution to another limited committee in excess of Five Thousand Dollars (\$5,000.00) in any calendar year.

(D) No limited committee shall make, and no candidate committee shall accept, a contribution to any candidate committee in excess of Five Thousand Dollars (\$5,000.00) prior to a primary election.

(E) No limited committee shall make, and no candidate committee shall accept, a contribution to any candidate committee of a candidate whose name will appear on the ballot for a runoff primary election in excess of Five Thousand Dollars (\$5,000.00) prior to a runoff primary election. Provided, however, after the primary election a limited committee that has made a contribution of Five Thousand Dollars (\$5,000.00) or less to the candidate committee prior to the primary election may make an additional contribution of no more than Five Thousand Dollars (\$5,000.00) to the candidate committee prior to the runoff primary election.

(F) No limited committee shall make, and no candidate committee shall accept, a contribution to any candidate committee prior to a general election in excess of Five Thousand Dollars (\$5,000.00). Provided, however, after the primary election or runoff primary election, whichever is the last for determining a political party's nominee, a limited committee that has made a contribution of Five Thousand Dollars (\$5,000.00) or less to the candidate committee prior to the primary election or runoff primary election, or both, may make an additional contribution of no more than Five Thousand Dollars (\$5,000.00) to the candidate committee prior to the general election.

(G) After the general election, a limited committee that has made no contribution to a candidate or a contribution of less than Five Thousand Dollars (\$5,000) in the aggregate under the provisions of subsections (D), (E) or (F) may make an additional contribution or contributions in an amount or amounts that, aggregated with any prior contributions, do not exceed Five Thousand Dollars (\$5,000.00) to that candidate committee.

(H) No limited committee shall make a total contribution to a candidate in excess of the aggregate contribution limits of subsections (D), (E) and (F) or in excess of Five Thousand Dollars (\$5,000.00) to the candidate committee of a candidate who is unopposed for election.

(I) For purposes of this section, "contribution" shall include multiple contributions, the amounts of which shall be aggregated.

(J) A limited committee may make contributions to candidates for county, municipal or school district office as permitted by law.

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**Rule 2.34. Contributions by Limited Committees Registered for Less than One Year or Fewer than Twenty-Five Contributors.**

(A) No limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors shall make, and no political party committee shall accept, a contribution to the political party committee in excess of Five Thousand Dollars (\$5,000.00) in any calendar year.

(B) No limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors shall make a contribution to another limited committee.

(C) No limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors shall make, and no candidate committee shall accept, a contribution to any candidate committee in excess of Two Thousand Five Hundred Dollars (\$2,500.00) prior to a primary election.

(D) No limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors shall make, and no candidate committee shall accept, a contribution to any candidate committee of a candidate whose name will appear on the ballot for a runoff primary election in excess of Two Thousand Five Hundred Dollars (\$2,500.00) prior to a runoff primary election. Provided, however, after the primary election a limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors that has made a contribution of Two Thousand Five Hundred Dollars (\$2,500.00) or less to the candidate committee prior to the primary election may make an additional contribution of no more than Two Thousand Five Hundred Dollars (\$2,500.00) to the candidate committee prior to the runoff primary election.

(E) No limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors shall make, and no candidate committee shall accept, a contribution to any candidate committee prior to a general election in excess of Two Thousand Five Hundred Dollars (\$2,500.00). Provided, however, after the primary election or runoff primary election, whichever is the last for determining a political party's nominee, a limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors that has made a contribution of Two Thousand Five Hundred Dollars (\$2,500.00) or less to the candidate committee prior to the primary election or runoff primary election, or both, may make an additional contribution of no more than Two Thousand Five Hundred Dollars (\$2,500.00) to the candidate committee prior to the general election.

(F) After the general election, a limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors that has made no contribution to a candidate committee or a contribution of less than Two Thousand Five Hundred Dollars (\$2,500) in the aggregate under the provisions of subsections (C), (D) or (E) may make an additional contribution or contributions in an amount or amounts that, aggregated with any prior contributions, do not exceed Two Thousand Five Hundred Dollars

(\$2,500.00) to that candidate committee.

(G) No limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors shall make a total contribution to a candidate in excess of the aggregate contribution limits of subsections (C), (D) and (E) or in excess of Two Thousand Five Hundred Dollars (\$2,500.00) to the candidate committee of a candidate who is unopposed for election.

(H) For purposes of this section, “contribution” shall include multiple contributions, the amounts of which shall be aggregated.

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**Rule 2.35. Contributions to and by Unlimited Committees.**

Any person not otherwise prohibited by law, including but not limited to individuals, partnerships, limited liability companies, corporations and labor unions, may make contributions in any amount to an unlimited committee organized exclusively for the purpose of making independent expenditures or electioneering communications. An unlimited committee organized exclusively for the purpose of making independent expenditures or electioneering communications may make contributions in any amount to another unlimited committee organized exclusively for the purpose of making independent expenditures or electioneering communications.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.36. Contributions to State Question Committees.**

Any person not otherwise prohibited by law, including but not limited to individuals, partnerships, limited liability companies, corporations and labor unions, may make contributions in any amount to an unlimited committee organized exclusively for the purpose of advocating the approval or defeat of a state question.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

## Candidate Committee Contribution Limits

### Rule 2.37. Individual Contributions to Candidate Committees.

(A) No person shall make a contribution in excess of Two Thousand Six Hundred Dollars (\$2,600.00) [increased to Two Thousand Seven Hundred Dollars (\$2,700.00) for elections in 2015, 2016 and 2018\*, increased to Two Thousand Eight Hundred Dollars (\$2,800) for elections in 2020\*\*, and increased to Two Thousand Nine Hundred Dollars (\$2,900) for elections in 2022\*\*\*] to any candidate committee prior to a primary election.

(B) No person shall make a contribution in excess of Two Thousand Six Hundred Dollars (\$2,600.00) [increased to Two Thousand Seven Hundred Dollars (\$2,700.00) for elections in 2015, 2016 and 2018\* increased to Two Thousand Eight Hundred Dollars (\$2,800) for elections in 2020\*\*, and increased to Two Thousand Nine Hundred Dollars (\$2,900) for elections in 2022\*\*\*] prior to a runoff primary election to any candidate committee of a candidate whose name will appear on the ballot for a runoff primary election. Provided, however, after the primary election a person who has made a contribution of Two Thousand Six Hundred Dollars (\$2,600.00) [increased to Two Thousand Seven Hundred Dollars (\$2,700.00) for elections in 2015, 2016 and 2018\*, increased to Two Thousand Eight Hundred Dollars (\$2,800) for elections in 2020\*\*, and increased to Two Thousand Nine Hundred Dollars (\$2,900) for elections in 2022\*\*\*] or less to the candidate committee prior to the primary election may make an additional contribution of no more than Two Thousand Six Hundred Dollars (\$2,600.00) [increased to Two Thousand Seven Hundred Dollars (\$2,700.00) for elections in 2015, 2016 and 2018\*, increased to Two Thousand Eight Hundred Dollars (\$2,800) for elections in 2020\*\*, and increased to Two Thousand Nine Hundred Dollars (\$2,900) for elections in 2022\*\*\*] to the candidate committee prior to the runoff primary election.

(C) No person shall make a contribution in excess of Two Thousand Six Hundred Dollars (\$2,600.00) [increased to Two Thousand Seven Hundred Dollars (\$2,700.00) for elections in 2015, 2016 and 2018\*, increased to Two Thousand Eight Hundred Dollars (\$2,800) for elections in 2020\*\*, and increased to Two Thousand Nine Hundred Dollars (\$2,900) for elections in 2022\*\*\*] to any candidate committee prior to a general election. Provided, however, after the primary election or runoff primary election, whichever is the last for determining a political party's nominee, a person who has made a contribution of Two Thousand Six Hundred Dollars (\$2,600.00) [increased to Two Thousand Seven Hundred Dollars (\$2,700.00) for elections in 2015, 2016 and 2018\*, increased to Two Thousand Eight Hundred Dollars (\$2,800) for elections in 2020\*\*, and increased to Two Thousand Nine Hundred Dollars (\$2,900) for elections in 2022\*\*\*] or less prior to the primary election or runoff primary election, or both, may make an additional contribution of no more than Two Thousand Six Hundred Dollars (\$2,600.00) [increased to Two Thousand Seven Hundred Dollars (\$2,700.00) for elections in 2015, 2016 and 2018\*, increased to Two Thousand Eight Hundred Dollars (\$2,800) for elections in 2020\*\*, and increased to Two Thousand Nine Hundred Dollars (\$2,900) for elections in 2022\*\*\*] to a candidate committee of a candidate whose name will appear on the general election ballot.

(D) After the general election, a person who has made no contribution or a contribution of less than Two Thousand Six Hundred Dollars (\$2,600.00) [increased to Two Thousand Seven Hundred Dollars (\$2,700.00) for elections in 2015, 2016 and 2018\*, increased to Two Thousand Eight Hundred Dollars (\$2,800) for elections in 2020\*\*, and increased to Two Thousand Nine Hundred Dollars (\$2,900) for elections in 2022\*\*\*] in the aggregate under the provisions of subsections (A), (B) or (C) may make an additional contribution or contributions to a candidate committee in

an amount or amounts that, aggregated with any prior contributions, do not exceed Two Thousand Six Hundred Dollars (\$2,600.00) [increased to Two Thousand Seven Hundred Dollars (\$2,700.00) for elections in 2015, 2016 and 2018\*, increased to Two Thousand Eight Hundred Dollars (\$2,800) for elections in 2020\*\*, and increased to Two Thousand Nine Hundred Dollars (\$2,900) for elections in 2022\*\*\*].

(E) No person shall make a total contribution to a candidate committee in excess of the aggregate contribution limits of subsections (A), (B) and (C) or in excess of Two Thousand Six Hundred Dollars (\$2,600.00) [increased to Two Thousand Seven Hundred Dollars (\$2,700.00) for elections in 2015, 2016 and 2018\*, increased to Two Thousand Eight Hundred Dollars (\$2,800) for elections in 2020\*\*, and increased to Two Thousand Nine Hundred Dollars (\$2,900) for elections in 2022\*\*\*] to the candidate committee of a candidate who is unopposed for election.

(F) No candidate committee shall make to another candidate committee, and the receiving candidate committee shall not accept, a total contribution in excess of Two Thousand Six Hundred Dollars (\$2,600.00) [increased to Two Thousand Seven Hundred Dollars (\$2,700.00) for elections in 2015, 2016 and 2018\*, increased to Two Thousand Eight Hundred Dollars (\$2,800) for elections in 2020\*\*, and increased to Two Thousand Nine Hundred Dollars (\$2,900) for elections in 2022\*\*\*] in the aggregate for all three elections or for the benefit of a candidate who is unopposed for election.

(G) For purposes of this section, “contribution” shall include multiple contributions, the amounts of which shall be aggregated.

(H) Beginning no earlier than January 1, 2015, and no later than July 1, 2015, and every two years thereafter, the limitations in subsections (A), (B), (C), (D), (E) and (F) of this section shall be increased by the percent difference between the price index for the twelve (12) months preceding the beginning of the calendar year during which the adjustment is made and the price index for 2014. If the adjusted limitation amount is not a multiple of One Hundred Dollars (\$100.00), the limitation shall be rounded to the nearest multiple of One Hundred Dollars (\$100.00). For purposes of this section, “price index” shall mean the average over a calendar year of the Consumer Price Index (all items — United States city average) published monthly by the Bureau of Labor Statistics. The adjusted limitations shall be published on the Commission’s Internet website and shall be otherwise communicated as the Commission determines appropriate. The adjusted limitations shall apply to the primary, runoff primary and general elections in 2016 and every two (2) years thereafter as well as to any special primary, runoff primary or general elections that occur after the limitations are adjusted but before the regular primary, runoff primary or general elections.

(I) If a candidate files a statement of organization for a candidate committee with the Commission for one state office and accepts one or more contributions for that candidate committee, then files a statement of organization for a candidate committee for a different state office prior to the filing period for that office, contributions to the two committees shall be aggregated for purposes of maximum contribution amounts for the second candidate committee.

\*The Commission increased the amount in its meeting on April 10, 2015, pursuant to Subsection (H) of Section 2.37. The Commission reviewed the limitations for individual contributions limits in its meeting on February 24, 2017, pursuant to Subsection (H) of Section 2.37 and kept the limit at \$2,700 for the 2018 elections.

\*\* The Commission increased the amount in its meeting on March 08, 2019, pursuant to Subsection (H) of Section 2.37.

\*\*\* The Commission increased the amount in its meeting on March 12, 2021, pursuant to Subsection (H) of Section 2.37.

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### **Rule 2.38. Candidate Contributions to Own Committee.**

No candidate or candidate committee shall receive contributions from a political party, political action committee or other person in excess of the limits provided in this Rule. Provided, however, a candidate may contribute an unlimited amount to his or her candidate committee from his or her personal funds or from joint funds of the candidate and the candidate's spouse. A gift or gifts to a candidate or a candidate's spouse that are nontaxable under the United States Internal Revenue Code shall be considered contributions to the candidate's candidate committee to the extent that the gift or gifts exceeds gifts from the same donor in three (3) of the preceding five (5) calendar years. No candidate or candidate committee shall refund contributions of the candidate unless the contribution is a properly executed loan under Rule 2.67 between the candidate, and the candidate committee.

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## **Expenditures**

### **Rule 2.39. Personal Use of Contributions Prohibited.**

No contributions accepted by a political party committee, a political action committee or a candidate committee may be converted by any person to personal use. "Personal use" includes any use of funds to fulfill a commitment, obligation or expense of any person that would exist irrespective of a political party's activities, a political action committee's activities or a candidate's campaign or responsibilities as holder of a state elective office, as the case may be. "Personal use" by a candidate includes, but is not limited to, food purchased for daily consumption in the candidate's home or supplies needed to maintain the household; clothing (excluding campaign clothing of low monetary value such as T-shirts or caps); mortgage, rent or utility payments for the candidate's personal residence, even if part of the residence is being used for the campaign; use of a motor vehicle for noncampaign purposes or non-officeholder expenses; interest on a loan made by the candidate or the candidate's spouse to the campaign; costs of a vacation or other trip not related to the campaign or officeholder expenses; admission to athletic events, concerts, theater or other forms of entertainment (except for events that are part of the campaign); dues in country clubs, health clubs, recreational facilities or other nonpolitical organizations and earnings from investment of contributions other than as permitted by these Rules.



*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.40. Political Party Expenditures.**

Contributions to a political party committee may be used to make expenditures for ordinary and necessary campaign expenses, for operating expenses of the political party and for other purposes not otherwise prohibited by law or these Rules that further purposes of the committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.41. Limited Committee Expenditures.**

Contributions to a limited political action committee may be used to make expenditures for contributions to candidate committees, for independent expenditures or electioneering communications, for operating expenses of the limited committee and for other purposes not otherwise prohibited by law or these Rules that further purposes of the committee. "Purposes of the committee" shall mean purposes expressed in the committee's bylaws, articles of organization or similar document or, if there is no such document, in the committee's statement of organization as those purposes are stated prior to the making of an expenditure.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.42. Unlimited Committee Expenditures.**

Contributions to an unlimited political action committee may be used to make expenditures for independent expenditures or electioneering communications, for contributions to another unlimited political action committee organized exclusively for the purpose of making independent expenditures or electioneering communications, for operating expenses of the unlimited committee or for other purposes not otherwise prohibited by law or these Rules that further purposes of the committee. "Purposes of the committee" shall mean purposes expressed in the committee's bylaws, articles of organization or similar document or, if there is no such document, in the committee's statement of organization as those purposes are stated prior to the making of an expenditure.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.43. Candidate Committee Expenditures.**

Contributions to a candidate committee may be used to make expenditures for ordinary and necessary campaign expenses, for contributions to another candidate committee, for operating expenses of the committee or for other purposes not otherwise prohibited by law or these Rules. "Ordinary and necessary campaign expenses" as used in this section are those that would not exist but for the candidate's campaign, including but not limited to staff salaries, campaign consulting fees, rent (other than for the candidate's residence or part of a residence), travel, advertising,

telephones, office supplies and equipment, fundraising, individual memberships in political organizations, individual memberships in civic or charitable organizations, legal fees for the campaign, payment for campaign accounting or bookkeeping services or campaign finance reporting services and repayment of the principal and interest on a loan as permitted by these Rules. Expenditures made to a family member of the candidate for services provided to the campaign shall be no more than customary compensation for those services. Expenditures made to reimburse a candidate for personal expenditures made on behalf of the candidate committee must be made within ninety (90) days of the original expenditure and must be reported in detail as required by Rule 2.106.

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#### **Rule 2.44. Officeholder Expenses.**

- A. Contributions to a candidate committee of a candidate who is elected to the office for which the contributions were accepted may be used to make expenditures for officeholder expenses until the expiration of the term, resignation or other vacation of the office. In addition to other officeholder expenses permitted by these Rules, officeholder expenses may be expended for contributions or dues for a political caucus fund or the costs associated with signage for naming highways and bridges pursuant to Section 1600 of Title 69 of the Oklahoma Statutes.
- B. When an officeholder dissolves one (1) candidate committee as provided in these Rules and contemporaneously files a Statement of Organization for a different candidate committee prior to the expiration of the term for which he or she has been elected and transfers funds from the first committee to the second committee, the officeholder may pay officeholder expenses until the expiration of the term not to exceed the amount transferred.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Enacted in 2021 by House Bill 2087 [effective November 1, 2021].*

#### **Rule 2.45. Calculation of Travel Expenditures.**

Expenditures for travel shall be calculated as provided in this section.

(A) Expenditures may be made for all expenses associated with the purchase or lease and operation of a motor vehicle only if the motor vehicle is used exclusively for purposes of the campaign or for ordinary and necessary expenses incurred in connection with the candidate's duties as the holder of a state elective office and for no other purpose at any time. If campaign contributions are used for the purchase or lease of a motor vehicle, the motor vehicle must be purchased or leased from a dealer licensed by the Oklahoma Motor Vehicle Commission or the Oklahoma Used Motor Vehicle and Parts Commission, or their successor agencies, on commercially reasonable terms and cannot be purchased from the committee by the candidate or a family member of the candidate.

(B) If a motor vehicle is used both for the purposes identified in subsection (A) and for any other purpose, expenditures may be made only for mileage reimbursement at the rate authorized for use of privately owned motor vehicles by the State Travel Reimbursement Act or its successor statutes, or less.

(C) Expenditures for the rental of a motor vehicle or for the fares of taxicabs, buses or similar modes of transportation shall be permitted for the actual cost of the rental or fare, provided that the rental or fare is at the rate normally charged for others.

(D) Expenditures for air travel on an air carrier shall be permitted for the actual cost of the fare; provided, if air travel is first class, business class or equivalent class, the expenditure shall be permitted only for any lower fare available on the same flight.

(E) Expenditures for air travel on an aircraft operated by a commercial carrier shall be permitted for the usual charter fare or rental charge.

(F) Expenditures for air travel on an aircraft operated by a private individual shall be permitted for the usual charter fare or rental charge of a commercial carrier.

(G) Expenditures for air travel on an aircraft operated by the candidate or a family member of the candidate shall be contributions by the candidate to the campaign and shall be calculated on the same basis as the usual charter fare or rental charge of a commercial carrier, unless the aircraft is rented, in which case the contribution shall be the cost of the rental.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

## **Surplus Funds**

### **Rule 2.46. Political Party Committee Surplus Funds.**

Surplus funds of a political party committee are funds not otherwise obligated when a political party ceases to be recognized under the laws of the state. Such surplus funds may (1) be returned to any contributor, as long as the amount returned does not exceed the contributor's contribution during the last calendar year in which the contributor made a contribution or (2) be contributed to a charitable organization as described in Section 501(c)(3) of Title 26 of the United States Code as it currently exists or as it may be amended. Surplus funds remaining under the political party committee's control ninety (90) days after the political party ceases to be recognized shall be deposited in the general revenue fund of the state.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### **Rule 2.47. Political Action Committee Surplus Funds.**

Surplus funds of a political action committee are funds not otherwise obligated when a political action committee is dissolved. Such surplus funds shall be deposited in the general revenue fund of the state.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### **Rule 2.48. Candidate Committee Surplus Funds.**

Surplus funds of a candidate committee are those funds not otherwise obligated following the election at which the office for which the candidate committee was formed has been determined which, in the

candidate's discretion, are not required to be used for campaign expenses or officeholder expenses. Such surplus funds may be:

(A) Retained in any amount for use in a future campaign for the next succeeding term for the same office;

(B) Retained for a future campaign for a different state elective office, excluding a judicial office;

(C) Donated to a charitable organization as described in Section 501(c)(3) of Title 26 of the United States Code as it currently exists or as it may be amended;

(D) Returned to any contributor, as long as the amount returned does not exceed the contributor's aggregate contribution during the immediately preceding primary, runoff primary and general elections; or

(E) Contributed to a political party committee in any amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) in the aggregate;

(F) Used to purchase item(s) for donation to a charitable organization as described in Section 501(c)(3) of Title 26 of the United States Code as it currently exists or as it may be amended; provided:

1. the donated item(s) are sold by the charitable organization for fundraising purposes;
2. the purchase of the item(s) for donation is reported on a Contributions and Expenditures Report which includes a description and cost of the item(s) purchased;
3. the donation of the item(s) is reported on a Contributions and Expenditures Report as an in-kind expenditure to the charitable organization which includes a description and the value of the item(s) donated; and
4. the donated item(s) may not be purchased or used by the candidate whose committee is donating the item, any other candidate, a committee, or officer, board member or employee of the charitable organizations; or

(G) Donated in accordance with the provisions of Title 60 O.S. § 381, et seq., to the State of Oklahoma, or, to any county, city, town or school district within the State of Oklahoma.

Any surplus funds remaining in the candidate committee's possession within ninety (90) days after the expiration of the term to which the candidate was elected or, for candidates who were not elected, within ninety (90) days after the second year following the general election, shall be deposited in the general revenue fund of the state.

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## **Independent Expenditures**

### **Rule 2.49. Candidate Committee Prohibition on Independent Expenditures.**

A candidate committee shall not make an independent expenditure.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.50. Unlimited Independent Expenditures.**

An independent expenditure may be made in any amount by a political party committee, by a political action committee or by any other entity not otherwise prohibited by law or these Rules from making an independent expenditure.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Electioneering Communications**

**Rule 2.51. Electioneering Communications by Candidate Committees.**

A candidate committee shall not make an electioneering communication for a campaign other than the candidate's own campaign. If an electioneering communication is made by a candidate committee in the candidate's own campaign, it shall be reported as an expenditure or expenditures.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.52. Unlimited Electioneering Communications.**

An electioneering communication may be made in any amount by a political party committee, by a political action committee or by any other entity not otherwise prohibited by law or these Rules from making an electioneering communication.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Identification of Funding and Authorizing Sources**

**Rule 2.53. Political Party Electronic Advertisement Disclosure Requirements.**

Whenever a political party committee makes an expenditure for the purpose of a communication through any Internet advertising, or video, radio, television, cable or satellite broadcast, the communication shall state, either orally or in writing of sufficient size and contrast to be clearly readable by the recipient of the communication: "Authorized and paid for by NAME OF POLITICAL PARTY COMMITTEE".

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.54. Political Party Printed Advertisement Disclosure Requirements.**

Whenever a political party committee makes an expenditure for the purpose of a communication through Internet advertising, direct mail, magazine advertisement, newspaper advertisement or any other printed medium, the communication shall state in writing of sufficient size and contrast to be clearly readable by the recipient of the communication: "Authorized and

paid for by NAME OF POLITICAL PARTY COMMITTEE”. This provision shall not apply to bumper stickers, campaign buttons, t-shirts, aerial advertising or similar advertisements of such a nature that inclusion of a disclaimer would be impractical.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.55. Candidate Committee Electronic Advertisement Disclosure Requirements.**

Whenever a candidate committee makes an expenditure for the purpose of a communication through any Internet advertising, or video, radio, television, cable or satellite broadcast, the communication shall state, either orally or in writing of sufficient size and contrast to be clearly readable by the recipient of the communication: “Authorized and paid for by NAME OF COMMITTEE”.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.56. Candidate Committee Printed Advertisements Disclosure Requirements.**

Whenever a candidate committee makes an expenditure for the purpose of a communication through Internet advertising, or direct mail, magazine advertisement, newspaper advertisement or any other printed medium, the communication shall state in writing of sufficient size and contrast to be clearly readable by the recipient of the communication: “Authorized and paid for by NAME OF COMMITTEE”. Provided that for campaign signs, banners and other campaign materials capable of re-use, the name of the committee for purposes of this Rule is the name of the committee as registered with the Ethics Commission but is not required to include the year of the election for which the committee is formed. This provision shall not apply to bumper stickers, campaign buttons, t-shirts, aerial advertising or similar advertisements of such a nature that inclusion of a disclaimer would be impractical.

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**Rule 2.57. Independent Expenditure, Electioneering Communication, and State Question Communication Electronic Advertisement Disclosure Requirements.**

(A) Whenever an independent expenditure or electioneering communication is made for the purpose of communication through any Internet advertising, or video, radio, television, cable or satellite broadcast, the communication shall state, either orally or in writing of sufficient size and contrast to be clearly readable by the recipient of the communication: “Not authorized by any candidate or candidate committee. Authorized and paid for by” to be followed by the name of the person who paid for the communication, the person’s permanent street address and telephone number.

(B) Whenever a state question communication is made for the purpose of communication through any Internet advertising, or video, radio, television, cable or satellite broadcast, the communication shall state, either orally or in writing of sufficient size and contrast to be clearly readable by the recipient of the communication: “Authorized and paid for by” to be followed by the name of the person who paid for the communication, the person’s permanent street address and telephone number.

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**Rule 2.58. Independent Expenditure, Electioneering Communication, and State Question Communication Printed Advertisement Disclosure Requirements.**

(A) Whenever an independent expenditure or electioneering communication is made for the purpose of a communication through Internet advertising, direct mail, magazine advertisement, newspaper advertisement or any other printed medium, the communication shall state in writing of sufficient size and contrast to be clearly readable by the recipient of the communication: "Not authorized by any candidate or candidate committee. Authorized and paid for by" to be followed by the name of the person who paid for the communication, the person's permanent street address and telephone number. This provision shall not apply to bumper stickers, campaign buttons, t-shirts, aerial advertising or similar advertisements of such a nature that inclusion of a disclaimer would be impractical.

(B) Whenever a state question communication is made for the purpose of a communication through Internet advertising, direct mail, magazine advertisement, newspaper advertisement or any other printed medium, the communication shall state in writing of sufficient size and contrast to be clearly readable by the recipient of the communication: "Authorized and paid for by" to be followed by the name of the person who paid for the communication, the person's permanent street address and telephone number. This provision shall not apply to bumper stickers, campaign buttons, t-shirts, aerial advertising or similar advertisements of such a nature that inclusion of a disclaimer would be impractical.

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**Fund-Raising Events**

**Rule 2.59. Joint Candidate Fund-Raising.**

Two or more candidates for state office, except judicial office, may participate in a joint fund-raising event, provided each candidate is given approximately equal status in any formal solicitation for contributions and each candidate committee pays an equal share of the costs. Contributions to candidates or candidate committees may not be commingled under any circumstances. Each contribution must be made to an individual candidate or candidate committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.60. Hosting Fundraisers in Residence.**

An individual who holds a fund-raising event for a political party committee, political action committee or candidate committee in his or her home may expend personal funds for costs related to the fund-raising event. This expenditure shall be considered an in-kind contribution to the political party committee, political action committee or candidate committee to the extent that

costs exceed One Thousand Dollars (\$1,000.00). The exclusion of One Thousand Dollars (\$1,000.00) shall apply no more than once per year for a political party committee or a political action committee and no more than once per campaign for a candidate committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.61. Hosting Fund-Raising Events in Non-Residential Buildings.**

An individual who holds a fund-raising event for a political party committee, political action committee or candidate committee in an office or other nonresidential building may expend personal funds for costs related to the fund-raising event, provided the office or other building is owned or exclusively leased or rented by the individual. This expenditure shall be considered an in-kind contribution to the political party committee, political action committee or candidate committee to the extent that costs exceed One Thousand Dollars (\$1,000.00). The exclusion of One Thousand Dollars (\$1,000.00) shall apply no more than once per year for a political party committee or a political action committee and no more than once per campaign for a candidate committee. If the office or other nonresidential building is owned by any person other than the individual, use of the space and any other costs associated with the fund-raising event shall be considered an in-kind contribution unless the political party committee, political action committee or candidate committee pays the costs associated with the fund-raising event, including fair market value for use of the space. This section shall not be construed to permit a corporation to make an in-kind contribution to a political party committee, political action committee or candidate committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.62. Golf Fund-Raising Events.**

Any goods or services donated to a golfing fund-raising event by a political party committee, political action committee or candidate committee shall be considered as contributions based on the fair market value of the goods or services, regardless of how the goods or services are used. Any fee paid to participate in such a golfing fund-raising event shall be considered as a contribution, regardless of whether the person paying the fee receives value in exchange for the fee. No goods or services may be donated, nor a fee paid, by any corporation to a political party committee, limited committee, or candidate committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission February 5, 2018; effective upon Legislature's sine die adjournment May 3, 2018; operative May 3, 2018.*

**Rule 2.63. Fund-Raising Auctions or Sales Events.**

Any goods or services donated to an auction or other sales event held by a political party committee, political action committee or candidate committee shall be considered as contributions based on the fair market value of the goods or services. Any money paid for goods or services at such an event shall be considered as contributions. No goods or services may be donated or



purchased for such an event by a corporation.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.64. Free Campaign Related Goods or Services and Sale of Campaign Related Goods or Services.**

Campaign-related goods of modest value such as coffee mugs, t-shirts, caps and similar items may be provided free by a political party, political action committee or candidate committee to volunteers and contributors and shall be considered as expenditures by the committee. If a political party, political action committee or candidate committee sells goods or services, the price paid for the goods or services shall be a contribution to the committee and the cost of the goods or services shall be an expenditure by the committee. The sale of such goods or services shall be subject to all applicable licenses and taxes required by law.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

## **Loans**

**Rule 2.65. Loans to Committees by Commercial Financial Institutions.**

A loan made to a political party committee, a political action committee or a candidate committee shall not be considered a contribution if the loan is made by a commercial financial institution normally engaged in the business of making loans and if the loan is made in the regular course of business on the same terms ordinarily available to members of the public.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.66. Loans to Political Party or Political Action Committees by Non-Financial Entities; Prohibited Loans.**

A loan by any person other than a commercial financial institution to a political party committee or a political action committee shall be considered a contribution by the lender, guarantor or endorser in the amount of the balance of the loan that has not been repaid. A political action committee shall not make a loan to a candidate committee or another political action committee. A candidate committee shall not make a loan to a political action committee or another candidate committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.67. Loans to Candidate Committees by Candidate and Other Non-Financial Entities.**

(A) A loan by any person other than a commercial financial institution to a candidate committee shall be considered a contribution from the lender, guarantor or endorser in the amount of the balance of the loan that has not been repaid.

(B) A candidate may make a loan to his or her candidate committee from his or her personal funds or from joint funds of the candidate and the candidate's spouse. If a candidate makes such a loan to his or her candidate committee, the terms of the loan must be in writing in a document executed contemporaneously with the transfer of funds into the candidate committee's account. The document must be signed and dated by all parties involved. Such a loan may be repaid from contributions received by the candidate committee, but the candidate committee shall not be permitted to pay any interest on the loan.

(C) If a candidate transfers his or her personal funds or joint funds of the candidate and the candidate's spouse to the candidate committee without a written loan document, the candidate committee cannot repay the candidate for the transfer.

(D) A candidate who makes expenditures from personal funds or joint funds of the candidate and the candidate's spouse that are not transferred to the candidate committee's account shall not have made a loan to the committee. Such expenditures that are not intended to be reimbursed shall be reported as contributions to and expenditures by the candidate committee, or as an in-kind contribution to the candidate committee. Expenditures that are intended to be reimbursed must be reported as in-kind expenditures on the report covering the time period during which the expenditure was made and be reimbursed within ninety (90) days of the expenditure.

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## **Candidate Committees**

### **Rule 2.68. Designation of Candidate Committee.**

A candidate for state office shall designate one (1) candidate committee by filing a Statement of Organization with the Commission. If two or more candidates have the same name, use of a candidate's name in the name of a candidate committee that is the same as that of another candidate committee shall not violate these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### **Rule 2.69. One Candidate Committee at Any Time; Exception.**

A candidate may have no more than one (1) candidate committee for any state office at any time; provided, however, a candidate may maintain two (2) separate candidate committees for state offices for a period of sixty (60) days after filing a Statement of Organization for a second committee. In such case, funds or debt, or both, may be transferred from the first committee to the second committee as permitted by law and these Rules.

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**Rule 2.70. When to File a Candidate Committee Statement of Organization.**

A Statement of Organization for a candidate committee shall be filed with the Commission at any earlier time but no later than ten (10) days after the candidate has accepted or expended more than One Thousand Dollars (\$1,000.00) for his or her campaign.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.71. Candidate Committee Officers.**

A candidate committee shall have a Chair and a Treasurer, who may be the same person and who shall serve at the pleasure of the candidate. The candidate may be either the Chair or Treasurer of his or her candidate committee, or both, but a candidate may not be an officer of any other candidate committee or any political action committee. A candidate committee may designate a Deputy Treasurer, who may perform the duties of the Treasurer in the Treasurer's absence and who also shall serve at the candidate's pleasure. The candidate may be the Deputy Treasurer of his or her committee. The Treasurer and Deputy Treasurer shall be residents of Oklahoma.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission December 11, 2015; effective upon sine die adjournment of the Legislature May 27, 2016; operative May 27, 2016.*

**Rule 2.72. Vacancy in Treasurer Office--Prohibition on Activity.**

A candidate committee cannot accept or expend funds at any time there is a vacancy in the offices of both the Treasurer and Deputy Treasurer.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.73. Candidate Committee Treasurer Responsibilities.**

The Treasurer shall be responsible for keeping the candidate committee's financial records and accounts, including but not limited to all contributions accepted; all deposit slips or other evidence of acceptance of contributions; all expenditures made; all receipts, canceled checks or other evidence of payment of expenditures and all other documents necessary to file Reports of Contributions and Expenditures. All such documents shall be maintained for at least four (4) years and shall be made available to the Commission upon request of the Commission. The Treasurer shall be responsible for timely and accurately filing all Reports of Contributions and Expenditures for the committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.74. Filling Candidate Committee Officer Vacancy.**

Any vacancy in the office of Chair, Treasurer or Deputy Treasurer shall be filled within thirty (30) days, and an Amended Statement of Organization identifying the new Chair, Treasurer or Deputy

Treasurer shall be filed with the Commission within five (5) days after the vacancy is filled.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.75. Candidate Committee Statement of Organization Requirements.**

The Statement of Organization for a candidate committee shall include, but shall not be limited to, the following information: (1) The name of the candidate as it will appear on the ballot; (2) the names of the Chair, Treasurer and, if applicable, Deputy Treasurer of the committee; (3) the name of the committee, which shall include at least the full name, first name, middle name or last name of the candidate and the year of the general election or special general election for the office being sought; (4) the official and complete name of the state elective office to which the candidate seeks election; (5) the candidate's party affiliation, if any; (6) the mailing address and, if applicable, residence address, electronic mailing address, telephone numbers and Internet website, if applicable, of the candidate committee, the candidate, the Chair, Treasurer and, if applicable, Deputy Treasurer and (7) the full name and address of each depository in which the committee will maintain an account. The candidate shall be responsible for notifying the Commission of any change in information provided on the Statement of Organization by filing an Amended Statement of Organization within ten (10) days of a change being made. An Amended Statement of Organization shall contain the same information as the Statement of Organization.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.76. Executive Director Authority to Require Additional Information.**

The Executive Director shall be authorized to require additional information on the Statements of Organization and Amended Statements of Organization that is consistent with the intent and purposes of these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2 - Judicial Candidate Committees**

**Rule 2.77. Judicial Candidates Exclusively Responsible for Compliance with Rules.**

Candidates for elective judicial offices, including judicial offices subject to retention, shall be subject to these Rules as they apply to all other candidates for state office; provided, that a judicial candidate shall be responsible exclusively for compliance with these Rules by his or her candidate committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

## **Exploratory Activities**

### **Rule 2.78. Exploratory Activities.**

An individual may conduct exploratory activities, such as polling and other techniques designed exclusively to assist the individual in making a decision as to whether to seek any state office or offices. The individual may accept contributions, subject to the limits in these Rules, and make expenditures limited to exploratory activities without designating a candidate committee; provided, however, the individual shall keep or cause to be kept all records required of a candidate committee. Provided further, once an individual has accepted or expended more than Twenty-five Thousand Dollars (\$25,000.00) for exploratory activities for a statewide office or Ten Thousand Dollars (\$10,000.00) for any other state office, the individual either shall become a candidate and file a Statement of Organization as required by these Rules, or cease all exploratory activities. If the individual becomes a candidate and forms a candidate committee, all contributions received and expenditures made for exploratory activities shall be subject to maximum contribution limits and shall be included in the committee's first Report of Contributions and Expenditures. No individual may conduct exploratory activities for a state office or offices as provided in this section more than one time between regular general elections for state offices.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

## **Political Action Committees**

### **Rule 2.79. Political Action Committee Definition.**

A political action committee is any group of two or more persons that receives contributions or makes expenditures for any of the following purposes: (1) Making contributions to candidates or candidate committees; (2) making contributions to other political action committees; (3) making independent expenditures; (4) making electioneering communications or (5) advocating the approval or defeat of a state question. Unless they choose to be considered as such, family members, as defined by these Rules, or members of the same household shall not be considered a political action committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### **Rule 2.80. When to File a Political Action Committee Statement of Organization.**

A political action committee shall file a Statement of Organization with the Commission at any earlier time but no later than ten (10) days after the committee receives contributions in excess of One Thousand Dollars (\$1,000.00) or makes expenditures in excess of One Thousand Dollars (\$1,000.00). A political action committee that has filed a Statement of Organization and that has not dissolved as provided in these Rules shall renew its registration during the month of January of each year by filing a Statement of Organization. The renewal of a Statement of Organization filed by a political action committee shall not be accepted unless the political action committee

has filed all Reports of Contributions and Expenditures and paid any fees required during the preceding calendar year. In the event a political action committee has not filed all Reports of Contributions and Expenditures and paid fees required during the preceding calendar year, the political action committee shall be prohibited from accepting contributions or making expenditures, except for paying fees, until it is current in filing Reports and fees.

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**Rule 2.81. Political Action Committee Officers.**

A political action committee shall have a Chair and a Treasurer, who may be the same person. No candidate shall be an officer of a political action committee. A political action committee may designate a Deputy Treasurer, who may perform the duties of the Treasurer in the Treasurer's absence. The Treasurer and Deputy Treasurer shall be residents of Oklahoma.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.82. Vacancy in Treasurer Office--Prohibition on Activity.**

A political action committee cannot accept or expend funds at any time there is a vacancy in the offices of both the Treasurer and Deputy Treasurer.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.83. Political Action Committee Treasurer Responsibilities.**

The Treasurer shall be responsible for keeping the political action committee's financial records and accounts, including but not limited to all contributions accepted; all deposit slips or other evidence of acceptance of contributions; all expenditures made; all receipts, canceled checks or other evidence of payment of expenditures and all other documents necessary to file Reports of Contributions and Expenditures. All such documents shall be maintained for at least four (4) years and shall be made available to the Commission upon request of the Commission. The Treasurer shall be responsible for timely and accurately filing all Reports of Contributions and Expenditures for the committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.84. Filling Political Action Committee Office Vacancy.**

Any vacancy in the office of Chair, Treasurer or Deputy Treasurer shall be filled within thirty (30) days, and an Amended Statement of Organization identifying the new Chair, Treasurer or Deputy Treasurer shall be filed with the Commission within five (5) days after the vacancy is filled.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.85. Political Action Committee Statement of Organization Requirements.**

The Statement of Organization for a political action committee shall include, but shall not be limited to, the following information: (1) The names of the Chair, Treasurer and, if applicable, Deputy Treasurer of the committee; (2) the full name of the committee, which shall not be an acronym and which shall not be the same as any other political action committee or sufficiently similar to the name of any other political action committee so that the two could be easily confused and which shall include the identifying state question number assigned by the State of Oklahoma for a committee formed to support or oppose a state question; (3) the name and address of any affiliated corporation or labor union; (4) the purpose or purposes of the committee, including but not limited to an indication of whether the committee is a limited committee or unlimited committee; (5) the mailing address and, if applicable, residence address, electronic mailing address, telephone numbers and Internet website, if applicable, of the committee, the Chair, Treasurer and, if applicable, Deputy Treasurer and (6) the full name and address of each depository in which the committee will maintain an account. The committee may also list an acronym, which shall not be the same as any other political action committee or sufficiently similar to the name of any other political action committee so that the two could be easily confused. The Treasurer shall be responsible for notifying the Commission of any change in information provided on the Statement of Organization by filing an Amended Statement of Organization within ten (10) days of a change being made. An Amended Statement of Organization shall contain the same information as the Statement of Organization.

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**Rule 2.86. Political Action Committee Statement of Organization Additional Requirements for Affiliated Entities.**

In addition to other information required on the Statement of Organization, a Statement of Organization for a limited committee that is affiliated with a corporation or labor union shall include, but not be limited to, the name, mailing address, street address, electronic mailing address, main telephone number and Internet website, if applicable, of the corporation or labor union with which the limited committee is affiliated. "Affiliated", as used in this section, means a corporation or labor union that may lawfully use its funds to pay for the establishment of, administration of and solicitation of contributions to the limited committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.87. Limitations on Solicitations by Political Action Committee Affiliated with Corporation.**

A limited committee affiliated with a corporation may solicit contributions to the committee

only from the corporation's shareholders, directors, executive and administrative personnel and their families. For purposes of this section, "executive and administrative personnel" means an individual employed by a corporation who is paid on a salary, rather than hourly, basis and who has policymaking, managerial, professional or supervisory responsibilities.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.88. Limitation on Solicitation by Political Action Committee Affiliated with Membership Organization [Effective through October 31, 2019].**

A limited committee affiliated with an incorporated not-for-profit membership organization (other than a labor union) may solicit contributions from the membership organization's directors and executive and administrative personnel and their families and from its non-corporate members and their families. Such a membership organization may solicit dues and contributions to the limited committee in a single solicitation, provided the dues and contributions to the limited committee are placed in segregated accounts. Such a membership organization that has corporate members may solicit contributions to the limited committee from the shareholders, directors, executive and administrative personnel and their families of member corporations, provided the member corporation gives its consent in writing. Such consent shall be of continuing duration until revoked by the member corporation.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015; Amended 2019 by SB 393 [effective November 1, 2019].*

**Rule 2.88. Limitation on Solicitation by Political Action Committee Affiliated with Membership Organization [Effective November 1, 2019].**

A limited committee affiliated with an incorporated not-for-profit membership organization (other than a labor union) may solicit contributions from the membership organization's directors and executive and administrative personnel and their families and from its non-corporate members and their families. Such a membership organization may solicit dues and contributions to the limited committee in a single solicitation, provided the dues and contributions to the limited committee are placed in segregated accounts. Such a membership organization that has corporate members may solicit contributions to the limited committee from the shareholders, directors, executive and administrative personnel and their families of member corporations.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015; Amended 2019 by SB 393 [effective November 1, 2019].*

**Rule 2.89. Limitations on Solicitations by Political Action Committee Affiliated with Labor Union.**

A limited committee affiliated with a labor union may solicit contributions to the committee only from the labor union's members.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*



**Rule 2.90. Solicitations by Non-Affiliated Limited Committee.**

Unless otherwise prohibited or limited by law or these Rules, a limited committee that is not affiliated with a corporation or labor union may solicit contributions from any individual or entity. Costs of establishment of, administration of and solicitation of contributions to the limited committee shall be made from contributions accepted by the committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.91. Contributions to Be Voluntary.**

A political party committee, political action committee or candidate committee shall not accept a contribution or make an expenditure (1) by using anything of value secured by physical force, job discrimination, financial reprisals or threats of the same or (2) in exchange for any advantage or promise of an advantage conditioned upon making a contribution, or reprisal or threat of reprisal related to the failure to make a contribution. In soliciting contributions, a political action committee shall make clear that a contribution is purely voluntary and that the person being solicited will not be given any advantage or disadvantage based on whether or not a contribution is made or the amount of a contribution.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.92. Registration Requirements for Out of State Political Action Committee.**

A political action committee that is not registered with the Federal Election Commission but that is registered in another state shall be required to file with the Commission written proof of its registration in another state before making contributions to a candidate or candidates for state office. A certified copy of its registration document from another state shall be sufficient to meet the requirements of this section.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.93. Executive Director Authority to Require Additional Information.**

The Executive Director shall be authorized to require additional information on the Reports of Contributions and Expenditures that is consistent with the intent and purposes of these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 9, 2015; effective upon sine die adjournment of the Legislature May 22, 2015; operative May 22, 2015.*

## **Rule 2 - Campaign Depositories and Accounts**

### **Rule 2.94. Campaign Depository in Financial Institution.**

Every candidate committee, political action committee and political party committee shall establish one or more campaign depositories in a financial institution or financial institutions that ordinarily conduct business within the state.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### **Rule 2.95. Campaign Depository Account Requirements.**

Every candidate committee, political action committee and political party committee shall maintain a campaign account in each campaign depository in the name of the committee as it is registered with the Commission. All contributions to a committee except in-kind contributions, including contributions by a candidate to his or her candidate committee, shall be deposited in a campaign account. All expenditures made by a committee shall be made on a check or by debit card, signed by the candidate, Treasurer or Deputy Treasurer of a candidate committee and by the Treasurer or Deputy Treasurer of a political action committee. Provided, however, a candidate may authorize other individuals to sign checks or debit cards for the candidate's committee; however, the candidate, the Treasurer and Deputy Treasurer shall remain responsible for the lawful expenditure of committee funds. Checks for a political action committee shall include the identification number of the committee assigned by the Commission. A campaign account may earn interest paid by the financial institution in which the account is maintained, but campaign funds shall not be invested in any other way. Contributions from corporations, labor unions, a limited liability company that has one or more corporate members or a partnership that has one or more corporate partners shall not be commingled with other contributions made to a candidate committee, a limited committee or a political party committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 27, 2017; effective upon Legislature's sine die adjournment May 26, 2017; operative May 26, 2017.*

### **Rule 2.96. Political Action Committee Registered with Federal Election Commission.**

A political action committee registered with the Federal Election Commission or registered in another state that makes a contribution or contributions to a political party committee, political action committee or candidate committee shall not be required to have a campaign depository in this state.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### **Rule 2.97. Payment of Costs of Affiliated Limited Committee.**

Payment of costs for the establishment of, administration of and solicitation of contributions to a limited committee shall be made directly from funds of the corporation or the labor union, as

the case may be, but such funds shall not be deposited in a campaign depository of the committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

## **Rule 2 - Reports of Contributions and Expenditures**

### **Rule 2.98. Reports for Political Action Committee Registered with Federal Election Committee.**

A political action committee registered with the Federal Election Commission that makes a contribution or contributions to a candidate or candidates for state office shall not be required to register or to file a Report of Contributions and Expenditures with the Commission, provided the contribution or contributions are reported to the Federal Election Commission and are available to the public.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### **Rule 2.99. Reports for Out of State Political Action Committees.**

A political action committee registered in another state that makes a contribution or contributions to a candidate or candidates for state office shall file a Report of Contributions and Expenditures for Non-Oklahoma Committees.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### **Rule 2.100. Quarterly Reports for Oklahoma Committees.**

Each state political party committee, political action committee and candidate committee shall file a quarterly Report of Contributions and Expenditures:

1. no earlier than January 1 nor later than January 31 for the period beginning October 1 and ending December 31 of the immediately preceding year;
2. no earlier than April 1 nor later than April 30 for the period beginning January 1 and ending March 31 of the same year;
3. no earlier than July 1 nor later than July 31 for the period beginning April 1 and ending June 30 of the same year and
4. no earlier than October 1 nor later than October 31 for the period beginning July 1 and ending September 30 of the same year.

Except for good cause shown, any committee that files more than one quarterly Report of Contributions and Expenditures after the date it is due in any calendar year shall be deemed to have intentionally failed to file the report in violation of these Rules.

Candidates for election or retention to judicial offices who are prohibited from soliciting or accepting contributions more than sixty (60) days after the last election in which the candidate participated under the Code of Judicial Conduct shall not be required to file Reports of Contributions and Expenditures following the expiration of the sixty (60) day period until such time as they are permitted to solicit and accept contributions prior to the next filing period under

the Code of Judicial Conduct.

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**Rule 2.101. Reports for Candidate Committee in Election Year.**

(A) **Regular Election.** Each candidate committee for a candidate who has filed a declaration of candidacy with the State Election Board for an office to be filled at the general election shall not be required to file quarterly reports after April 30 of the year in which the declaration of candidacy is filed but shall file a pre-election Report of Contributions and Expenditures:

1. no earlier than fourteen (14) days nor later than eight (8) days before the primary election for the period beginning April 1 and ending fifteen (15) days before the primary election;
2. no earlier than fourteen (14) days nor later than eight (8) days before the runoff primary election for the period beginning fourteen (14) days before the primary election and ending fifteen (15) days before the runoff primary election;
3. no earlier than fourteen (14) days nor later than eight (8) days before the general election for the period beginning fourteen (14) days before the runoff primary election and ending fifteen (15) days before the general election.

Such candidate committee shall file a post-election Report of Contributions and Expenditures no earlier than January 1 nor later than January 31 of the year following the general election for the period beginning the day after the last day of the general election pre-election reporting period and ending December 31 of the immediately preceding year.

(B) **Special Elections.** Each candidate committee for a candidate in a special primary, runoff primary or general election shall file a pre-election Report of Contributions and Expenditures for the special primary, runoff primary or general election on the same dates and for the same periods as provided in section A.

1. If there is no special runoff primary election scheduled, the period covered by the pre-election report for the general election shall begin fourteen (14) days before the primary election and end fifteen (15) days before the general election.
2. Following the special general election, each candidate committee shall file a post-election Report of Contributions and Expenditures during the filing period required for the next quarterly report following the special general election. That post-election report shall be for a period beginning the day after the last day of the general election pre-election reporting period and ending on the same day as the last day of the regular quarterly report. Thereafter, the committee shall file reports as otherwise required by these Rules.

(C) Except for good cause shown, any candidate committee that files more than one Report of Contributions and Expenditures after the date it is due shall be deemed to have intentionally failed to file the report in violation of these Rules.

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**Rule 2.102. Continuing Reports by Candidate Committee Between Pre-Election Report and Election Day.**

Each candidate committee shall file a Continuing Report of Contributions for any contributions accepted from any person in excess of One Thousand Dollars (\$1,000.00) in the aggregate:

1. after the last day of the primary election pre-election reporting period and ending two (2) days before the primary election;
2. after the last day of the runoff primary election pre-election reporting period and ending two (2) days before the runoff primary election and
3. after the last day of the general election pre-election reporting period and ending two (2) days before the general election.

For purposes of this section, “accepted” means that a contribution has been placed in a campaign depository or that an in-kind contribution has been used in the campaign. A Continuing Report of Contributions shall be filed with the Commission within twenty-four (24) hours after the contribution is accepted and shall contain the name, address and occupation and employer of any person other than a political action committee making a contribution, the amount of the contribution and the date it was made and the name of a political action committee making a contribution, the amount of the contribution and the date it was made. The candidate committee of a candidate whose name does not appear on the ballot at the next following election shall not be required to file a Continuing Report of Contributions.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.103. First Report for Candidate Committee or Political Action Committee.**

The first Report of Contributions and Expenditures by a candidate committee or political action committee shall be filed at the same time as required for the quarterly or pre-election Report of Contributions and Expenditures following the filing of a statement of organization by the committee for the period beginning on the date the first contribution was accepted or expenditure made and ending on the same ending date for the quarterly or pre-election period.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 2.104. Report Requirements for Political Party Committee.**

State political party committees shall file a Statement of Organization in July of any odd-numbered year. The Statement of Organization shall include, but not be limited to, the following information: (1) The names of the Chair, Treasurer and, if applicable, Deputy Treasurer of the committee; (2) the full name of the committee; (3) the mailing address and, if applicable, residence address, electronic mailing address, telephone numbers and Internet website , if applicable, of the committee, the Chair, Treasurer and, if applicable, Deputy Treasurer and (4) the full name and address of each depository in which the committee will maintain an account. The Treasurer shall be responsible for notifying the Commission of any change in information provided on the Statement of Organization by filing an Amended Statement of Organization within ten (10) days

of a change being made. An Amended Statement of Organization shall contain the same information as the Statement of Organization. Congressional District, county and precinct political party committees and any other political party committee officially recognized by the party's bylaws or similar governing document, shall file a Statement of Organization containing the same information prior to filing a Report of Contributions and Expenditures as required hereafter. Congressional District, county and precinct political party committees and any other political party committee officially recognized by the party's bylaws or similar governing document, shall be required to file a Report of Contributions and Expenditures in any year the committee makes an independent expenditure, an electioneering communication or a contribution to a candidate for state office. The Report of Contributions and Expenditures shall be made at the quarterly reporting period next following the making of the independent expenditure, electioneering communication or contribution to a candidate for state office. The Report shall cover the period beginning January 1 of the year in which the report is filed (or January 1 of the immediately preceding calendar year for a quarterly report filed in January) or the end of the last preceding reporting period filed by the committee during the same calendar year, if the committee has filed a prior report in the same calendar year, and ending on the last day of the month prior to the month in which the quarterly report is filed.

A Report of Contributions and Expenditures by a political party committee shall include, but not be limited to, the following information:

- (A) 1. the name of the committee and the time period covered by the report;
2. the total of all monetary contributions accepted during the time period covered by the report, and the aggregate total of all monetary contributions accepted during the calendar year of the time period covered by the report;
3. the total of all monetary contributions from political action committees accepted during the time period covered by the report, and the aggregate total of all monetary contributions from political action committees accepted during the calendar year of the time period covered by the report;
4. the total of all other funds accepted during the time period covered by the report, including transfers from a federal, state, district, county or precinct party committee, and the aggregate total of all such other funds accepted during the calendar year of the time period covered by the report;
5. the total of all monetary contributions or funds accepted from any source during the time period covered by the report, and the aggregate total of all monetary contributions or funds accepted during the calendar year of the time period covered by the report;
6. the total value of all in-kind contributions accepted during the time period covered by the report, and the aggregate total value of all in-kind contributions accepted during the calendar year of the time period covered by the report;
7. the total of all expenditures made during the time period covered by the report, and the aggregate total of all expenditures made during the calendar year of the time period covered by the report;
8. the total of all refunds made during the time period covered by the report, and the aggregate total of all refunds made during the calendar year of the time period covered by the report;

9. the total of all transfers made to a federal, state, district, county or precinct party committee during the time period covered by the report and the date of each transfer, and the aggregate total of all such transfers made during the calendar year of the time period covered by the report;
  10. the beginning balance of the committee account for the reporting period, and the closing balance of the committee account at the end of the reporting period;
- (B)
1. The name, address, occupation and employer of any person other than a political action committee making a contribution or contributions exceeding Fifty Dollars (\$50.00) in value in the aggregate; the date and amount of any monetary or in-kind contributions made during the time period covered by the report; and the aggregate total of all contributions accepted from the person during the calendar year of the time period covered by the report;
  2. the total of all contributions accepted during the time period covered by the report from contributors making contributions of no more than Fifty Dollars (\$50.00) in the aggregate, and the aggregate total of all such contributions during the calendar year of the time period covered by the report;
  3. the name and Commission identification number of a political action committee or candidate committee making a contribution or contributions, the date and amount of any monetary or in-kind contributions made during the time period covered by the report, and the aggregate total of all contributions accepted from the political action committee during the calendar year of the time period covered by the report;
  4. the name, address, occupation and employer, if applicable, of a contributor to whom a refund was made during the time period covered by the report; the date and amount of the refund; and the aggregate total of all contributions refunded to the contributor during the calendar year of the time period covered by the report;
  5. loans made to the committee during the time period covered by the report, including loans by commercial financial institutions; the name, address and, if applicable, occupation and employer, of the person making the loan; the amount of the loan, the date the loan was made, the interest rate for the loan, the repayment terms for the loan and the total of all loans made to the committee; any payments on loans during the time period covered by the report, the amount of the payment, the date the payment was made and the remaining balance of the loan following the payment; and the total of all payments made on all loans to the committee and the remaining balance on all loans to the committee during the calendar year of the time period covered by the report;
  6. the name and address of any person or entity to whom an expenditure of more than Two Hundred Dollars (\$200.00) in the aggregate was made during the time period covered by the report, a description of the goods or services purchased with the expenditure, and the aggregate total of all expenditures made to the person or entity during the calendar year of the time period covered by the report. Split purchasing for the purpose of

evading reporting an expenditure shall be prohibited. Expenditures made to compensate political consultants and similar consultants shall be reported by identifying the type of services provided to the campaign by the consultants. Expenditures made by political consultants and other third parties on behalf of the committee shall be reported as if the expenditures were made by the committee. Expenditures made by using a credit card shall be reported by itemizing each individual expenditure of more than Two Hundred Dollars (\$200.00).

Contributions accepted from a limited liability company shall be reported as contributions from the individual members of the limited liability company in proportions equal to their ownership interest in the limited liability company. Contributions accepted from a partnership shall be reported as contributions from the individual partners of the partnership in proportions equal to their ownership interest in the partnership. Transfers between a federal, state, district, county or precinct party committee shall not be considered as contributions or expenditures.

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#### **Rule 2.105. Report Requirements for Political Action Committee.**

A Report of Contributions and Expenditures by a political action committee shall include, but not be limited to, the following information:

- (A)
1. the name of the committee and the time period covered by the report;
  2. the total of all monetary contributions accepted during the time period covered by the report, and the aggregate total of all monetary contributions accepted during the calendar year of the time period covered by the report;
  3. the total of all monetary contributions from other political action committees accepted during the time period covered by the report, and the aggregate total of all monetary contributions from other political action committees accepted during the calendar year of the time period covered by the report;
  4. the total of all other funds accepted during the time period covered by the report, including transfers from an associated political action committee, and the aggregate total of all such other funds accepted during the calendar year of the time period covered by the report;
  5. the total of all monetary contributions or funds accepted from any source during the time period covered by the report, and the aggregate total of all monetary contributions or funds accepted during the calendar year of the time period covered by the report;
  6. the total value of all in-kind contributions accepted during the time period covered by the report, and the aggregate total value of all in-kind contributions accepted during the calendar year of the time period covered by the report;
  7. the total of all expenditures (other than contributions to candidate committees, independent expenditures or electioneering communications) made during the time



- period covered by the report, and the aggregate total of all such expenditures made during the calendar year of the time period covered by the report;
8. the total of all refunds made during the time period covered by the report, and the aggregate total of all refunds made during the calendar year of the time period covered by the report;
  9. the total of all transfers made to or received from an associated political action committee during the time period covered by the report and the date of each transfer, and the aggregate total of all such transfers made during the calendar year of the time period covered by the report;
  10. the total amount of all contributions made by the committee to a candidate committee during the time period covered by the report, and the aggregate total of all such contributions made during the calendar year of the time period covered by the report;
  11. the total amount of all independent expenditures made by the committee during the time period covered by the report, and the aggregate total of all such independent expenditures made during the calendar year of the time period covered by the report;
  12. the total amount of funds spent on electioneering communications made by the committee during the time period covered by the report, and the aggregate total of funds spent on electioneering communications made during the calendar year of the time period covered by the report;
  13. the beginning balance of the committee account for the reporting period, and the closing balance of the committee account at the end of the reporting period;
  14. for limited committees affiliated with a corporation or labor union, the total amount of funds spent by the corporation or labor union during the time period covered by the report for the costs of establishment of, administration of and solicitation of contributions to the committee; and the aggregate total of funds spent on the costs of establishment of, administration of and solicitation of contributions to the committee made during the calendar year.
- (B)
1. The name, address, occupation and employer of any person other than a political action committee making a contribution or contributions exceeding Fifty Dollars (\$50.00) in value in the aggregate, the date and amount of any monetary or in-kind contributions made during the time period covered by the report, and the aggregate total of all contributions accepted from the person during the calendar year of the time period covered by the report;
  2. the total of all contributions accepted during the time period covered by the report from contributors making contributions of no more than Fifty Dollars (\$50.00) in the aggregate, and the aggregate total of all such contributions during the calendar year of the time period covered by the report;
  3. the name and Commission identification number of a political action committee making a contribution or contributions, the date and amount of any monetary or in-kind contributions made during the time period covered by the report, and the aggregate total of all contributions accepted from the political action committee during the calendar year of the time period covered by the report;
  4. the name, address, occupation and employer, if applicable, of a contributor to whom a refund was made during the time period covered by the report, the date and

- amount of the refund, and the aggregate total of all contributions refunded to the contributor during the calendar year of the time period covered by the report;
5. loans made to the committee during the time period covered by the report, including loans by commercial financial institutions; the name, address and, if applicable, occupation and employer, of the person making the loan; the amount of the loan, the date the loan was made, the interest rate for the loan, the repayment terms for the loan and the total of all loans made to the committee; any payments on loans during the time period covered by the report, the amount of the payment, the date the payment was made and the remaining balance of the loan following the payment; and the total of all payments made on all loans to the committee and the remaining balance on all loans to the committee during the calendar year of the time period covered by the report;
  6. the name and address of any person or entity to whom an expenditure of more than Two Hundred Dollars (\$200.00) in the aggregate was made during the time period covered by the report, a description of the goods or services purchased with the expenditure, and the aggregate total of all expenditures made to the person or entity during the calendar year of the time period covered by the report. Split purchasing for the purpose of evading reporting an expenditure shall be prohibited. Expenditures made to compensate political consultants and similar consultants shall be reported by identifying the type of services provided to the campaign by the consultants. Expenditures made by political consultants and other third parties on behalf of the committee shall be reported as if the expenditures were made by the committee. Expenditures made by using a credit card shall be reported by itemizing each individual expenditure of more than Two Hundred Dollars (\$200.00).

Contributions accepted from a limited liability company shall be reported as contributions from the individual members of the limited liability company in proportions equal to their ownership interest in the limited liability company. Contributions accepted from a partnership shall be reported as contributions from the individual partners of the partnership in proportions equal to their ownership interest in the partnership. As used in this section, “associated political action committee” shall mean a political action committee registered with the Federal Election Commission when the connected or affiliated entities of the two committees share a formal business relationship such as the national and state organizations of a professional or business organization or labor union. Transfers between a political action committee and an associated political action committee shall not be considered as contributions or expenditures.

(C) The Report of Contributions and Expenditures for Non-Oklahoma Committees shall include, but not be limited to, the following information:

1. the name of the committee and the time period covered by the report;
2. the total amount of all contributions made by the committee to an Oklahoma state candidate committee during the time period covered by the report, and the aggregate total of all such contributions made during the calendar year of the time period covered by the report;
3. the total amount of all independent expenditures made by the committee during the time period covered by the report, and the aggregate total of all such independent expenditures made during the calendar year of the time period covered by the report;

4. the total amount of funds spent on electioneering communications made by the committee during the time period covered by the report, and the aggregate total of funds spent on electioneering communications made during the calendar year of the time period covered by the report;
5. The name, address, occupation and employer of any Oklahoma resident making a contribution or contributions exceeding Fifty Dollars (\$50.00) in value in the aggregate, the date and amount of any monetary or in-kind contributions made during the time period covered by the report, and the aggregate total of all contributions accepted from the person during the calendar year of the time period covered by the report.

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#### **Rule 2.106. Report Requirements for Candidate Committee.**

A Report of Contributions and Expenditures by a candidate committee shall include, but not be limited to, the following information:

- (A)
  1. the candidate's name, the name of the committee and the time period covered by the report;
  2. the total of any surplus funds transferred from a candidate committee for a previous campaign of the same candidate;
  3. the total of all monetary contributions accepted during the time period covered by the report, and the aggregate total of all monetary contributions accepted;
  4. the total of all monetary contributions from political action committees accepted during the time period covered by the report, and the aggregate total of all monetary contributions from political action committees accepted;
  5. the total of all other funds accepted during the time period covered by the report, and the aggregate total of all other funds accepted;
  6. the total of all monetary contributions or funds accepted from any source during the time period covered by the report, and the aggregate total of all monetary contributions or funds accepted;
  7. the total value of all in-kind contributions accepted during the time period covered by the report, and the aggregate total value of all in-kind contributions accepted;
  8. the total of all expenditures made during the time period covered by the report, and the aggregate total of all expenditures made;
  9. the total of all refunds made during the time period covered by the report, and the aggregate total of all refunds made;
  10. the beginning balance of the campaign account for the reporting period, and the closing balance of the campaign account at the end of the reporting period.
- (B)
  1. The name, address, occupation and employer of any person other than a political action committee, political party committee, or candidate committee, making a contribution or contributions, the date and amount of any monetary or in-kind contributions made during the time period covered by the report, and the aggregate total of all contributions accepted from the person;
    - a. Contributions accepted from a limited liability company shall be reported

- as contributions from the individual members of the limited liability company in proportions equal to their ownership interest in the limited liability company; and
- b. Contributions accepted from a partnership shall be reported as contributions from the individual partners of the partnership in proportions equal to their ownership interest in the partnership.
2. any contributions received from individuals which do not exceed fifty dollars (\$50) in the aggregate from any one individual are not itemized and are shown on the report by the total of all contributions accepted during the time period covered by the report from contributors making contributions of no more than Fifty Dollars (\$50.00) in the aggregate, and the aggregate total of all such contributions;
  3. the name, address, and Commission identification number of a political action committee, political party committee, or candidate committee making a contribution or contributions, the date and amount of any monetary or in-kind contributions made during the time period covered by the report, and the aggregate total of all contributions accepted from the political action committee, political party committee, or candidate committee;
  4. the name, address, occupation and employer, if applicable, of a contributor to whom a refund was made during the time period covered by the report, the date and amount of the refund, and the aggregate total of all contributions refunded to the contributor;
  5. loans made to the committee during the time period covered by the report, including loans by the candidate and by commercial financial institutions; the name, address and, if applicable, occupation and employer, of the person making the loan; the amount of the loan, the date the loan was made, the interest rate for the loan, the repayment terms for the loan and the total of all loans made to the committee; any payments on loans during the time period covered by the report, the amount of the payment, the date the payment was made and the remaining balance of the loan following the payment, and the total of all payments made on all loans to the committee and the remaining balance on all loans to the committee;
  6. the name and address of any person or entity to whom an expenditure of more than Two Hundred Dollars (\$200.00) in the aggregate was made during the time period covered by the report, a description of the goods or services purchased with the expenditure, and the aggregate total of all expenditures made to the person or entity, provided however:
    - a. Split purchasing for the purpose of evading reporting an expenditure shall be prohibited;
    - b. Expenditures made to compensate consultants and similar individuals or organizations shall be reported by identifying the type of services provided to the campaign by the consultants;
    - c. Expenditures made by political consultants and other third parties on behalf of the committee shall be reported as if the expenditures were made by the committee;
    - d. Expenditures made by using a credit card shall be reported by itemizing each individual expenditure of more than Two Hundred Dollars (\$200.00);

- e. All expenditures made to reimburse a candidate for personal expenditures made on behalf of the committee shall be itemized in detail, regardless of their value.

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## **Rule 2 - Reports of Independent Expenditures**

### **Rule 2.107. Time and Requirements for Independent Expenditure Reports.**

(A) Any person other than an individual, including a political action committee, that makes an independent expenditure of Five Thousand Dollars (\$5,000.00) or more in the aggregate at least fifteen (15) days prior to any election shall be required to file a report with the Commission at the same time that candidate committees are required to file pre-election reports for the applicable election.

(B) Any person other than an individual, including a political action committee, that makes an independent expenditure of Five Thousand Dollars (\$5,000.00) or more in the aggregate during the period beginning no more than fourteen (14) days prior to any election and ending on the day of the election shall make a report to the Commission no later than the business day following the day the expenditure is made.

(C) Each report filed by a person other than a political action committee shall include the name and address of the person making the independent expenditure and the name, street address, telephone number, and office or title of the individual filing the report.

(D) Each report filed shall include the name of the political action committee or the person making the independent expenditure; the amount, date and a brief description or statement of each independent expenditure; and the name and office of the candidate supported or opposed, indicating whether the candidate was supported or opposed.

(E) If the person making the independent expenditure, other than a political action committee, received funds from any other person for the purpose of making an independent expenditure or expenditures, the report shall include the name, address and principal business activity of each person contributing funds in excess of Fifty Dollars (\$50.00) in the aggregate and the amount of any such contribution or contributions that have not been previously reported, together with a cumulative total of all contributions made by each person since the first report was filed for the election for which the independent expenditure is being made. As used in this section, "for the purpose of" means that the funds are either (1) received by an organization or corporation in response to a solicitation specifically requesting funds to pay for an independent expenditure or electioneering communication or (2) specifically designated for independent expenditures or electioneering communications by the donor.

(F) If the person making the independent expenditure is a non-profit corporation that has not been officially approved by the United States Internal Revenue Service for tax exempt status under Section 501(c) of Title 26 of the United States Code as it currently exists or as it may be amended, the report shall include the name, address and principal business activity of each person contributing funds in excess of Fifty Dollars (\$50.00) in the aggregate to the corporation during

the current calendar year and the preceding calendar year and the amount of any such contribution or contributions that have not been previously reported, together with a cumulative total of all contributions made by each person since the first report was filed for the election for which the independent expenditure is being made.

(G) Reports required by this section shall not relieve the person making the report from filing other reports required by these Rules.

(H) If any person makes, or contracts to make, any expenditure for an independent expenditure and such expenditure is coordinated with a candidate or a candidate committee in any way, the expenditure shall be considered as a contribution to the candidate committee and as an expenditure by the candidate committee.

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## **Rule 2 - Reports of Electioneering Communications**

### **Rule 2.108. Time and Requirements for Electioneering Communication Report.**

(A) Any person other than an individual, including a political action committee, that makes an electioneering communication of Five Thousand Dollars (\$5,000.00) or more in the aggregate at least fifteen (15) days prior to any election shall be required to file a report with the Commission at the same time that candidate committees are required to file pre-election reports for the applicable election.

(B) Any person other than an individual, including a political action committee, that makes an electioneering communication of Five Thousand Dollars (\$5,000.00) or more in the aggregate during the period beginning no more than fourteen (14) days prior to any election and ending on the day of the election shall make a report to the Commission no later than the business day following the day the electioneering communication is made.

(C) Each report filed by a person other than a political action committee shall include the name and address of the person making the electioneering communication and the name, street address, telephone number, and office or title of the individual filing the report.

(D) Each report filed shall include the name of the political action committee or the person making the electioneering communication; the amount, date and a brief description or statement of each electioneering communication, and the name and office of the candidate supported or opposed, indicating whether the candidate was supported or opposed.

(E) If the person making the electioneering communication, other than a political action committee, received funds from any other person for the purpose of making an electioneering communication or communications, the report shall include the name, address and principal business activity of each person contributing funds in excess of Fifty Dollars (\$50.00) in the aggregate and the amount of any such contribution or contributions that have not been previously reported, together with a cumulative total of all contributions made by each person since the first report was filed for the election for which the electioneering communication is being made. As used in this section, "for the purpose of" means that the funds are either: (1) received by an organization or corporation in response to a solicitation specifically requesting funds to pay for an electioneering communication

or independent expenditure or (2) specifically designated for electioneering communications or independent expenditures by the donor.

(F) If the person making the electioneering communication is a non-profit corporation that has not been officially approved by the United States Internal Revenue Service for tax exempt status under Section 501(c) of Title 26 of the United States Code as it currently exists or as it may be amended, the report shall include the name, address and principal business activity of each person contributing funds in excess of Fifty Dollars (\$50.00) in the aggregate to the corporation during the current calendar year and the preceding calendar year and the amount of any such contribution or contributions that have not been previously reported, together with a cumulative total of all contributions made by each person since the first report was filed for the election for which the electioneering communication is being made.

(G) Reports required by this section shall not relieve the person making the report from filing other reports required by these Rules.

(H) If any person makes, or contracts to make, any expenditure for an electioneering communication and such expenditure is coordinated with a candidate or a candidate committee in any way, the expenditure shall be considered as a contribution to the candidate committee and as an expenditure by the candidate committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission December 11, 2015; effective upon sine die adjournment of the Legislature May 27, 2016; operative May 27, 2016.*

## **Rule 2 - Reports of State Question Communications**

### **Rule 2.109. Time and Requirements for State Question Communications.**

(A) Any person other than an individual, including a political action committee, that makes a state question communication of Five Thousand Dollars (\$5,000.00) or more in the aggregate at least fifteen (15) days prior to an election shall be required to file a report with the Commission at the same time that candidate committees are required to file pre-election reports for the applicable election.

(B) Any person other than an individual, including a political action committee, that makes a state question communication of Five Thousand Dollars (\$5,000.00) or more in the aggregate during the period beginning no more than fourteen (14) days prior to any election and ending on the day of the election shall make a report to the Commission no later than the business day following the day the expenditure is made.

(C) Each report filed by a person other than a political action committee shall include the name and address of the person making the state question communication and the name, street address, telephone number, and officer or title of the individual filing the report.

(D) Each report filed shall include the name of the political action committee or the person making the state question communication; the amount, the date and a brief description or statement of the state question communication; and identification of the specific state question supported or opposed, indicating whether the state question was supported or opposed.

(E) If the person making the state question communication, other than a political action committee, received funds from any other person for the purpose of making state question communications, the report shall include the name, address and principal business activity of

each person contributing funds in excess of Fifty Dollars (\$50.00) in the aggregate and the amount of any such contribution or contributions that have not been previously reported, together with a cumulative total of all contributions made by each person since the first report was filed for the election for which the state question communication was made. As used in this section, “for the purpose of” means that the funds are either (1) received by an organization or corporation in response to a solicitation specifically requesting funds to pay for a state question communication; or (2) specifically designated for expenditures supporting or opposing a state question by the donor.

(F) If the person making the state question communication is a non-profit corporation that has not been officially approved by the United States Internal Revenue Service for tax exempt status under Section 501(c) of Title 26 of the United States Code as it currently exists or as it may be amended, the report shall include the name, address and principal business activity of each person contributing funds in excess of Fifty Dollars (\$50.00) in the aggregate to the corporation during the current calendar year and the preceding calendar year and the amount of any such contribution or contributions that have not been previously reported, together with a cumulative total of all contributions made by each person since the first report was filed for the election for which the state question communication is made.

(G) Reports required by this section shall not relieve the person making the report from filing other reports required by these Rules.

*Promulgated by Ethics Commission January 27, 2017; effective upon Legislature’s sine die adjournment May 26, 2017; operative May 26, 2017. The 2017 Rule was inserted as Rule 2.109 causing the prior Rule 2.109 and all subsequent Rules in Rule 2 to be renumbered.*

## **Rule 2 - Resources Used for Campaign Communications**

### **Rule 2.110. Campaign Communications Received on State Equipment by State Officer or Employee.**

When an unsolicited campaign communication is received on a state-owned telephone, state electronic mail or other state equipment or services, the state officer or employee who receives the communication may either (1) not respond, (2) unsubscribe, if that option is available or (3) send a reply that substantially states: “Your message has been sent to a (telephone, electronic mail, etc.) that is the property of the State of Oklahoma. This is a request for you to immediately terminate any such communications.”

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015. The 2017 amendment’s addition of a new Rule as section 2.109 modified this Rule’s section number from 2.109 to 2.110.*

### **Rule 2.111. Use of Personal Resources for Volunteer Campaign Communications.**

Use by an individual of personal telephone, electronic mail, Internet social media or similar electronic devices or services for campaign communications shall be considered volunteer services and not contributions.



*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. The 2017 amendment's addition of a new Rule as section 2.109 modified this Rule's section number from 2.110 to 2.111.*

**Rule 2.112. Use of Commercial Resources for Campaign Communications.**

Use by a commercial entity, including corporations, of telephone, electronic mail, Internet social media or similar electronic devices or services for campaign communications shall be considered as in-kind contributions to a political party committee, political action committee or candidate committee unless the political party committee, political action committee or candidate committee has made an expenditure to pay for the communications.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. The 2017 amendment's addition of a new Rule as section 2.109 modified this Rule's section number from 2.111 to 2.112.*

**Rule 2 - Use of Electronic Media**

**Rule 2.113. Website Development, Internet Advertising, Other Electronic Services.**

Expenditures for development of Internet websites, Internet advertising, electronic mail lists and similar electronic communications services shall be considered ordinary expenditures by a political party committee, political action committee or candidate committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. The 2017 amendment's addition of a new Rule as section 2.109 modified this Rule's section number from 2.112 to 2.113.*

**Rule 2 - Dissolution**

**Rule 2.114. Dissolution of Political Party Committee.**

A political party committee may dissolve when the political party ceases to be recognized under the laws of the state. The committee shall file a Final Report of Contributions and Expenditures that shows no funds remaining in the committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. The 2017 amendment's addition of a new Rule as section 2.109 modified this Rule's section number from 2.113 to 2.114.*

**Rule 2.115. Dissolution of Political Action Committee.**

A political action committee may dissolve at any time by filing a Final Report of Contributions and Expenditures that shows no funds remaining in the committee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. The 2017 amendment's addition of a new Rule as section 2.109 modified this Rule's section number from 2.114 to 2.115.*

**Rule 2.116. Dissolution of Candidate Committee.**

A candidate committee may dissolve at any time by filing a Final Report of Contributions and Expenditures that shows no funds remaining in the committee. A candidate committee shall dissolve no later than two (2) years after the general election for an office with a two-year term, no later than four (4) years after the general election for an office with a four-year term, and no later than six (6) years after the general election for an office with a six-year term, if not required to dissolve sooner by law or these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. The 2017 amendment's addition of a new Rule as section 2.109 modified this Rule's section number from 2.115 to 2.116.*

**Rule 2.117. Resolution of Committee Debt.**

If a political party committee, political action committee or candidate committee has debt at the time of dissolution, the Final Report of Contributions and Expenditures shall describe in detail the resolution of the debt. Resolution of debt shall be made in a commercially reasonable manner. Resolution of debt to a corporation or to any other person for the purpose of evading prohibitions or limitations of these Rules shall be considered a contribution to the committee in the amount of the forgiven debt.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. The 2017 amendment's addition of a new Rule as section 2.109 modified this Rule's section number from 2.116 to 2.117.*

**Rule 2.118. Final Report of Contributions and Expenditures.**

A Final Report of Contributions and Expenditures shall include, but not be limited to, the same information that is included on a Report of Contributions and Expenditures and shall cover a period beginning after the last day of the immediately preceding reporting period and ending on the day before the Final Report of Contributions and Expenditures is filed. Provided, however, the Final Report of Contributions and Expenditures shall include information about the resolution of debt, if any, and the disposition of tangible assets, if any, by the committee. If tangible assets are purchased from a candidate committee by the candidate or a member of the candidate's family, or from a political action committee by an officer or family member of an officer of the political action committee, the purchase price must be fair market value.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 9, 2015; effective upon sine die adjournment of the Legislature May 22, 2015; operative May 22, 2015. The 2017 amendment's addition of a new Rule as section 2.109 modified this Rule's section number from 2.117 to 2.118.*

**Rule 2 - Other Funds**

**Rule 2.119. Special Committees.**

(A) When an elected state officer solicits or authorizes the solicitation of monetary or in-kind

contributions for an event such as an inaugural event associated with the officer's office, the officer shall create a special committee for that purpose. The committee shall register and make one report of contributions received and expenditures made within one hundred eighty (180) days after the event is held. Any person not otherwise prohibited by law, including but not limited to individuals, partnerships, limited liability companies, corporations and labor unions, may make contributions in any amount to such committees.

(B) When a state officer or employee or a state agency sponsors in part or in whole a conference, seminar, meeting or other event for which a state officer or employee solicits funds, goods or services to assist with expenses associated with the event, the sponsoring officer or agency shall create a special committee for that purpose. The committee shall register and make one report of contributions received and expenditures made within one hundred eighty (180) days after the event is held. Any person not otherwise prohibited by law, including but not limited to individuals, partnerships, limited liability companies, corporations and labor unions, may make contributions in any amount to such committee. For purposes of this paragraph, "sponsors" means to permit the name of the state officer or employee or state agency to be used in promoting the event.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 9, 2015; effective upon sine die adjournment of the Legislature May 22, 2015; operative May 22, 2015. The 2017 amendment's addition of a new Rule as section 2.109 modified this Rule's section number from 2.118 to 2.119.*

#### **Rule 2.120. Litigation Funds.**

When an elected state officer solicits or authorizes the solicitation of monetary or in-kind contributions to pay for the costs of defending the officer in a criminal prosecution or when an elected state officer solicits or authorizes the solicitation of monetary or in-kind contributions to pay for the costs of prosecuting or defending a civil lawsuit, the officer shall create a special committee for that purpose. The committee shall register and make reports of contributions received and expenditures made at the same time and for the same time period as is required for political action committees under these Rules. The committee may be dissolved the same as a political action committee is dissolved under these Rules. Any person not otherwise prohibited by law, including but not limited to individuals, partnerships, limited liability companies, corporations and labor unions, may make contributions in any amount to such committees.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. The 2017 amendment's addition of a new Rule as section 2.109 modified this Rule's section number from 2.119 to 2.120.*

#### **Rule 2.121. Special Committee Reports.**

The Executive Director of the Commission shall devise Statements of Organization and Reports of Contributions and Expenditures forms for these special committees that include the same information as those forms for political action committees to the extent determined by the Executive Director to be practical.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. The 2017 amendment's addition of a new Rule as section 2.109 modified this Rule's section number from 2.120 to 2.121.*

## **Rule 2 - Electronic Filing**

### **Rule 2.122. Electronic Filing.**

All documents required to be filed with the Commission under these Rules shall be filed electronically, unless otherwise ordered by the Commission or the Executive Director of the Commission.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. The 2017 amendment's addition of a new Rule as section 2.109 modified this Rule's section number from 2.121 to 2.122.*

## **Rule 3 - Financial Disclosure**

### **Rule 3.1. Purpose of Rule 3. [Repealed]**

Repealed, effective July 1, 2016.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Repealed by Ethics Commission December 11, 2015; effective July 1, 2016.*

*The rule read as follows: "The purpose of Rule 3 is to establish rules of ethical conduct for state officers and employees by requiring financial disclosure that reveals potential conflicts between their public duties and private economic interests."*

### **Rule 3.2. Definitions. [Repealed]**

Repealed, effective July 1, 2016.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Repealed by Ethics Commission December 11, 2015; effective July 1, 2016.*

*The rule read as follows: "As used in Rule 3:*

- 1. 'Agency' means any entity of state government created by the Constitution or laws of the State of Oklahoma and supported in whole or in part by state funds or entrusted with the expending of state funds or administering of state property or otherwise exercising the sovereign power of the State of Oklahoma, including but not limited to all such offices, departments, institutions, boards, bureaus, commissions, agencies, authorities and instrumentalities of the State of Oklahoma. 'Agency' shall not mean any city, county, rural electric cooperative or tribal housing authority created under the Oklahoma Housing Authorities Act nor any state entity that performs only advisory functions and that cannot independently exercise the sovereign power of the State of Oklahoma;*
- 2. 'Candidate' shall mean an individual who has filed a statement of organization for a candidate committee as required by these Rules;*
- 3. 'Commission' shall mean the Oklahoma Ethics Commission;*
- 4. 'Dependent' shall mean an individual claimed as a dependent on the filer's federal or state income tax return;*
- 5. 'Filer' shall mean an individual required to file a Financial Disclosure Statement as required by these Rules; and*
- 6. 'Material financial interest' shall mean:*
  - (a) an interest that could result in directly or indirectly receiving a substantial pecuniary gain or sustaining a substantial pecuniary loss as a result of a filer's ownership or interest in a business entity, or as a result of a filer's salary, gratuity or other compensation or remuneration; or*

- (b) an ownership interest in a private business, including but not limited to, a closely held corporation, limited liability company, Subchapter S corporation or partnership for which the filer or the filer's spouse or dependents is a director, officer, owner, manager, employee, or agent or any private business, closely held corporation or limited liability company in which the filer or the filer's spouse or dependent owns or has owned stock, another form of equity interest, stock options, debt instruments, or has received dividends or income worth Five Thousand Dollars (\$5,000.00) or more at any point during the preceding calendar year; or
- (c) an ownership interest of five percent (5%) or more in a publicly held corporation by a filer or the filer's spouse; or
- (d) an ownership interest in a publicly held corporation from which dividends of Fifty Thousand Dollars (\$50,000.00) or more were derived during the preceding calendar year by the filer or the filer's spouse or dependents; or
- (e) an ownership interest in a Subchapter S corporation or partnership from which income of Fifty Thousand Dollars (\$50,000.00) or more was derived; or
- (f) an interest that arises as a result of the filer's or the filer's spouse or dependents' service as a director, officer, representative, agent or employee of a publicly held corporation during the preceding calendar year.

'Material financial interest' shall not mean (1) an interest in a mutual fund or other community investment vehicle in which the filer or the filer's spouse or dependents exercises no control over the acquisition or sale of particular holdings, or (2) an interest in a pension plan, 401k, individual retirement account or other retirement investment vehicle that makes diversified investments over which the filer or the filer's spouse or dependents exercises no control over the acquisition or sale of particular holdings."

**Rule 3.3. Persons Required to File Financial Disclosures. [Repealed]**

Repealed, effective July 1, 2016.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Repealed by Ethics Commission December 11, 2015; effective July 1, 2016.*

*The rule read as follows: "The following persons are required to file Financial Disclosure Statements:*

- (1) All elected state executive, legislative and judicial officers;
- (2) All state judicial officers subject to retention;
- (3) All candidates for state elective executive, legislative and judicial offices;
- (4) All chief administrative officers and first assistant administrative officers of each agency;
- (5) All state officers and employees who make policy decisions;
- (6) All state officers and employees who are engaged in purchasing decisions; and
- (7) All members of boards, commissions, authorities and similar public bodies of state agencies.

*As used in this section, "state officers and employees who make policy decisions" shall mean state officers and employees (a) who determine policies or (b) who vote on policies, provided the policies are not internal policies used only for operation of the state entity affected. As used in this section, "state officers and employees who are engaged in purchasing decisions" shall mean state officers and employees who perform functions in the purchasing process for purchases in excess of Fifty Thousand Dollars (\$50,000.00), including but not limited to participation (a) in preparation of requests for proposals, bid specifications or similar documents, or (b) in review and evaluation of proposals, bids or similar responses, or (c) in recommendations for selection of successful proposals or bids or other similar awards, or (d) in approval of requisitions for purchase. It shall not apply to persons performing only nondiscretionary or clerical functions."*

**Rule 3.4. Generally One Financial Disclosure per Year. [Repealed]**

Repealed, effective July 1, 2016.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Repealed by Ethics Commission December 11, 2015; effective July 1, 2016.*

*The rule read as follows: “No individual shall be required to file a Financial Disclosure Statement more than one time during any calendar year, except in the case of a Final Disclosure Statement as provided in this Rule.”*

**Rule 3.5. Filing Deadline for State Officers and Employees. [Repealed]**

Repealed, effective July 1, 2016.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015. Repealed by Ethics Commission December 11, 2015; effective July 1, 2016.*

*The rule read as follows: “Except as provided in Rules 3.6 and 3.8, all Financial Disclosure Statements shall be filed no later than May 15 of each calendar year; provided, however, an individual who becomes an officer or employee required to file a Financial Disclosure Statement later than May 1 of any calendar year shall file a Financial Disclosure Statement within thirty (30) days thereafter. An extension of no more than thirty (30) days shall be granted upon an application in writing filed with the Commission within the ten (10) days prior to the last day for filing the Financial Disclosure Statement.”*

**Rule 3.6. Filing Deadline for Candidates. [Repealed]**

Repealed, effective July 1, 2016.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015. Repealed by Ethics Commission December 11, 2015; effective July 1, 2016.*

*The rule read as follows: “A candidate shall file a Financial Disclosure Statement at the same time he or she files a statement of organization for a candidate committee and shall file a Financial Disclosure Statement as required by Rule 3.5 as long as he or she is a candidate.”*

**Rule 3.7. Amended Financial Disclosure Statements. [Repealed]**

Repealed, effective July 1, 2016.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015. Repealed by Ethics Commission December 11, 2015; effective July 1, 2016.*

*The rule read as follows: “A filer may file an Amended Financial Disclosure Statement at any time to correct a bona fide oversight or error in the Financial Disclosure Statement previously filed, provided the filer certifies that the filing of an Amended Financial Disclosure Statement is not made for the purpose of reporting information that was intentionally omitted or misstated on the previously-filed Financial Disclosure Statement. If the filer files a certified Amended Financial Disclosure Statement that is not in fact made for the purpose of reporting information that was intentionally omitted or misstated, the filer shall not be deemed to have violated these Rules by having made an erroneous prior filing.”*

**Rule 3.8. Final Financial Disclosure Statements Required. [Repealed]**

Repealed, effective May 27, 2016.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015. Repealed by Ethics Commission December 11, 2015; effective upon Legislature’s sine die adjournment May 27, 2016.*

*The rule read as follows: “An individual who is required to file a Financial Disclosure Statement whose service to, or employment by, the State of Oklahoma ends for any reason other than death, disability or involuntary termination shall file a Final Financial Disclosure Statement at any time during the last thirty (30) days of his or her service to the state. A Final Financial Disclosure*

*Statement shall be supplemented if any information provided therein changes in a material way prior to the filer's last day of service to, or employment by, the State of Oklahoma."*

**Rule 3.9. Agency Liaisons. [Repealed]**

Repealed, effective July 1, 2016.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative December 1, 2014. Repealed by Ethics Commission December 11, 2015; effective July 1, 2016.*

*The rule read as follows: "Each agency shall designate one (1) individual, hereafter designated as "Agency Liaison". Each Cabinet Secretary shall appoint an Agency Liaison who shall perform the duties of Agency Liaison for all agencies within the Secretary's Cabinet that have five (5) or fewer full-time equivalent employees. The Chief Administrative Officer of any agency shall serve as the Agency Liaison in the event there is a vacancy in the position. The Agency Liaison shall submit to the Commission during the month of December of each year a list of all officers and employees of the agency and all members of boards, commissions, authorities and similar public bodies of the agency required to file Financial Disclosure Statements under these Rules for the following calendar year. The list shall be submitted electronically and shall contain information prescribed by the Executive Director of the Commission. The Agency Liaison shall supplement the list at any time during the year with the names of newly elected, appointed or employed persons required to file Financial Disclosure Statements as soon as practical after such election, appointment or employment. When appropriate, the supplementary notice shall identify the individual being replaced. The Agency Liaison shall also supplement the list at any time during the year with the names of state officers or employees whose status is changed in such a way that they are required to make policy decisions or to be engaged in purchasing decisions as soon as practical after the status is changed. Only individuals whose names appear on the list shall be required to file Financial Disclosure Statements, unless the Commission determines that the names of others should be included on the list under these Rules. In such case, those individuals shall be required to file a Financial Disclosure Statement within thirty (30) days after the Commission's determination. The intentional or inadvertent omission of the name of an individual shall not subject the individual whose name is omitted to any liability resulting from the omission, unless that individual engaged in a conspiracy to cause the omission. The intentional omission of the name of an individual whose name the Agency Liaison knows or should know should have been placed on the list shall be a violation of these Rules by the Agency Liaison."*

**Rule 3.10. Electronic Filing. [Repealed]**

Repealed, effective July 1, 2016.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Repealed by Ethics Commission December 11, 2015; effective July 1, 2016.*

*The rule read as follows: "Financial Disclosure Statements shall be filed electronically, unless otherwise ordered by the Commission or the Executive Director of the Commission."*

**Rule 3.11. Financial Disclosure Required Information. [Repealed]**

Repealed, effective July 1, 2016.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Repealed by Ethics Commission December 11, 2015; effective July 1, 2016.*

*The rule read as follows: "The following information shall appear on the Financial Disclosure Statement:*

- 1. Name, mailing address, work place telephone number and electronic mail address of the filer;*
- 2. If applicable, an indication that there has been no change in any of the information required from the Financial Disclosure Statement filed by the filer in the preceding calendar year;*
- 3. Name of state office held or sought by filer or name of agency and position, whichever is applicable;*

4. Expiration of term of office, if applicable;
5. Date of appointment, employment or election, as applicable;
6. Appointing authority, if applicable;
7. If applicable, the name, mailing address and category of business, profession or industry of the filer's private employer; or, if the filer is self-employed, the name, mailing address and category of business, profession or industry of the filer's self-employment; or, if the filer is retired, the name, mailing address and category of the filer's last employment, including self-employment;
8. The name of any agency providing salary or similar compensation in the amount of Five Thousand Dollars (\$5,000.00) or more received during the preceding calendar year by the filer or the filer's spouse or dependents indicating whether the income was realized by the filer or another named family member;
9. A list, by category of business, profession or industry, of any other entity providing income of any kind which the filer or the filer's spouse or dependents received in the amount of Five Thousand Dollars (\$5,000.00) during the preceding calendar year;
10. A list, by category of business, profession or industry, of entities, including mutual funds or similar securities, in which the filer held securities valued at Five Thousand Dollars (\$5,000.00) or more at any time during the preceding calendar year;
11. Any business or professional relationships with registered lobbyists that resulted in income in any amount to the filer or the filer's spouse or dependents during the preceding calendar year, stating with specificity the nature of the relationship;
12. Every office, directorship, trusteeship or similar position held by the filer in an entity doing business with any agency during the preceding calendar year and the agency with which the entity was doing business;
13. Professional or occupational permits or licenses held by the filer;
14. Contracts (other than a contract of employment) between an agency and the filer or the filer's spouse or dependents or any entity in which the filer or the filer's spouse or dependents has a material financial interest;
15. Whether the filer, the filer's spouse or dependents or an entity in which the filer or the filer's spouse or dependents has a material financial interest is regulated or licensed by the agency identified in subsection 3 of this Rule, or if the employer of the filer or filer's spouse or dependents is regulated or licensed by the agency and, if so, the name and mailing address of the individual or entity so regulated or licensed."

**Rule 3.12. Final Financial Disclosure Statement Required Information. [Repealed]**

Repealed, effective May 27, 2016.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Repealed by Ethics Commission December 11, 2015; effective upon Legislature's sine die adjournment May 27, 2016.*

*The rule read as follows: "A Final Financial Disclosure Statement shall include all of the information required in a Financial Disclosure Statement and shall be for the period beginning January 1 of the year in which the statement is filed and ending on the last day of the filer's service as a state officer or state employee. For a filer whose service as a state officer or state employee ends during the first thirty (30) days in January of any year, the Final Financial Disclosure Statement shall be for the period beginning January 1 of the preceding year and ending on the last day of the filer's service as a state officer or employee."*

**Rule 3.13 Purpose of Rule 3**

The purpose of Rule 3 is to establish rules of ethical conduct to assist state officers who file financial disclosure statements to identify and disclose potential conflicts of interests between their public duties and private economic interests.

*Promulgated by Ethics Commission December 11, 2015; effective July 1, 2016; operative July 1, 2016.*



**Rule 3.14 Definitions.**

As used in Rule 3:

- (A) “Commission” shall mean the Oklahoma Ethics Commission;
- (B) “Dependent” shall mean an individual claimed as a dependent on the filer’s federal or state income tax return;
- (C) “Filer” shall mean an individual required to file a financial disclosure statement as required by these Rules.

*Promulgated by Ethics Commission December 11, 2015; effective July 1, 2016; operative July 1, 2016.*

**Rule 3.15. Financial Disclosure Statements**

(A) An initial financial disclosure statement shall be filed within thirty (30) days of assuming office for a full or partial term or as otherwise provided in these Rules.

(B) Annual financial disclosure statements shall be filed between January 1 and May 15 of each year.

(C) No individual shall be required to file more than one (1) financial disclosure statement for any calendar year.

(D) A filer may amend a financial disclosure statement at any time to correct a bona fide oversight or error, provided the filer certifies that the amendment is not made for the purpose of reporting information that was intentionally omitted or misstated on a prior filed statement. If the filer files an amendment that is not in fact made for the purpose of reporting information that was intentionally omitted or misstated, the filer shall not be deemed to have violated these Rules by having made an erroneous prior filing.

(E) Financial disclosure statements shall be filed electronically in the manner determined by the Executive Director of the Commission, unless otherwise ordered by the Commission or the Executive Director of the Commission.

(F) All filers must provide to the Commission an electronic mail address that will be used by the filer to receive notifications regarding the electronic filing of financial disclosure statements.

*Promulgated by Ethics Commission December 11, 2015; effective July 1, 2016; operative July 1, 2016.*

**Rule 3.16. Financial Disclosure for Elected Officers**

(A) All state officers who are elected, who are appointed by the Governor as a director of an agency, who are appointed as a cabinet secretary of the Governor or subject to retention to judicial office are required to file financial disclosure statements pursuant to this Rule.

(B) Officers identified in subsection A of this Rule shall disclose the following information:

1. Name, mailing address, work place telephone number and electronic mail address of the filer;
2. Name of state office held by filer;
3. Beginning date of term of office;
4. Expiration date of term of office;
5. Acknowledgements of the jurisdiction of the Commission, the Ethics Rules, and educational opportunities provided by the Commission;

6. Acknowledgements of understanding of certain conflicts of interest Rules applicable to state officers;
7. Disclosure of all material financial interests as defined in subsection C of this Rule by disclosing the full name and address of the entity or entities; and
8. Any other information required by the Executive Director of the Commission that is consistent with the intent and purpose of these Rules.

(C) For purposes of this Rule, a “material financial interest” shall mean:

1. An ownership interest in a private business, including but not limited to, a closely held corporation, limited liability company, Subchapter S corporation or partnership for which the filer, the filer’s spouse or a dependent is a director, officer, owner, manager, employee, or agent or any private business, closely held corporation or limited liability company in which the filer, the filer’s spouse or a dependent owns or has owned stock, another form of equity interest, stock options, debt instruments, or has received dividends or income worth Twenty Thousand Dollars (\$20,000.00) or more at any point during the preceding calendar year;
2. An ownership interest of five percent (5%) or more in a publicly traded corporation or other business entity by a filer, the filer’s spouse, or a dependent at any point during the preceding calendar year;
3. An ownership interest in a publicly traded corporation or other business entity from which dividends or income, not to include salary, of Fifty Thousand Dollars (\$50,000.00) or more were derived during the preceding calendar year by the filer, the filer’s spouse, or a dependent;
4. An interest that arises as a result of the filer’s, the filer’s spouse, or a dependent’s service as a director or officer of a publicly traded corporation or other business entity at any time during the preceding calendar year; or
5. Any sources of income derived from employment, other than compensation pertaining to the office for which the state officer is subject to election or retention, in the amount of Twenty Thousand Dollars (\$20,000.00) or more by the filer, the filer’s spouse or a dependent not otherwise disclosed herein.

(D) For purposes of this Rule a “material financial interest” shall not mean (1) an interest in a mutual fund or other community investment vehicle in which the filer, the filer’s spouse or a dependent exercises no control over the acquisition or sale of particular holdings, or (2) an interest in a pension plan, 401k, individual retirement account or other retirement investment vehicle that makes diversified investments over which the filer, the filer’s spouse or a dependent exercises no control over the acquisition or sale of particular holdings.

*Promulgated by Ethics Commission December 11, 2015; effective July 1, 2016; operative July 1, 2016. Amended in 2022 by Senate Bill 1695 [effective November 1, 2022].*

## **Rule 4 - Conflicts of Interest**

### **Rule 4.1. Purpose of Rule 4.**

The purpose of Rule 4 is to establish rules of ethical conduct for state officers and employees by prohibiting conflicts between their public duties and private economic interests.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

#### **Rule 4.2. Definitions.**

As used in Rule 4:

1. **“Agency”** means any entity of state government created by the Constitution or laws of the State of Oklahoma and supported in whole or in part by state funds or entrusted with the expending of state funds or administering of state property or otherwise exercising the sovereign power of the State of Oklahoma, including but not limited to all such offices, departments, institutions, boards, bureaus, commissions, agencies, authorities and instrumentalities of the State of Oklahoma. “Agency” shall not mean any city, county, rural electric cooperative or tribal housing authority created under the Oklahoma Housing Authorities Act nor any state entity that performs only advisory functions and that cannot independently exercise the sovereign power of the State of Oklahoma;
2. **“Charitable organization”** is one described in Section 501(c)(3) of Title 26 of the United States Code as it currently exists or as it may be amended;
3. **“Commission”** shall mean the Oklahoma Ethics Commission;
4. **“Family member”** shall include spouse, children (including stepchildren), mother, father, sister or brother;
5. **“Gift”** means property transferred to or service provided for another without compensation of equal value;
6. **“Vendor”** means any seller or prospective seller of any property or service to the State of Oklahoma; and
7. **“Vendor’s agent”** means a representative of a vendor.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 27, 2017; effective upon Legislature's sine die adjournment May 26, 2017; operative May 26, 2017.*

#### **Rule 4.3. Rules or Policies More Restrictive than Ethics Rules.**

In addition to these Rules, a state officer or employee shall comply with any more restrictive rules or policies established by his or her employing agency and with any more restrictive provisions of the statutes of the State of Oklahoma; provided, the Commission shall not be responsible for enforcement of Rules other than these Rules unless otherwise required by law.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

#### **Rule 4.4. Misuse of Office.**

Except as permitted by law or these Rules, a state officer or employee shall not use his or her State office (1) for his or her own private gain, (2) for the endorsement of any product, service or enterprise, (3) for the private gain of a family member or persons with whom the state officer or employee is affiliated in a nongovernmental capacity, including nonprofit organizations of which the state officer or employee is an officer or member, or (4) for the private gain of persons with

whom the state officer or employee seeks employment or business relations. These prohibitions shall not apply to any act or endorsement if the act or endorsement is customary for the state officer or employee's position or is authorized or permitted by the state officer or employee's contract of employment or if otherwise permitted or authorized by the Constitution or statutes or by these Rules. A state officer or employee may promote or solicit funds for civic, community or charitable organizations, including those promoting businesses or industries, or civic, community or charitable fund-raising events provided the state officer or state employee receives nothing for doing so except the costs associated with the state officer or state employee's participation in a fund-raising promotion or event paid for from funds of a charitable organization. No individual or other entity may pay for, or reimburse the charitable organization for, any such costs and gratuities; provided, however, nothing shall prevent individuals or other entities from making customary donations or paying sponsorship fees to the charitable organization.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.5. Misuse of Authority.**

A state officer or employee shall not use or permit the use of his or her office or title or any authority associated with his or her state office, or a state office to which he or she has been elected, in a manner that is intended to coerce or induce another person, including a subordinate, to provide any benefit, financial or otherwise, to himself or herself or to his or her family members or persons with whom the state officer or employee is affiliated in a nongovernmental capacity, except to the extent otherwise permitted or authorized by the Constitution or statutes or by these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.6. State Officer or Employee Emergency Relief Efforts.**

A state officer or employee participating in emergency rescue or relief efforts may accept goods or services that are provided generally to others participating in emergency rescue or relief efforts.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.7. State Officer Impartiality.**

In the event a state officer or employee:

1. knows that a particular matter involving specific parties is likely to have a direct and predictable effect on the material financial interests of the state officer or employee or of his or her family member; or
2. knows that a person with whom he or she has a business relationship other than a routine consumer transaction is a party to or represents a party to such matter; or
3. determines that the circumstances would cause a reasonable person with knowledge of the relevant facts to question his or her impartiality in the matter;

the state officer or employee shall not participate in the matter unless he or she is required to do so by law or permitted to do so by these Rules. This provision shall not apply when the effect of the matter applies equally to all members of a profession, occupation or large class. In considering whether a relationship would cause a reasonable person to question his or her impartiality, the state officer or employee may seek the advice of the Commission. The Commission may exercise discretion in determining whether or not to provide such advice or may delegate responsibility to the Executive Director to provide such advice. Such advice, if given by the Commission or the Executive Director, shall bind the Commission. Failure to seek such advice shall have no relevance in any subsequent proceeding involving that individual. A particular matter will have a direct and predictable effect on a material financial interest if there is a close causal link between any decision or action to be taken in the matter and any expected effect of the matter on the material financial interest, even though the effect is not immediate. It shall not apply to a chain of causation if it is attenuated or is contingent on the occurrence of events that are speculative or that are independent of, and unrelated to, the matter.

For purposes of this Rule, a “material financial interest” shall mean:

1. an ownership interest in a private business, including but not limited to, a closely held corporation, limited liability company, Subchapter S corporation or partnership for which the state officer or employee or his or her family member is a director, officer, owner, manager, employee, or agent or any private business, closely held corporation or limited liability company in which the state officer or employee or his or her family member owns or has owned stock, another form of equity interest, stock options, debt instruments, or has received dividends or income worth Twenty Thousand Dollars (\$20,000.00) or more at any point during the preceding calendar year; or
2. an ownership interest of five percent (5%) or more in a publicly traded corporation or other business entity by a state officer or employee or his or her family member at any point during the preceding calendar year; or
3. an ownership interest in a publicly traded corporation or other business entity from which dividends or income, not to include salary, of Fifty Thousand Dollars (\$50,000.00) or more were derived during the preceding calendar year by the state officer or employee or his or her family member; or
4. an interest that arises as a result of the state officer’s or employee’s or his or her family member’s service as a director or officer of a publicly traded corporation or other business entity at any time during the preceding calendar year; or
5. any sources of income derived from employment, other than compensation pertaining to the office for which the state officer or employee or his or her family member holds, in the amount of Twenty Thousand Dollars (\$20,000.00) or more by the state officer or employee or his or her family member.

For purposes of this Rule a “material financial interest” shall not mean (1) an interest in a mutual fund or other community investment vehicle in which the state officer or employee or his or her family member exercises no control over the acquisition or sale of particular holdings, or (2) an interest in a pension plan, 401k, individual retirement account or other retirement investment vehicle that makes diversified investments over which the state officer or employee or his or her family member exercises no control over the acquisition or sale of particular holdings.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 27, 2017; effective upon Legislature's sine die adjournment May 26, 2017; operative May 26, 2017.*

**Rule 4.8. Gifts from Vendors to Persons Engaged in Purchasing Decisions.**

No state officer or employee shall accept any gift for himself or herself or for his or her family member from any vendor or vendor's agent that is selling or attempting to sell goods or services to the state officer or employee's agency if the state officer or employee is engaged in purchasing decisions designed to determine the vendor that will sell the goods or services to the agency. As used in this section, "engaged in purchasing decisions" shall mean performing functions in the purchasing process for purchases in excess of Fifty Thousand Dollars (\$50,000.00), including but not limited to participation (a) in preparation of requests for proposals, bid specifications or similar documents, or (b) in review and evaluation of proposals, bids or similar responses, or (c) in recommendations for selection of successful proposals or bids or other similar awards or (d) in approval of requisitions for purchase. It shall not apply to persons performing only nondiscretionary or clerical functions. This prohibition shall not apply to the state officer or employee's family member if the gift is given for a bona fide reason unrelated to the state officer or state employee's status as a state officer or employee and the state officer or employee receives no direct benefit from the gift.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.9. Gifts from Successful Vendors.**

No state officer or state employee shall accept any gift for himself or herself or his or her family member from any vendor or vendor's agent at any time the vendor is doing business with the state officer or state employee's agency through a contract involving property or services, subject to the following exceptions:

1. A state officer or employee may accept meals having an aggregate market value of Twenty Dollars (\$20.00) or less per occasion, provided that the aggregate market value of individual gifts received from any individual or other entity does not exceed Fifty Dollars (\$50.00) during any calendar year. Where the market value of a meal exceeds Twenty Dollars (\$20.00) on a single occasion, the state officer or employee may not pay the excess value over Twenty Dollars (\$20.00) in order to accept that portion of the gift worth Twenty Dollars (\$20.00). The value of a meal shall include its price, plus any applicable tax but shall not include a gratuity.
2. A state officer or employee may accept a gift given under circumstances that make it clear that the gift is motivated by a family relationship or a personal relationship rather than the state officer or employee's status as a state officer or employee. Relevant factors in making such a determination include, but are not limited to, the history and nature of the relationship and whether the family member or friend personally pays for the gift.
3. A state officer or employee may accept a gift given to all state employees or to all employees of his or her agency provided the gifts are customary within the industry

and the costs of the gifts do not significantly exceed amounts that are customary within the industry.

4. A state officer or employee may accept a book, written materials, audio tapes, videotapes and other informational or promotional material related to the performance of the state officer or employee's official duties.
5. A state officer or employee may accept opportunities and benefits available to the public generally and on the same terms available to the public.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.10. Gifts to State Officers or Employees from Regulated and Licensed Entities.**

Except as permitted by these Rules, no state officer or employee shall accept any gift for himself or herself or for his or her family member from any person or entity or agent of any person or entity that is regulated or licensed by the state officer or employee's agency; provided, however, this prohibition shall not apply to gifts that are made by the employer of the state officer or employee or his or her family member under circumstances that make it clear that the gift is not motivated by the state officer or employee's status as a state officer or employee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.11. Gratuities Offered at Seminars, Conferences or Similar Events.**

A state officer or employee attending a conference, seminar or similar event related to the performance of his or her official duties may accept gratuities and hospitality made available to all participants in the event.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.12. Modest Items of Food and Refreshments**

A state officer or employee occasionally may accept modest items of food and refreshments, excluding beverages containing alcohol, from vendors or persons regulated or licensed by the state officer or employee's agency when offered other than as part of a meal.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.13. Acceptance of Meals, Lodging, Transportation and Other Benefits as a Result of Spouse's Business Activities.**

A state officer or employee may accept meals, lodging, transportation and other benefits resulting from the business or employment activities of the state officer or employee's spouse when it is clear that such benefits have not been offered or enhanced because of the state officer or employee's status as a state officer or employee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.14. Acceptance of Meals, Lodging, Transportation and Other Benefits as a Result of Private Business Activities.**

A state officer or employee may accept meals, lodging, transportation and other benefits resulting from his or her private business or employment activities when such benefits have not been offered or enhanced because of the state officer or employee's status as a state officer or employee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.15. Acceptance of Meals and Other Benefits for Conference Presentations; Acceptance of Scholarships for Educational and Training Events.**

(A) A state officer or employee approved by the chief administrative officer of the agency to participate as a speaker or panel participant or otherwise to present information on behalf of the agency at a conference or other event may accept free attendance at the event on the day of his or her presentation when the free attendance is provided by the sponsor of the event. Approval by the chief administrative officer shall not be required for elected officials to participate in such events subject to the terms of this subsection. Free attendance may include meals, refreshments, entertainment, instruction and materials made available to other participants. The sponsor of the event may also provide transportation and lodging to the state officer or employee if transportation and lodging are made available to others participating as speakers, panel participants or presenters. The state officer or employee's spouse may also accept free attendance and participation in the event. The state officer or employee's spouse may also accept lodging but not transportation. The state officer or employee or the state officer or employee's spouse may not accept meals, refreshments, entertainment, transportation or lodging that are collateral to the event or that are not paid for by the sponsor of the event that would otherwise be prohibited by these Rules. No vendor or vendor's agent may pay for, or reimburse the sponsor of the event for, any gifts to the state officer or employee or the state officer or employee's spouse that are part of the free attendance and participation provided to the state officer or employee or the state officer or employee's spouse. However, membership dues or sponsorships customarily and historically paid by a vendor or vendor's agent to a sponsoring organization shall not be considered payment for, or reimbursement for, such costs.

(B) A state officer or employee may accept a scholarship or similar grant or subsidy, including the costs of transportation, lodging, meals, refreshments, entertainment, instruction and materials made available to other participants, to participate in an educational or training event sponsored by a foreign government, the United States government, the government of another state or an organization to which the State of Oklahoma pays membership dues either for the State, a state agency or an individual state officer or employee.

(C) A state officer or employee may accept a scholarship or similar grant or subsidy, including the costs of transportation, lodging, meals, refreshments, entertainment, instruction and materials made available to other participants, to participate in an educational or training event sponsored



by a bona fide governmental, professional or business organization other than an organization described in Subsection (B), provided the state officer or employee files a report that includes the date or dates and location of the event, the name of the sponsoring organization or organizations, the name and job title and description of the state officer or employee participating, the subject matter of the event, the approximate value of the scholarship, grant or subsidy and the name of the person providing the scholarship, grant or subsidy. For non-elected state officers, the report shall include a certification by the chief administrative officer of the agency that employs the state officer or employee that the educational or training event will significantly assist the state officer or employee in discharging his or her duties. Forms for the reports shall be prescribed by the Executive Director. Reports shall be filed within thirty (30) days following the last day of the event and shall be displayed on the Commission website.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 9, 2015; effective upon sine die adjournment of the Legislature May 22, 2015; operative May 22, 2015.*

**Rule 4.16. Acceptance of Meals for Professional, Civic or Community Events; Acceptance of Meals at Political Events.**

Any elected state officer or any state officer or employee approved by the chief administrative officer of the agency to represent the agency at a professional, civic or community event may accept a meal at the event provided by the sponsoring organization. In such instances, the state officer or employee also may accept a token or souvenir gift or memento commemorating the occasion provided the item given is of a value commensurate with the occasion and is neither monetary or a cash equivalent. A professional, civic or community event shall not include political events. An employee for an elected state officer may accept a meal at a political event he or she attends with the elected state officer as long as he or she is not on state time.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission December 11, 2015; effective upon sine die adjournment of the Legislature May 27, 2016; operative May 27, 2016.*

**Rule 4.17. Gifts to Superiors by State Officers or Employees.**

A state officer or employee may not directly or indirectly give a gift or make a donation toward a gift for an official superior in an agency's chain of command or solicit a contribution from another employee for a gift to either his or her own or the other employee's official superior, nor may any state officer or employee receive directly or indirectly a gift from an employee receiving less compensation from the state than himself or herself, subject to the following exceptions:

1. A state officer or employee may make or receive such a gift if there exists a personal relationship between the two that would justify the gift.
2. A state officer or employee may make or receive such a gift on an occasional basis, including an occasion on which gifts are traditionally given or exchanged, provided the gift, which may not be in cash, has an aggregate market value of Twenty Dollars (\$20.00) or less per occasion.
3. A state officer or employee may make or receive such a gift when items such as food or refreshments are to be shared in the agency among several employees.

4. A state officer or employee may make or receive such a gift involving personal hospitality provided at a residence which is of a type and value customarily provided by the state officer or employee to personal friends, or when the gifts consist of items given in connection with the receipt of personal hospitality of a type and value customarily given on such occasions.
5. A state officer or employee may make or receive such a gift appropriate to the occasion in recognition of infrequently occurring occasions of personal significance such as marriage, illness, birth or adoption of a child, retirement, resignation or transfer.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.18. State Officer or Employee Representation of Others in Transactions Involving the State.**

No state officer or employee shall receive or agree to receive compensation to represent or assist another individual or other entity in any transaction involving the state or to represent another individual or other entity before any state agency, unless authorized by law. The prohibitions in this section shall not apply to the practice of law before any court, nor shall they apply to members of boards, commissions, authorities and similar public bodies of state agencies for representation before state agencies other than the agency the member serves.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.19. State Officer or Employee Representation of Others Before Employing Agency.**

No state officer or employee shall represent another individual or other entity as an attorney in any matter before the Commission, nor shall any state officer or employee represent another individual or other entity in any matter before the agency that employs the state officer or employee, unless authorized by law.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.20. Acceptance of Things of Value When Representing the State in an Official Capacity.**

The Governor, Lieutenant Governor, President Pro Tempore of the Senate and Speaker of the House of Representatives, or their designees, may accept transportation, lodging, meals and other things of value related to the purpose of an event when representing the State of Oklahoma in an official capacity at the event, whether within or outside the geographical boundaries of the State of Oklahoma, provided they receive no other personal benefits.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.21. Representation of Constituents by Governor and Legislature.**

Neither the Governor nor any member of the Legislature, nor any employee of the Governor acting at the direction of and on behalf of the Governor or any employee of the Legislature acting at the direction of and on behalf of a member of the Legislature shall be in violation of these Rules by engaging in activities inherent in representing constituents, gathering information or advocating policy positions, provided none of these activities include illegal threats, intimidation, coercion or promises of actions inconsistent with the Constitution or statutes of the State of Oklahoma or with these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 4.22. Waiver for Preexisting Relationship.**

A state officer or employee may apply to the Commission for a waiver of a Rule based on a preexisting relationship between the state officer or employee and a person whose status restricts or prohibits certain activities under these Rules.

The Commission shall have exclusive authority and discretion to grant a waiver on a case-by-case basis, based upon the totality of circumstances and a finding that the purposes of these Rules will not be impeded or hindered by the waiver. A waiver shall have only prospective application.

The Commission may request whatever information it deems appropriate from an applicant, including but not limited to verified statements by the applicant and/or the person with whom a preexisting relationship is claimed. The restrictions between a state officer or employee and a person whose status restricts or prohibits certain activities under these Rules shall not apply when the two are family members.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 9, 2015; effective upon sine die adjournment of the Legislature May 22, 2015; operative May 22, 2015.*

**Rule 4.23. State Officer or Employee Violation of Rules through Indirect Action.**

In no event may a state officer or state employee do indirectly, through a third party or through other indirect means, anything that is prohibited by these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

## Rule 5 - Lobbyist Registration and Reporting

### Rule 5.1. Purpose of Rule 5.

The purpose of Rule 5 is to establish rules for lobbyist registration and reporting of expenditures for state officers and employees.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### Rule 5.2. Definitions

As used in Rule 5:

1. **“Agency”** means any entity in the executive branch of state government created by the Constitution or laws of the State of Oklahoma and supported in whole or in part by state funds or entrusted with the expending of state funds or administering of state property or otherwise exercising the sovereign power of the State of Oklahoma, including but not limited to all such offices, departments, institutions, boards, bureaus, commissions, agencies, authorities and instrumentalities of the State of Oklahoma. “Agency” shall not mean any city, county, rural electric cooperative or tribal housing authority created under the Oklahoma Housing Authorities Act nor any state entity that performs only advisory functions and that cannot independently exercise the sovereign power of the State of Oklahoma;
2. **“Commission”** shall mean the Oklahoma Ethics Commission;
3. **“Executive lobbying”** means any oral or written communication with a state officer or employee of an agency, excluding the Governor or a member of the Legislature or with an employee of the Governor or the Legislature, on behalf of a lobbyist principal with regard to the passage, defeat, formulation, modification, interpretation, amendment, adoption, approval or veto of any legislation, rule, rate, regulation, executive order or any other program, policy or position of state government. However, “executive lobbying” shall not mean testimony given at, or submitted in writing to, a public hearing of the agency, nor a speech, article, publication or other material that is widely distributed, published in newspapers, magazines or similar publications or broadcast on radio or television;
4. **“Executive lobbyist”** means any individual who is employed or retained by another for financial or other compensation to perform services that include executive lobbying, other than an individual whose lobbying activities are only incidental to, and are not a significant part of, the services provided by such individual to the client, except the following individuals shall not be considered lobbyists:
  - a. an individual appearing before a state officer or employee of an agency who receives no compensation for his or her appearance other than reimbursement from the state for expenses and who engages in no further lobbying;
  - b. a federal official acting in his or her official capacity;

- c. any person exercising his or her constitutional right to petition the government who receives no compensation or anything of value for lobbying;
5. **“Family member”** shall include spouse, children (including stepchildren), mother, father, sister or brother;
6. **“Legislative liaison”** means any state officer or employee whose duties in fact include legislative lobbying, regardless of the state officer or employee’s title and regardless of whether or not legislative lobbying is included within the state officer or state employee’s job description other than an individual whose lobbying activities are only incidental to, and are not a significant part of, the services provided by such individual to the agency. Each agency shall have at least one (1) legislative liaison, unless all officers and employees of the agency provide information to the Governor or a legislator only at the request of the Governor or a legislator or an employee of the Governor or the Legislature or as required by law, and provided further that no officer or employee of the agency has requested legislation, other than an appropriation for the agency, or other legislative action, or unless the agency has a contract with a legislative lobbyist to provide legislative lobbying services;
7. **“Legislative lobbying”** means any oral or written communication with the Governor or with a member of the Legislature or with an employee of the Governor or the Legislature on behalf of a lobbyist principal with regard to the passage, defeat, formulation, modification, interpretation, amendment, adoption, approval or veto of any legislation, rule, regulation, executive order or any other program, policy or position of state government. As used in this Rule, “employee of the Governor or the Legislature” includes any state officer or employee who advises the Governor, a legislator or the Legislature on legislation other than legislation that affects only his or her agency. However, “legislative lobbying” shall not mean testimony given before, or submitted in writing to, a committee or subcommittee of the Legislature, nor a speech, article, publication or other material that is widely distributed, published in newspapers, magazines or similar publications or broadcast on radio or television;
8. **“Legislative lobbyist”** means any individual who is employed or retained by another for financial or other compensation to perform services that include legislative lobbying, other than an individual whose lobbying activities are only incidental to, and are not a significant part of, the services provided by such individual to the client, except the following individuals shall not be considered lobbyists:
  - a. an individual appearing before the Governor or a meeting of a legislative body who receives no compensation for his or her appearance other than reimbursement from the state for expenses and who engages in no further lobbying;
  - b. a federal official acting in his or her official capacity;
  - c. any person exercising his or her constitutional right to petition the government who receives no compensation or anything of value for lobbying;

9. **“Lobbyist principal”** means any person or entity, including an agency, who employs or retains another person for financial or other compensation to conduct executive or legislative lobbying activities on behalf of the lobbyist principal; provided, however, it shall not mean any individual members, partners, officers or shareholders of an agency, a corporation, association, firm, joint venture, joint stock company, syndicate, business trust, estate, trust, company, partnership, limited partnership, organization, committee or club, or a group of persons who are voluntarily acting in concert.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative December 1, 2014.*

**Rule 5.3. Annual Registration for Legislative Liaison and Legislative Lobbyist.**

Each legislative liaison or legislative lobbyist shall be required to register with the Ethics Commission each year that the legislative liaison or legislative lobbyist engages in lobbying. Each legislative liaison or legislative lobbyist shall register or renew his or her registration with the Commission and pay any applicable fees no earlier than December 1 of each year nor later than January 15 of the following year for the calendar year beginning January 1 or within five (5) days after engaging in lobbying on behalf of one or more lobbyist principals. Registration by legislative liaisons or legislative lobbyists shall be filed electronically, unless otherwise ordered by the Commission or the Executive Director of the Commission. Information on the registration shall include the legislative liaison or legislative lobbyist’s name, business address, including electronic mail address and business telephone numbers, the name and address of each lobbyist principal by whom the liaison or lobbyist is employed or retained and the date of the registration.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative December 1, 2014. Amendment promulgated by Ethics Commission January 27, 2017; effective upon Legislature’s sine die adjournment May 26, 2017; operative May 26, 2017.*

**Rule 5.4. Expiration or Termination of Registration for Legislative Liaison and Legislative Lobbyist.**

The registration of each legislative liaison or legislative lobbyist shall expire on December 31 of each year unless renewed for the following year as required by Rule 5.3. A legislative liaison or legislative lobbyist may terminate his or her registration sooner than December 31 by electronically filing a notice of termination on a form provided by the Commission and filing a final Legislative Lobbyist Report.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative December 1, 2014.*

**Rule 5.5. Annual Registration and Termination of Registration for Executive Lobbyist.**

Each executive lobbyist shall be required to register with the Ethics Commission. An executive lobbyist may register and pay any applicable fees no earlier than December 1 of each year nor later than January 15 of the following year for the calendar year beginning January 1 or within five (5)

days after engaging in lobbying on behalf of one or more lobbyist principals. Registration by executive lobbyists shall be filed electronically, unless otherwise ordered by the Commission or the Executive Director of the Commission. Information on the registration shall include the executive lobbyist's name, business address, including electronic mail address and business telephone numbers, the name and address of each lobbyist principal by whom the lobbyist is employed or retained, the agency or agencies before which the lobbyist is lobbying and the date of the registration. The executive lobbyist may terminate his or her registration at any time by electronically filing a notice of termination on a form provided by the Commission and filing a final Executive Lobbyist Report. An executive lobbyist whose registration has not been terminated by November 30 of any year shall be required to register as provided in this subsection for the calendar year beginning the following January 1. Until terminated, the registration shall remain effective, and the executive lobbyist shall be required to file Executive Lobbyist Reports as provided by these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative December 1, 2014. Amendment promulgated by Ethics Commission January 27, 2017; effective upon Legislature's sine die adjournment May 26, 2017; operative May 26, 2017.*

**Rule 5.6. Prohibition on Things of Value Provided to or Accepted by Governor, Legislative Officers and Employees.**

Except as provided in these Rules, a legislative liaison, a legislative lobbyist or a lobbyist principal by whom the legislative liaison or legislative lobbyist is employed or retained shall provide no gift to the Governor, a legislator or any employee of the Governor or the Legislature.

The Governor, a legislator or any employee of the Governor or the Legislature shall not knowingly accept anything of value from a legislative liaison, a legislative lobbyist or a lobbyist principal by whom the legislative liaison or legislative lobbyist is employed or retained except as permitted by these Rules. Except as provided in these Rules, an executive lobbyist or a lobbyist principal by whom the executive lobbyist is employed or retained shall provide nothing of value to any officer or employee of an agency that is the subject of the executive lobbyist's lobbying activities. No officer or employee of an agency that is subject to an executive lobbyist's lobbying activities shall knowingly accept anything of value from an executive lobbyist or a lobbyist principal by whom an executive lobbyist is employed except as permitted by these Rules. In no event shall a legislative liaison, a legislative lobbyist, an executive lobbyist or a lobbyist principal indirectly provide anything of value to any state officer or employee by providing a thing of value to a family member of the state officer or employee, other than as permitted by these Rules. In no event shall the costs of a thing of value provided by a legislative liaison or legislative lobbyist to the Governor, a legislator or any employee of the Governor or the Legislature permitted by these Rules be divided or shared with other legislative liaisons or legislative lobbyists in filing a report required by these Rules unless otherwise provided by these Rules. Agencies may provide two (2) tickets or admissions to any conference, seminar, lecture or similar event held within the boundaries of the State of Oklahoma and sponsored in whole or in part by the agency to the Governor, any legislator or any employee of the Governor or Legislature, provided the tickets or admissions are used by the recipient and a family member of the recipient. For all other gifts provided by a legislative liaison, legislative lobbyist or executive lobbyist that include meals or attendance at an event, the lobbyist or legislative liaison must attend the meal or event with the recipient.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 9, 2015; effective upon sine die adjournment of the Legislature May 22, 2015; operative May 22, 2015. Amendment promulgated by the Ethics Commission January 27, 2017; effective January 1, 2018; operative January 1, 2018.*

**Rule 5.7. Meal Limits for Legislative Liaisons or Legislative Lobbyist.**

A legislative liaison or a legislative lobbyist shall pay no more than Five Hundred Dollars (\$500.00) per calendar year for meals for the Governor, for any individual legislator or for any individual employee of the Governor or the Legislature, regardless of the source of funds used for payment.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.8. Gift Limits for Legislative Liaisons or Legislative Lobbyists.**

A. A legislative liaison or a legislative lobbyist may make a gift to the Governor or any legislator or any employee of the Governor or the Legislature in recognition of infrequently occurring occasions of personal significance. The gift shall be given and received contemporaneously with the occasion or at times when such gifts are traditionally given. Such gifts may be made to a family member of the Governor or any legislator or any employee of the Governor or the Legislature, provided such family member is a party to a marriage, serious illness, birth or adoption of a child or retirement. Such gifts to any individual recipient may not exceed One Hundred Dollars (\$100.00) in the aggregate in any calendar year from any legislative liaison or legislative lobbyist.

B. A legislative liaison or legislative lobbyist may provide books and similar informational materials, including those in electronic, audio and/or video format, to the Governor, or any Legislator, or any employee of the Governor or Legislature, so long as such materials are related to the recipient's responsibilities as an officer or employee of the State of Oklahoma. Materials provided pursuant to this subsection with an individual item value of One Hundred Dollars (\$100.00) or less are not required to be reported to the Commission.

C. Gifts, other than those exempt from reporting requirements under Rule 5, shall be reported to the Commission and aggregated with meals. The aggregate total of meals and other gifts provided to an individual recipient by a legislative liaison or legislative lobbyist may not exceed Five Hundred Dollars (\$500.00). Each gift required to be reported must include the name and title of the recipient, date the gift was provided, a description of the gift and occasion for which it was given (if applicable), and the value of the gift. The aggregation and overall gift limit in this subsection does not apply to gifts provided pursuant to subsection (B).

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by the Ethics Commission January 27, 2017; effective January 1, 2018; operative January 1, 2018. Amendment promulgated by the Ethics Commission December 31, 2020; effective May 27, 2021. Amendment Promulgated by the Ethics Commission December 31, 2020, effective upon Legislature's sine die adjournment May 27, 2021 [Commission ordered enforcement of Rule 5 consistent with promulgated changes as of January 1, 2021].*



**Rule 5.9. Meals Provided by Non-Lobbyist Employee of Lobbyist Principal.**

An employee of a lobbyist principal who is not a legislative liaison, a legislative lobbyist or an executive lobbyist may provide a meal no more than twice a year to a legislator at the expense of the lobbyist principal, provided (1) the employee is not acting at the direction of a legislative liaison, a legislative lobbyist or an executive lobbyist, (2) the employee is not engaging in lobbying of any kind, (3) the employee is a constituent of the legislator or is engaged in providing goods or business services for the lobbyist principal within the legislator’s district and (4) the employee typically engages in similar activities with other public officials in a geographical area within which the goods or business services are provided.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.10. Meal Limits for Executive Lobbyist.**

An executive lobbyist shall pay no more than Five Hundred Dollars (\$500.00) per calendar year for meals for an individual state officer or employee of an agency for which he or she is registered or should be registered as an executive lobbyist, regardless of the source of funds used for payment.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.11. Gift Limits for Executive Lobbyist.**

A. An executive lobbyist may make a gift to a state officer or employee of an agency for which he or she is registered or should be registered as an executive lobbyist in recognition of infrequently occurring occasions of personal significance. The gift shall be given and received contemporaneously with the occasion or at times when such gifts are traditionally given. Such gifts may be made to a family member of a state officer or employee of an agency for which he or she is registered or should be registered as an executive lobbyist, provided such family member is a party to a marriage, serious illness, birth or adoption of a child or retirement. Such gifts to any individual recipient may not exceed One Hundred Dollars (\$100.00) in the aggregate in any calendar year from any executive lobbyist.

B. An executive lobbyist may provide books and similar informational materials, including those in electronic, audio and/or video format, given to a state officer or employee of an agency for which an executive lobbyist is or should be registered as an executive lobbyist, so long as such materials are related to the recipient’s responsibilities as an officer or employee of the State of Oklahoma. Materials provided pursuant to this subsection with an individual item value of One hundred Dollars (\$100.00) or less are not required to be reported to the Commission.

C. Gifts other than those exempt from reporting requirements under Rule 5, shall be reported to the Commission and aggregated with meals, and the aggregate total of meals and other gifts provided to an individual recipient by an executive lobbyist may not exceed Five Hundred Dollars (\$500.00). Each gift required to be reported must include the name and title of the recipient, date the gift was provided, a description of the gift and occasion for which it was given (if applicable), and the value of the gift. The aggregation and overall gift limit in this subsection does not apply to gifts provided pursuant to subsection (B).

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by the Ethics Commission January 27, 2017; effective upon Legislature's sine die adjournment May 3, 2018; operative January 1, 2018. Amendment Promulgated by the Ethics Commission December 31, 2020, effective upon Legislature's sine die adjournment May 27, 2021 [Commission ordered enforcement of Rule 5 consistent with promulgated changes as of January 1, 2021].*

**Rule 5.12. Modest Items of Food and Refreshments.**

A legislative liaison, legislative lobbyist, executive lobbyist or lobbyist principal may provide modest items of food and refreshments to any state officer or employee when offered other than as part of a meal.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.13. Gifts of Ten Dollars (\$10.00) or Less, Displayable Gifts in Recognition of State Service, and Informational Material Related to State Service.**

A. A lobbyist principal may give a plaque, trophy or similar item suitable for display no more than once per year to a state officer or employee in acknowledgement of the officer or employee's public service, provided the value of the item is no more than Two Hundred Dollars (\$200.00). Such gifts are reported to the Commission on the Legislative Lobbyist Report. No state officer or employee may accept more than one (1) such gift during any calendar year from the same lobbyist principal.

B. A lobbyist principal may provide books and similar informational materials, including those in electronic, audio and/or video format, to a state officer or employee so long as such materials are related to the recipient's responsibilities as an officer or employee of the State of Oklahoma. Materials provided pursuant to this subsection with an individual item value of One hundred Dollars (\$100.00) or less are not required to be reported to the Commission. Any gifts required to be reported pursuant to this section are not subject to a limit, but must identify the name of the recipient, description of the item provided, and the value of the gift.

C. A legislative liaison, legislative lobbyist, executive lobbyist or lobbyist principal may provide a gift of any single item with a fair market value not exceeding Ten Dollars (\$10.00) to any state officer or employee, provided that a legislative liaison, legislative lobbyist, executive lobbyist or lobbyist principal shall not make more than one such gift during any calendar year to any state officer or employee. Items given pursuant this subsection are not required to be reported to the Commission.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission December 11, 2015; effective upon sine die adjournment of the Legislature May 27, 2016; operative May 27, 2016. Amendment Promulgated by the Ethics Commission December 31, 2020, effective upon Legislature's sine die adjournment May 27, 2021 [Commission ordered enforcement of Rule 5 consistent with promulgated changes as of January 1, 2021].*

**Rule 5.14. Food and Beverage Provided by a Lobbyist Principal to an Event to Which All Members of Legislature are Invited.**

A lobbyist principal that employs or retains a legislative liaison or legislative lobbyist may

provide food and beverage for any event to which all members of the Legislature are invited no more than once per calendar year, provided the event is reported as provided by these Rules. More than one lobbyist principal may provide food and beverage for such an event, but no lobbyist principal shall participate in more than one such event per calendar year.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.15. Food and Beverage Provided by a Lobbyist Principal to a Political Caucus.**

A lobbyist principal that employs or retains a legislative liaison or legislative lobbyist may provide food and beverage for a meeting of a political caucus of either House of the Legislature no more than once per calendar year, provided the event is reported as provided by these Rules. More than one lobbyist principal may provide food and beverage for such an event, but no lobbyist principal shall participate in more than one such event per calendar year for any caucus. As used in this section, "political caucus" shall mean only a caucus of legislators of a political party recognized under the laws of this state.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.16. Food and Beverage Provided by a Lobbyist Principal to a Legislative Committee or Subcommittee.**

A lobbyist principal that employs or retains a legislative liaison or legislative lobbyist may provide food and beverage for any event held within the Capitol building to which all members of a committee or subcommittee of either House of the Legislature identified in the Rules or Journal of the respective House are invited and which is attended by a majority of members of the committee or subcommittee no more than once per calendar year for any such committee or subcommittee, provided the event is reported as provided by these Rules. More than one lobbyist principal may provide food and beverage for such an event, but no lobbyist principal shall participate in more than one such event per calendar year for any committee or subcommittee.

The reporting provision of this section shall not include legislators who are not members of the committee or subcommittee, nor shall it include legislative staff members who do not officially or regularly provide staff services for the committee or subcommittee.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 9, 2015; effective upon sine die adjournment of the Legislature May 22, 2015; operative May 22, 2015.*

**Rule 5.17. Food and Beverage Provided by a Lobbyist Principal for Out of State Events.**

A lobbyist principal that employs or retains a legislative liaison or legislative lobbyist may provide food and beverage for any event at a professional conference, seminar or other similar meeting conducted outside the geographical boundaries of the State of Oklahoma to which only Oklahoma state officers or employees participating in the event are invited, provided a minimum of five state officers or employees participate and provided the event is reported as provided by

these Rules. More than one lobbyist principal may provide food and beverage for such an event, but no lobbyist principal shall participate in more than one such event per calendar year.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.18. Lobbyist Principal Purchase of Tickets or Sponsorship of Bona Fide Community, Civic, or Charitable Event.**

A lobbyist principal may purchase tickets for or otherwise provide sponsorship for a bona fide community, civic or charitable reception, breakfast, luncheon or dinner attended by state officers and employees who are guests of the sponsoring organization, provided the lobbyist principal may not designate state officers or employees to be guests and provided the purchase or sponsorship is customary for the lobbyist principal and other similar entities.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.19. Legislative Liaison and Legislative Lobbyist Report Deadlines.**

Each legislative liaison and legislative lobbyist shall file a Legislative Lobbyist Report on the following dates for the following time periods:

1. Before the sixteenth day of January for the period beginning July 1 and ending December 31 of the preceding year.
2. Before the sixth day of February, March, April, May and June and before the sixteenth day of July for the preceding month.

Except for good cause shown, any legislative liaison or legislative lobbyist who, during a calendar year, files more than one Legislative Lobbyist Report after the date it is due shall be deemed to have intentionally failed to file the report in violation of these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative February 1, 2015. Amendment promulgated by Ethics Commission January 27, 2017; effective upon Legislature's sine die adjournment May 26, 2017; operative May 26, 2017.*

**Rule 5.20. Executive Lobbyist Report Deadlines.**

Each executive lobbyist shall file an Executive Lobbyist Report before the sixteenth day of January, April, July and October for the preceding calendar quarter. Except for good cause shown, any executive lobbyist who, during a calendar year, files more than one Executive Lobbyist Report after the date it is due shall be deemed to have intentionally failed to file the report in violation of these Rules. An executive lobbyist who also is registered as a legislative lobbyist may choose to file reports as an executive lobbyist on the same dates that he or she files reports as a legislative lobbyist.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative February 1, 2015. Amendment promulgated by Ethics Commission January 27, 2017; effective upon Legislature's sine die adjournment May 26, 2017; operative May 26, 2017.*

**Rule 5.21. Legislative Lobbyist Report Required Information.**

Each Legislative Lobbyist Report shall include, but not be limited to, information contained on the registration of the legislative liaison or legislative lobbyist and the following information:

1. The cost of each meal provided during the reporting period for the Governor, for any legislator or for any employee of the Governor or the Legislature and the date on which the meal was provided. The cost shall include the price, plus any applicable tax but shall not include a gratuity. In calculating the price of the meal, items such as appetizers or hors d'oeuvre or beverages may be apportioned by dividing the total cost of the item equally by the number of participants, where the individual cost per participant is difficult or impossible to ascertain; provided, however, the individual price of other items, such as salads, entrees, or individual beverages shall be attributed to individual participants. Any food and beverages provided other than as part of a meal and valued at more than Ten Dollars (\$10.00) in the aggregate during a calendar year shall be reported separately.
2. The aggregate total number and cost of items reported in subsection 1 of this Rule, including any during this reporting period for the Governor, for any legislator or for any employee of the Governor or the Legislature.
3. The date, location and cost of food and beverage paid by a lobbyist principal of the legislative liaison or legislative lobbyist for any event to which all members of the Legislature were invited and the percentage of the total cost of food and beverage provided by the lobbyist principal for the event if less than one hundred percent (100%).
4. The date, location and cost of food and beverage paid by a lobbyist principal of the legislative liaison or legislative lobbyist for a meeting of a political caucus of either House of the Legislature and the percentage of the total cost of food and beverage provided by the lobbyist principal for the meeting if less than one hundred percent (100%).
5. The date, location and cost of food and beverage paid by a lobbyist principal of the legislative liaison or legislative lobbyist for a meeting of a committee or subcommittee of either House of the Legislature identified in the Rules or Journal of the respective House to which all members of the committee or subcommittee were invited and which a majority of members attended and the percentage of the total cost of food and beverage for the meeting if less than one hundred percent (100%).
6. The cost of food and beverage paid by a lobbyist principal of the legislative liaison or legislative lobbyist for an event at a bona fide national or multistate regional professional conference, seminar or other similar meeting conducted outside the geographical boundaries of the State of Oklahoma to which only Oklahoma state officers or employees participating in the event are invited, provided a minimum of five state officers and employees participate, a description of the event, the date of the event and the percentage of the total cost of food and beverage for the meeting if less than one hundred percent (100%).

Nominal costs of transportation by private motor vehicle or similar public transportation such as a taxi provided by a legislative liaison or legislative lobbyist to and from the location of a meal or event within the State of Oklahoma or within the vicinity of the meal if outside the geographical

boundaries of the State of Oklahoma shall be permitted but shall not be reported. Reports by legislative liaisons or legislative lobbyists shall be filed electronically, unless otherwise ordered by the Commission or the Executive Director of the Commission. Expenditures made by a lobbyist principal that is represented by more than one legislative liaison or legislative lobbyist shall be reported on only one Legislative Lobbyist Report by a legislative liaison or legislative lobbyist; any other legislative liaison or legislative lobbyist representing the same lobbyist principal shall indicate on the Legislative Lobbyist Report the name of the legislative liaison or legislative lobbyist reporting the expenditure on behalf of the lobbyist principal.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

#### **Rule 5.22. Executive Lobbyist Report Required Information.**

Each Executive Lobbyist Report shall include, but not be limited to, the following information:

1. The cost of each meal provided during the reporting period for a state officer or employee of an agency for which he or she is registered and the date on which the meal was provided. The cost shall include the price, plus any applicable tax but shall not include a gratuity. In calculating the price of the meal, items such as appetizers or hors d'oeuvre or beverages may be apportioned by dividing the total cost of the item equally by the number of participants, where the individual cost per participant is difficult or impossible to ascertain; provided, however, the individual price of other items, such as salads, entrees or individual beverages shall be attributed to individual participants. Any food and beverages provided other than as part of a meal and valued at more than Ten Dollars (\$10.00) in the aggregate during a calendar year shall be reported separately.
2. The aggregate total number and cost of items reported in subsection 1 of this Rule, including any during this reporting period, for a state officer or employee of an agency for which he or she is registered.

Nominal costs of transportation by private motor vehicle or similar public transportation such as a taxi provided by an executive lobbyist to and from the location of a meal or event shall be permitted but shall not be reported. Reports by executive lobbyists shall be filed electronically, unless otherwise ordered by the Commission or the Executive Director of the Commission. Expenditures made by a lobbyist principal that is represented by more than one executive lobbyist shall be reported on only one Executive Lobbyist Report by an executive lobbyist; any other executive lobbyist representing the same lobbyist principal shall indicate on the Executive Lobbyist Report the name of the executive lobbyist reporting the expenditure on behalf of the lobbyist principal.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

#### **Rule 5.23. Legislative Liaison, Legislative Lobbyist, Executive Lobbyist Amended Reports.**

A legislative liaison or legislative lobbyist may file an Amended Legislative Lobbyist Report and an executive lobbyist may file an Amended Executive Lobbyist Report at any time to correct a bona fide oversight or error in the previously filed Legislative Lobbyist Report or Executive Lobbyist Report, provided the legislative liaison, legislative lobbyist or executive lobbyist certifies

that the filing of an Amended Legislative Lobbyist Report or Amended Executive Lobbyist Report is not made for the purpose of reporting information that was intentionally omitted or misstated on the previously filed Legislative Lobbyist Report or Executive Lobbyist Report. If a legislative liaison, legislative lobbyist or executive lobbyist files a certified Amended Legislative Lobbyist Report or Amended Executive Lobbyist Report that is not in fact made for the purpose of reporting information that was intentionally omitted or misstated, the legislative liaison, legislative lobbyist or executive lobbyist shall not be deemed to have violated these Rules by having made an erroneous prior filing.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.24. Executive Director Authority to Require Additional Information.**

The Executive Director of the Commission shall be authorized to require additional information on the Legislative Lobbyist Report and Executive Lobbyist Report consistent with the intention of the Commission to provide disclosure of expenditures identified in these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.25. Waiver for Preexisting Relationship.**

A state officer or employee may apply to the Commission for a waiver of a Rule based on a preexisting relationship between the state officer or employee and a legislative liaison, legislative lobbyist or executive lobbyist. The Commission shall have exclusive authority and discretion to grant a waiver on a case-by-case basis, based upon the totality of circumstances and a finding that the purposes of these Rules will not be impeded or hindered by the waiver. A waiver shall have only prospective application. The Commission may request whatever information it deems appropriate from an applicant, including but not limited to verified statements by the applicant and/or the legislative liaison, legislative lobbyist or executive lobbyist with whom a preexisting relationship is claimed. The restrictions between a state officer or employee and a legislative liaison, legislative lobbyist or executive lobbyist shall not apply when the two are family members.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 9, 2015; effective upon sine die adjournment of the Legislature May 22, 2015; operative May 22, 2015.*

**Rule 5.26. Legislative Liaison, Legislative Lobbyist or Executive Lobbyist Required to Retain Records.**

A legislative liaison, legislative lobbyist or executive lobbyist shall be required to retain records necessary to substantiate any registrations or reports or other requirements of these Rules for a period of not less than four (4) years.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.27. Lobbying Activity Disclosure Requirements.**

When engaged in lobbying activities, either orally or in writing, any legislative liaison, legislative lobbyist or executive lobbyist shall identify the lobbyist principal or lobbyist principals on whose behalf the lobbying activities are being conducted. Any state officer or state employee who is being lobbied may request such information from the person engaged in lobbying activities.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.28. State Officer or Employee Prohibition on Legislative or Executive Lobbying.**

No state officer or employee, including members of boards, commissions, authorities and similar public bodies of state agencies, shall be either a legislative lobbyist or an executive lobbyist.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 5.29. Lobbyist or Legislative Liaison Violation of Rules through Indirect Action**

In no event may a legislative liaison, a legislative lobbyist, an executive lobbyist or a lobbyist principal do indirectly, through a third party or through other indirect means, anything that is prohibited by these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*



## **Rule 6 - Investigations, Prosecutions and Penalties**

### **Rule 6.1. Purpose of Rule 6**

The purpose of Rule 6 is to set forth the procedures for investigating and prosecuting alleged violations of these Rules and prescribing penalties for violations of these Rules, as provided by Article XXIX, Section 4 of the Constitution of the State of Oklahoma.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### **Rule 6.2. Definitions**

As used in Rule 6:

1. **“Commission”** shall mean the Oklahoma Ethics Commission; and
2. **“Complaint”** shall mean an allegation of a violation of these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

### **Rule 6.3. Complaints.**

A. A member of the Commission or an employee of the Commission may accept a complaint from any source; provided, however, no complaint shall be accepted from an anonymous source.

B. Any person other than a member or an employee of the Commission who files a written complaint alleging a violation of any Rule shall (1) cite the Rule or Rules alleged to have been violated, (2) describe in detail the facts alleged to have caused a violation of a Rule to occur and the name of any individual involved in the alleged violation, (3) certify that he or she has personal knowledge of the facts alleged. It shall be a violation of these Rules for any person to willfully, knowingly and without probable cause make a false complaint alleging a violation of these Rules. A frivolous complaint shall be deemed to be a violation of these Rules by the person making the complaint. A frivolous complaint means the complaint was knowingly asserted in bad faith, was unsupported by any credible evidence, was not grounded in fact, or was unwarranted by existing law. Any person who files a written complaint shall, by doing so, submit to the jurisdiction of the Commission for purposes of this paragraph. It shall be a violation of these Rules for any state officer or employee to take retaliatory action against any subordinate state officer or employee because the subordinate state officer or employee filed a complaint other than a false complaint or a frivolous complaint.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 9, 2015; effective upon sine die adjournment of the Legislature May 22, 2015; operative May 22, 2015.*

### **Rule 6.4. Blackout Period.**

The Commission shall not accept a complaint from any person alleging a violation of these Rules by a candidate or candidate committee during a period beginning the first day that the State Election Board may accept Declarations of Candidacy for the office sought by the candidate or candidates and ending on the day of the General Election during the same year. However, this

section shall not prohibit acceptance of a complaint from a member or employee of the Commission.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.5. Preliminary Investigation of Complaint.**

The Executive Director may conduct or authorize any Commission employee to conduct a preliminary inquiry into any allegations contained in a complaint for the purpose of assisting the Commission in determining whether to begin a formal investigation. All documents relating to complaints shall be confidential records unless released by the Commission as provided hereafter.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.6. Commission Review of Complaint or Investigation.**

The Executive Director shall advise or authorize the General Counsel or other employees to advise the Commission, in executive session, of any complaints received together with the results of any preliminary inquiry. In addition, the Executive Director may advise or authorize any Commission employee to advise the Commission of any alleged violations of these Rules based on a review by Commission employees of registrations, reports and statements required to be filed under these Rules or based upon independent research or inquiry by Commission employees.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.7. Formal Investigation.**

The Commission, upon determining that there is reasonable cause to believe that the person or persons named in the complaint have violated these Rules, may authorize a formal investigation. The Executive Director shall cause a unique number to be assigned to identify each formal investigation. The unique identifying number shall be followed by reference to the specific Rule or Rules alleged to have been violated and language to indicate whether the Rule is a campaign finance, financial disclosure, conflict of interest or lobbying Rule.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.8. Subpoena Power.**

When the Commission authorizes a formal investigation, the Executive Director is authorized or may authorize any Commission employee to exercise subpoena power as provided by Article XXIX, Section 4 of the Constitution of the State of Oklahoma and pay witness fees as provided by law.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.9. Confidentiality of Complaint or Investigation.**

Unless the Commission determines that a complaint or a formal investigation should be made public, all complaints and formal investigations, including documents and discussions in executive session, shall remain confidential and shall not be disclosed by a Commissioner, by the Commission or by its employees except to the extent necessary to facilitate or conduct a preliminary inquiry or a formal investigation. However, the Executive Director may confirm or deny the existence of a complaint or formal investigation alleging a violation of these Rules by any individual upon the written request of that individual. A settlement agreement executed under these Rules shall be public record. The Commission may make a complaint or formal investigation and any documents relating thereto public at any time it deems release of that information to be in the public interest.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.10. Commission Action During Formal Investigation.**

At any time during a formal investigation or at the conclusion of a formal investigation, the Commission may:

1. Terminate the investigation and take no further action;
2. Authorize the Executive Director to cause the individual or individuals or entity alleged to have violated these Rules to be prosecuted in the District Court of the county where the violation of these Rules is alleged to have occurred by filing a civil petition as provided by the Constitution and laws of the State of Oklahoma; or
3. Offer a settlement agreement as provided by Article XXIX, Section 4 of the Constitution of the State of Oklahoma. Should a settlement agreement not be consummated, the Commission may authorize a prosecution to be commenced as provided in Subsection (2) of this Rule.

If a prosecution or a settlement agreement is authorized prior to conclusion of a formal investigation, the Commission may continue the investigation. Termination of a formal investigation as provided in Subsection (1) of this Rule shall not bar reopening the same investigation based upon newly discovered evidence or other good cause. In no event shall the Commission authorize the prosecution of a civil lawsuit in the District Court until any person who is alleged to have violated these Rules has had an opportunity to respond in writing to allegations of any violation. Such person shall be given notice of the allegations in writing and shall have twenty (20) days in which to file a written response. Upon application, such person shall be granted no more than one extension of twenty (20) additional days in which to file a response.

Any additional response shall be granted at the exclusive discretion of the Commission. Failure to respond shall be deemed an admission of the allegations. Such person and/or an attorney representing such person also shall be granted an opportunity to personally appear before the Commission to make an oral response, provided such response is within the time frame provided for a written response.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.11. Commission Transmittal of Information to Appropriate Authorities.**

The Commission may at any time transmit to appropriate civil or criminal law enforcement authorities any information received by the Commission or its employees as the result of a complaint or a formal investigation.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.12. Civil Lawsuits for Violation of Rules.**

If authorized by the Commission as provided in Rule 6.10(2) of these Rules, a civil lawsuit shall be filed in the District Court no more than four (4) years after the date the violation of these Rules is alleged to have occurred. Provided, however, that a civil lawsuit shall be filed in the District Court no more than four (4) years from the date any document required to be filed with the Commission was required or the date the document was in fact filed, whichever period expires later. Provided further, there shall be no time limitation if fraud or concealment prevents discovery of the alleged violation.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.13. Civil Penalties for Violation of Rules.**

Monetary penalties that may be assessed by the District Court for violation of these Rules include the following:

1. Not less than Five Thousand Dollars (\$5,000.00) nor more than Twenty-five Thousand Dollars (\$25,000.00) for a single violation;
2. Not less than Ten Thousand Dollars (\$10,000.00) nor more than Fifty Thousand Dollars (\$50,000.00) for multiple violations in one lawsuit; and
3. Not less than Twenty-five Thousand Dollars (\$25,000.00) nor more than One Hundred Thousand Dollars (\$100,000.00) for a subsequent violation of any Rule after having been determined by a Court or a settlement agreement to have previously violated any Rule.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.14. Other Remedies.**

In addition to the monetary penalties provided in Rule 6.13, the District Court may, where the Court deems appropriate, require restitution, disgorgement of things of value received as a result of a violation of the Rules and an additional monetary penalty of up to three times the amount of an unlawful campaign contribution. Additionally, the Court shall order the payment of the Commission’s attorney fees, costs and other expenses of litigation from any individual or individuals or entity found to have violated any Rule or statute over which the Commission has jurisdiction.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.15. Monetary Liability for Violation of Rules.**

Liability for payment of a monetary penalty, fees, costs and other expenses of litigation assessed for violation of a campaign finance Rule, other than late filing fees, shall be as follows:

1. A monetary penalty, fees, costs and other expenses of litigation assessed against a political party committee shall be paid from the political party committee’s funds or by the political party committee’s officers, or by both, as determined by the District Court.
2. A monetary penalty, fees, costs and other expenses of litigation assessed against an affiliated political action committee shall be paid by the entity with which the political action committee is affiliated or by officers of the political action committee, or both, as determined by the District Court.
3. A monetary penalty, fees, costs and other expenses of litigation assessed against an unaffiliated political action committee shall be paid from political action committee funds or by officers of the political action committee, or both, as determined by the District Court.
4. A monetary penalty, fees, costs and other expenses of litigation assessed against a candidate or a candidate committee shall be paid from campaign funds of the candidate or candidate committee, by officers of the candidate committee or by the candidate from funds other than campaign funds, or any combination thereof, as determined by the District Court.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.16. Monetary Liability Assessed by District Court.**

Liability for payment of a monetary penalty, fees, costs and other expenses of litigation assessed for violation of a financial disclosure, conflict of interest or lobbying Rule shall be determined by the District Court.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature’s sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.17. Separate Liability Assessed by District Court.**

In the event the District Court finds more than one person liable for a violation of these Rules, those persons shall be separately assessed monetary penalties.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.18. Settlement Agreements.**

Irrespective of any penalties provided in these Rules, any monetary penalties, fees, costs or other penalties provided in a settlement agreement shall be in amounts and from sources to be agreed upon by the parties.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015.*

**Rule 6.19. Registration and Administration Fees; Compliance Fees.**

Beginning July 1, 2015, and annually thereafter, the Commission shall publish on its website any registration and administration fees to be charged by the Commission for legislative liaisons, legislative lobbyists, executive lobbyists, lobbyist principals, political party committees, political action committees and candidate committees. In determining the fees to be charged, the Commission shall endeavor to partially recover costs incurred in processing and maintaining registrations and reports. The Executive Director is authorized to issue compliance orders for the purpose of obtaining compliance with these Rules. Compliance orders may include non-monetary orders and orders for compliance fees, including late filing fees, in order to partially recover costs to the Commission incurred in obtaining compliance with these Rules. No fee shall exceed One Thousand Dollars (\$1,000.00) per violation. Compliance orders shall be in writing. Before a final order is issued, any affected party shall be afforded an opportunity for hearing after reasonable notice. The notice shall be in writing and shall advise the parties of the time for the hearing, their obligation to file an answer and appear and the effect of their failure to respond. The hearing shall be conducted by an administrative law judge under applicable provisions of the Oklahoma Administrative Procedures Act, Title 75 of the Oklahoma Statutes, Sections 250-323, or its successor statutes, and shall be open to the public. The administrative law judge may set aside or modify the Executive Director's order for good cause shown. In the absence of good cause shown, the administrative law judge shall affirm the order. After the hearing, the Executive Director shall issue a final order. A final order may be appealed to the District Court of Oklahoma County under applicable provisions of the Oklahoma Administrative Procedures Act, Title 75 of the Oklahoma Statutes, Sections 250-323, or its successor statutes. Late filing fees authorized by statute or these Rules shall not be a part of or affected by any monetary penalties, attorney fees, costs, other expenses of litigation or other fees provided by these Rules.

*Promulgated by Ethics Commission January 10, 2014; effective upon Legislature's sine die adjournment May 23, 2014; operative January 1, 2015. Amendment promulgated by Ethics Commission January 9, 2015; effective upon sine die adjournment of the Legislature May 22, 2015; operative May 22, 2015.*

**LOCAL GOVERNMENT CAMPAIGN FINANCE AND FINANCIAL  
DISCLOSURE ACT**

**SB 1745 (2014), SECTION1 [NOT CODIFIED]**

(A) This act shall be known as the "Local Government Campaign Finance and Financial Disclosure Act". The Local Government Campaign Finance and Financial Disclosure Act shall be codified in those titles of the Oklahoma Statutes relating to the various levels of local government to which the act applies.

(B) The Legislature hereby finds that:

1. The Oklahoma Constitution requires that all elections shall be free and equal and prohibits local and special laws for the conduct of elections;
2. The conduct of campaigns for county, municipal, technology center district and independent school district elections is inextricably intertwined with the elections themselves and that the conduct of such campaigns is a matter of statewide concern;
3. For the citizens of this state to be adequately informed regarding possible conflicts of interest, financial disclosure by candidates, elected officials and other officials of certain county and municipal governments is necessary;
4. Information regarding campaigns for county, municipal, technology center district and independent school district elections and financial disclosure documents should be made available locally to be more accessible to the electorate; and
5. Enforcement of laws governing campaigns for elective office for counties, municipalities, technology center districts should be uniform and statewide.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**TITLE 11, CITIES AND TOWNS**  
**MUNICIPAL CAMPAIGN FINANCE AND FINANCIAL DISCLOSURE ACT**

**§ 56-101. Relationship to Local Government Campaign Finance and Financial Disclosure Act**

Sections 11 through 20 of this act shall be the provisions of the Local Government Campaign Finance and Financial Disclosure Act applicable to municipalities and shall be known as the "Municipal Campaign Finance and Financial Disclosure Act".

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 56-102. Definitions**

(A) Definitions of terms used in the Municipal Campaign Finance and Financial Disclosure Act shall be the same as those terms are defined in Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, unless otherwise provided herein.

(B) As used in the Municipal Campaign Finance and Financial Disclosure Act:

1. **"Campaign committee"** means a committee which may be composed of one or more persons the purpose of which is to support the election of a specific candidate to municipal office, whose name as it will appear on the ballot shall appear in the name of the committee;
2. **"Municipal office"** means any elective municipal office established under state or municipal law; and
3. **"Municipal political committee"** means any committee composed of one or more persons whose purpose includes the election or defeat of one or more candidates for municipal office but which is not required to register with the Ethics Commission or the Federal Election Commission.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015]. Amended in 2021 by House Bill 2193 [effective November 1, 2021].*

**§ 56-103. Municipalities Subject to Act**

(A) The Municipal Campaign Finance and Financial Disclosure Act shall apply only to municipalities with a population of more than ten thousand (10,000) according to the most recent Federal Decennial Census and a general fund expenditure budget in excess of Ten Million Dollars (\$10,000,000.00) in the fiscal year in which the municipal elections are held.

(B) A municipality described in subsection A of this section may enact a comprehensive code of campaign finance and personal financial ordinances, including provisions for enforcement thereof, in which case the Municipal Campaign Finance and Financial Disclosure Act shall not apply to the municipality. Any municipality enacting such a code shall file a notice of its action with the Ethics Commission, which shall have no enforcement responsibilities under the code.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015]. Amended by Laws 2015].*



**§ 56-104. Duty of Campaign Committee to File a Statement of Organization**

Each campaign committee shall file a statement of organization with the municipal clerk subject to the same requirements as set forth for candidate committees for state office required to file statements of organization with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 56-105. Duty of Municipal Political Committee to File a Statement of Organization**

Every municipal political committee shall file a statement of organization with the municipal clerk subject to the same requirements as set forth for political committees required to file statements of organization with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 56-106. Duty to File a Report of Contributions and Expenditures**

Every campaign committee and every municipal political committee shall file a report of contributions and expenditures with the municipal clerk subject to the same requirements as set forth for candidate committees and political action committees, respectively, required to file reports of contributions and expenditures with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 56-107. Filings That Are Public Records - Internet Availability**

Statements of organization and reports of contributions and expenditures required to be filed with the municipal clerk under the Municipal Campaign Finance and Financial Disclosure Act shall be public records. The municipal clerk shall maintain statements of organization and reports of contributions and expenditures for four (4) years after the date on which they are filed, if not posted on the municipality's website as provided herein, at which time the documents may be destroyed or retained subject to the discretion of the municipal clerk. If the municipality in which the statements of organization and reports of contributions and expenditures are filed maintains an Internet website, the municipal clerk may post on the website copies of statements of organization and reports of contributions and expenditures.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§56-108. Duty of Candidates and Elected Officers to File a Statement of Financial Interests**

All candidates for municipal office and all elected municipal officers shall be required to file

a statement of financial interests with the municipal clerk subject to the same requirements as set forth for candidates for state office required to file statements of financial interests with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 56-109. Statements of Financial Interests - Public Records - Internet Availability**

Statements of financial interests required to be filed with the municipal clerk under the Municipal Campaign Finance and Financial Disclosure Act shall be public records. The municipal clerk shall maintain statements of financial interests for four (4) years after the date on which they are filed, if not posted on the municipality's website as provided herein, at which time the documents may be destroyed or retained subject to the discretion of the municipal clerk. If the municipality in which the statements of financial interests are filed maintains an Internet website, the municipal clerk may post on the website copies of statements of financial interests.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 56-110. Enforcement - Complaints – Investigations - Penalties – Protest of Penalty**

The Municipal Campaign Finance and Financial Disclosure Act shall be enforced by the Ethics Commission in the same manner as Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution are enforced, including but not limited to acceptance of complaints, civil prosecutions, settlement agreements and any other compliance practices or requirements. Complaints may be received by the Ethics Commission alleging filing of statements or reports required to be filed under the Municipal Campaign Finance and Financial Disclosure Act later than the prescribed time for filing. Such complaints shall be in the same form as other complaints. Upon receipt of such complaints of late filing, the Ethics Commission shall investigate whether the allegation or allegations are true and, if so, shall assess a late filing penalty of One Hundred Dollars (\$100.00) per day, not to exceed a maximum of One Thousand Dollars (\$1,000.00) for the filing of any statement or report. If the Ethics Commission determines the allegation or allegations are not true, it shall take no further action. Persons assessed a late filing fee may protest the assessment subject to provisions of the Administrative Procedures Act.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**TITLE 19, COUNTIES AND COUNTY OFFICERS**  
**COUNTY CAMPAIGN FINANCE AND FINANCIAL DISCLOSURE ACT**

**§ 138.11. Relationship to Local Government Campaign Finance and Financial Disclosure Act**

Sections 2 through 10 of this act shall be the provisions of the Local Government Campaign Finance and Financial Disclosure Act applicable to counties and shall be known as the "County Campaign Finance and Financial Disclosure Act".

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§138.12. Definitions**

(A) Definitions of terms used in the County Campaign Finance and Financial Disclosure Act shall be the same as those terms are defined in Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, unless otherwise provided herein.

(B) As used in the County Campaign Finance and Financial Disclosure Act:

1. **"Campaign committee"** means a committee which may be composed of one or more persons the purpose of which is to support the election of a specific candidate to county office, whose name as it will appear on the ballot shall appear in the name of the committee;
2. **"County office"** means any elective county office for which Declarations of Candidacy are filed with the secretary of the county election board as required by Section 5-103 of Title 26 of the Oklahoma Statutes; and
3. **"County political committee"** means any committee composed of one or more persons whose purpose includes the election or defeat of one or more candidates for county office but which is not required to register with the Ethics Commission or the Federal Election Commission.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 138.13. Duty of Campaign Committee to File Statement of Organization – Fee**

Each campaign committee shall file a notarized statement of organization with the county election board subject to the same requirements as set forth for candidate committees for state office to file statements of organization with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents, except as otherwise provided in the County Campaign Finance and Financial Disclosure Act. The statement of organization shall be accompanied by a check drawn upon the campaign committee's account in the amount of Fifty Dollars (\$50.00) as a nonrefundable processing fee to be deposited in the County Election Board Special Depository Account. Expenditures from such fees may be made by the secretary of the county election board for any lawful purpose.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 138.14. Duty of County Political Committee to File Statement of Organization**

Every county political committee shall file a notarized statement of organization with the county election board subject to the same requirements as set forth for political committees required to file statements of organization with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 138.15. Duty of Campaign Committee and County Political Committee to File Report of Contributions and Expenditures**

Every campaign committee and every county political committee shall file reports of contributions and expenditures with the county election board subject to the same requirements as set forth for reports of contributions and expenditures filed with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 138.16. Public Records - Retention and Destruction of Documents - Internet Postings**

Statements of organization and reports of contributions and expenditures required under the County Campaign Finance and Financial Disclosure Act shall be public records. The county election board shall maintain statements of organization and reports of contributions and expenditures for four (4) years after the date on which they are filed or prepared, if not posted on the county's website as provided herein, at which time the documents may be destroyed or retained at the discretion of the county election board. If the county in which the statements of organization are filed maintains an Internet website, the county election board may post on the website copies of statements of organization and reports of contributions and expenditures.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 138.17. Duty of Candidates and Elected Officers to File Statements of Financial Interests**

All candidates for county office and all elected county officers shall be required to file a notarized statement of financial interests with the county election board subject to the same requirements as set forth for statements of financial interests filed with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 138.18. Public Nature of Statements of Financial Interests - Retention and Destruction of Documents**

Statements of financial interests required under the County Campaign Finance and Financial

Disclosure Act shall be public records. The county election board shall maintain statements of financial interests for four (4) years after the date on which they are filed, at which time the documents may be destroyed or retained at the discretion of the county election board.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§138.19. Enforcement - Complaints - Investigations - Penalties – Protest**

The County Campaign Finance and Financial Disclosure Act shall be enforced by the Ethics Commission in the same manner as Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution are enforced, including but not limited to acceptance of complaints, civil prosecutions, settlement agreements and any other compliance practices or requirements. Complaints may be received by the Ethics Commission alleging filing of statements required to be filed under the County Campaign Finance and Financial Disclosure Act later than the prescribed time for filing or failure to produce reports required to be available for public inspection and copying. Such complaints shall be in the same form as other complaints. Upon receipt of such complaints, the Ethics Commission shall investigate whether the allegation or allegations are true and, if so, shall assess a late reporting penalty of up to One Hundred Dollars (\$100.00) per day, not to exceed a maximum of One Thousand Dollars (\$1,000.00) for the filing of any statement or report. If the Ethics Commission determines the allegation or allegations are not true, it shall take no further action. Persons assessed a late reporting penalty may protest the assessment subject to provisions of the Administrative Procedures Act.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**TITLE 70, SCHOOLS**  
**TECHNOLOGY CENTER DISTRICT AND INDEPENDENT SCHOOL DISTRICT CAMPAIGN**  
**FINANCE AND FINANCIAL DISCLOSURE ACT**

**§2-110. Applicability**

Sections 21 through 30 of this act shall be the provisions of the Local Government Campaign Finance and Financial Disclosure Act applicable to technology center districts and independent school districts and shall be known as the "Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act".

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 2-111. Definitions**

(A) Definitions of terms used in the Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act shall be the same as those terms are defined in Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, unless otherwise provided herein.

(B) As used in the Technology Center District and Independent School District Campaign Finance and Disclosure Act:

1. **"Campaign committee"** means a committee which may be composed of one or more persons the purpose of which is to support the election of a specific candidate to school district office, whose name as it will appear on the ballot shall appear in the name of the committee;
2. **"School district"** means a technology center district or an independent school district;
3. **"School district office"** means any elective school district office for which Declarations of Candidacy are filed with the secretary of the county election board as required by Section 13A-105 of Title 26 of the Oklahoma Statutes; and
5. **"School district political committee"** means any committee composed of one or more persons whose purpose includes the election or defeat of one or more candidates for school district office but which is not required to register with the Ethics Commission or the Federal Election Commission.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 2-112. Applicability of Act**

The Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act shall apply to all technology center districts and shall apply to all independent school districts.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 2-113. Duty of Campaign Committee to File Statement of Organization**

Each campaign committee shall file a statement of organization with the school district clerk subject to the same requirements as set forth for candidate committees for state office required to file statements of organization with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 2-114. Duty of School District Political Committee File Statement of Organization**

Every school district political committee shall file a statement of organization with the school district clerk subject to the same requirements as set forth for political committees required to file statements of organization with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 2-115. Duty to File Report of Contributions and Expenditures**

Every campaign committee and every school district political committee shall file a report of contributions and expenditures with the school district clerk subject to the same requirements as set forth for candidate committees and political action committees, respectively, required to file reports of contributions and expenditures with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 2-116. Public Access to Records – Retention and Destruction of Records Filed With School District Clerk**

Statements of organization and reports of contributions and expenditures required to be filed with the school district clerk under the Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act shall be public records. The school district clerk shall maintain statements of organization and reports of contributions and expenditures for four (4) years after the date on which they are filed, if not posted on the school district's website as provided herein, at which time the documents may be destroyed or retained subject to the discretion of the school district clerk. If the school district in which the statements of organization and reports of contributions and expenditures are filed maintains an Internet website, the school district clerk may post on the website copies of statements of organization and reports of contributions and expenditures.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 2-117. Candidate’s Duty to File Statement of Financial Interests**

All candidates for school district office and all elected school district officers shall be required to file a statement of financial interests with the school district clerk subject to the same requirements as set forth for candidates for state office required to file statements of financial interests with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 2-118. Public Access to Statements of Financial Interests – Retention and Destruction of Statements**

Statements of financial interests required to be filed with the school district clerk under the Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act shall be public records. The school district clerk shall maintain statements of financial interests for four (4) years after the date on which they are filed, if not posted on the school district's website as provided herein, at which time the documents may be destroyed or retained subject to the discretion of the school district clerk. If the school district in which the statements of financial interests are filed maintains an Internet website, the school district clerk may post on the website copies of statements of financial interests.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*

**§ 2-119. Enforcement Act – Complaints – Procedures – Penalties**

The Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act shall be enforced by the Ethics Commission in the same manner as Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution are enforced, including but not limited to acceptance of complaints, civil prosecutions, settlement agreements and any other compliance practices or requirements. Complaints may be received by the Ethics Commission alleging filing of statements or reports required to be filed under the Technology Center District and Independent School District Campaign Finance and Disclosure Act later than the prescribed time for filing. Such complaints shall be in the same form as other complaints. Upon receipt of such complaints of late filing, the Ethics Commission shall investigate whether the allegation or allegations are true and, if so, shall assess a late filing penalty of One Hundred Dollars (\$100.00) per day, not to exceed a maximum of One Thousand Dollars (\$1,000.00) for the filing of any statement or report. If the Ethics Commission determines the allegation or allegations are not true, it shall take no further action. Persons assessed a late filing fee may protest the assessment subject to provisions of the Administrative Procedures Act.

*Enacted in 2014 by Senate Bill 1745 [effective January 1, 2015].*