

ENROLLED HOUSE
BILL NO. 1705

BY: STEIDLEY of the HOUSE

and

TAYLOR of the SENATE

AN ACT RELATING TO STATE GOVERNMENT; ABOLISHING THE OKLAHOMA COUNCIL ON CAMPAIGN COMPLIANCE AND ETHICAL STANDARDS; MAKING TRANSFERS TO THE ETHICS COMMISSION; AMENDING SECTIONS 1 AND 2, CHAPTER 255, O.S.L. 1986, AS AMENDED BY SECTIONS 1 AND 2, CHAPTER 303, O.S.L. 1988, SECTION 3, CHAPTER 303, O.S.L. 1988, SECTION 3, CHAPTER 255, O.S.L. 1986, AS LAST AMENDED BY SECTION 1, CHAPTER 201, O.S.L. 1989, SECTION 4, CHAPTER 255, O.S.L. 1986, AS AMENDED BY SECTION 5, CHAPTER 303, O.S.L. 1988, SECTION 6, CHAPTER 303, O.S.L. 1988, SECTIONS 6, 7, 8, 9, 10 AND 11, CHAPTER 255, O.S.L. 1986, AS AMENDED BY SECTIONS 8, 9, 10, 11, 12 AND 13, CHAPTER 303, O.S.L. 1988, 26 O.S. 1981, SECTION 15-103, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 AND AS AMENDED BY SECTION 14, CHAPTER 303, O.S.L. 1988, SECTION 13, CHAPTER 255, O.S.L. 1986, AS AMENDED BY SECTION 15, CHAPTER 303, O.S.L. 1988, SECTION 1, CHAPTER 245, O.S.L. 1989, 26 O.S. 1981, SECTIONS 15-105, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 AND AS LAST AMENDED BY SECTION 16, CHAPTER 303, O.S.L. 1988, 15-106, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 AND AS AMENDED BY SECTION 17, CHAPTER 303, O.S.L. 1988, 15-107, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 AND AS AMENDED BY SECTION 18, CHAPTER 303, O.S.L. 1988, AND 15-108, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986, AND AS AMENDED BY SECTION 19, CHAPTER 303, O.S.L. 1988, SECTION 1, CHAPTER 234, O.S.L. 1984, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 AND AS LAST AMENDED BY SECTION 20, CHAPTER 303, O.S.L. 1988, 17 O.S. 1981, SECTION 177, AS AMENDED BY SECTION 1, CHAPTER 206, O.S.L. 1989 AND AS RENUMBERED BY SECTION 2, CHAPTER 206, O.S.L. 1989, 26 O.S. 1981, SECTION 15-112, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986, AND AS AMENDED BY SECTION 23, CHAPTER 303, O.S.L. 1988, SECTION 3, CHAPTER 44, O.S.L. 1985, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 AND AS LAST AMENDED BY SECTION 4, CHAPTER 339, O.S.L. 1989, SECTION 4, CHAPTER 44, O.S.L. 1985, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 AND AS LAST AMENDED BY SECTION 25, CHAPTER 303, O.S.L. 1988 AND SECTION 5, CHAPTER 44, O.S.L. 1985, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986, AND AS LAST AMENDED BY SECTION 26, CHAPTER 303, O.S.L. 1988, 74 O.S. 1981, SECTIONS 4002, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 AND AS LAST AMENDED BY

SECTION 28, CHAPTER 303, O.S.L. 1988, 4003, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986, 4004, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 AND AS LAST AMENDED BY SECTION 29, CHAPTER 303, O.S.L. 1988, 4005, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 AND AS LAST AMENDED BY SECTION 30, CHAPTER 303, O.S.L. 1988, 4006, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 AND AS LAST AMENDED BY SECTION 31, CHAPTER 303, O.S.L. 1988, 4007, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 AND AS LAST AMENDED BY SECTION 32, CHAPTER 303, O.S.L. 1988 AND 1411, AS RENUMBERED BY SECTION 34, CHAPTER 255, O.S.L. 1986 (74 O.S. SUPP. 1990, SECTIONS 4200, 4201, 4201.1, 4202, 4203, 4203.1, 4205, 4206, 4207, 4208, 4209, 4210, 4211, 4212, 4212.1, 4213, 4214, 4215, 4216, 4217, 4219.1, 4221, 4223, 4224, 4225, 4227, 4228, 4229, 4230, 4231, 4232 AND 4247), WHICH RELATE TO THE OKLAHOMA CAMPAIGN COMPLIANCE AND ETHICAL STANDARDS ACT; CHANGING THE OKLAHOMA CAMPAIGN COMPLIANCE AND ETHICAL STANDARDS ACT TO THE ETHICS COMMISSION ACT; CHANGING REFERENCES TO COUNCIL ON CAMPAIGN COMPLIANCE AND ETHICAL STANDARDS TO ETHICS COMMISSION; PROVIDING FOR ADMINISTRATION OF ETHICS COMMISSION ACT; MODIFYING AND ADDING DEFINITIONS; PROVIDING THAT REFERENCES TO CERTAIN ENTITIES BE CONSTRUED TO REFER TO ETHICS COMMISSION; MODIFYING AND DELETING CERTAIN PROVISIONS RELATING TO COUNCIL ON CAMPAIGN COMPLIANCE AND ETHICAL STANDARDS AND ETHICS COMMISSION; MODIFYING QUALIFICATIONS OF THE EXECUTIVE DIRECTOR; MODIFYING DUTIES OF THE COMMISSION; PROVIDING FOR ISSUANCE AND PUBLICATION OF ETHICS INTERPRETATIONS; AUTHORIZING ETHICS COMMISSION TO PROMULGATE CERTAIN RULES AND SPECIFYING PROCEDURES THEREFOR; MODIFYING COMPLAINT PROCEDURES; MODIFYING AUTHORIZED CIVIL PENALTIES; MODIFYING VOTING REQUIREMENTS FOR CERTAIN ACTIONS OF COMMISSION; CHANGING NAME OF FUND; MODIFYING CONTRIBUTIONS AND EXPENDITURES REPORTING PROCEDURES AND REQUIREMENTS; MODIFYING COMMITTEE AND DESIGNATED AGENT PROCEDURES AND REQUIREMENTS; REQUIRING COMMITTEES THAT ACCEPT CONTRIBUTIONS OR MAKE EXPENDITURES FOR OR AGAINST A STATE QUESTION TO FILE CERTAIN REPORTS; ADDING PENALTIES; MODIFYING PROCEDURES AND REQUIREMENTS REGARDING FINANCIAL DISCLOSURE STATEMENTS; MODIFYING PERSONS NOT REQUIRED TO BE REGISTERED AS LOBBYISTS; MODIFYING LOBBYIST REPORTS; PROHIBITING CERTAIN ACTS BY STATEWIDE ELECTED OFFICIALS; PROVIDING PENALTIES; REPEALING SECTION 5, CHAPTER 255, O.S.L. 1986, AS AMENDED BY SECTION 7, CHAPTER 303, O.S.L. 1988, AND SECTION 15, CHAPTER 276, O.S.L. 1986 (74 O.S. SUPP. 1990, SECTIONS 4204 AND 4248.1), WHICH RELATE TO THE COUNCIL ON CAMPAIGN COMPLIANCE AND ETHICAL STANDARDS AND ATTORNEY GENERAL OPINIONS; PROVIDING FOR RECODIFICATION; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

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

SECTION 1. The Oklahoma Council on Campaign Compliance and Ethical Standards is hereby abolished. All unexpended funds, outstanding financial obligations or encumbrances, contractual obligations, equipment files, materials and fixtures of the Council are hereby transferred to the Ethics Commission created in Section 1 of Article XXIX of the Oklahoma Constitution. The Ethics Commission shall assume jurisdiction over all unfinished complaints or other transactions undertaken by the Oklahoma Council on Campaign Compliance and Ethical Standards pending on the effective date of this act. All rules of the Council shall remain in effect until such time as the Ethics Commission promulgates rules in conformity with Section 3 of Article XXIX of the Oklahoma Constitution or the Ethics Commission Act. The Governor shall call the first meeting of the Commission.

SECTION 2. AMENDATORY Section 1, Chapter 255, O.S.L. 1986, as amended by Section 1, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4200), is amended to read as follows:

Section 4200. This act, Section 4200 et seq. of this title, shall be known and may be cited as the "~~Oklahoma Campaign Compliance and Ethical Standards~~ Ethics Commission Act".

SECTION 3. AMENDATORY Section 2, Chapter 255, O.S.L. 1986, as amended by Section 2, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4201), is amended to read as follows:

Section 4201. It is the intent of the Legislature that the law reflect the following items:

1. That the operation of government be properly conducted so that public officials are independent and impartial and that a public office is not used for private gain other than the remuneration provided by law. Public interest, therefore, requires that the law protect against any conflict of interest and establish standards for the conduct of elected officials and government employees in situations where conflicts may exist;
2. That the government attract those citizens best qualified to serve. Thus, the law against conflict of interest must be so designed as not to impede unreasonably or unnecessarily the recruitment and retention by government of those best qualified to serve. Public officials should not be denied the opportunity, available to all other citizens, to acquire and retain private economic interests except when such interests conflict with the responsibility of such officials to the public;
3. That the campaign process in this state operate to ensure that the people of this state elect their representatives in an informed and equitable manner and that qualified persons become candidates for public office with full confidence in the ability of the process to protect them from wrongful allegations of unlawful election practices;
4. That the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission operates to encourage the disclosure of all information required by this act, to assist persons required to file information with the ~~Council~~ Commission in complying with this act and to make liberal and extensive use of conciliation agreements allowed by this act if a complaint of a violation is made. It is the further intent of the Legislature that referrals not be made to the appropriate authorities for prosecution except in cases of knowing and willful violations of this act which carry a criminal penalty;

5. That the people be free to seek redress of their grievances and express their opinions to all government officials on current issues and pending legislative actions at every level of government;

6. That these objectives of protecting the integrity of government and of facilitating the recruitment and retention of qualified personnel by prescribing restrictions against conflict of interest without creating unnecessary barriers to public service be implemented;

7. That no officer or employee of any governmental entity or ~~other~~ political subdivision of this state, and no member of the Legislature or legislative employee, have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activities; or incur any obligation of any nature that is in substantial conflict with the proper discharge of his duties in the public interest; and

8. That all public officials and public employees are agents of the people and hold their positions for the benefit of the people. They are bound to uphold the Constitution of the United States and the Constitution of this state and to perform efficiently and faithfully their duties under the laws of the federal, state and local governments. Such officers and employees must observe, in their official acts, high standards of ethics regardless of personal consideration, recognizing that promoting the public interest and maintaining the respect for their government must be a foremost concern.

SECTION 4. AMENDATORY Section 3, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4201.1), is amended to read as follows:

Section 4201.1 A. The provisions of the ~~Oklahoma Campaign Compliance and Ethical Standards~~ Ethics Commission Act, Section 4200 et seq. of Title 74 of the Oklahoma Statutes, shall be administered as follows:

1. The ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission created in Section 4203 of Title 74 of the ~~Oklahoma Statutes~~ 1 of Article XXIX of the Oklahoma Constitution shall administer ~~this act~~ the Ethics Commission Act with respect to candidates or candidate committees for state or county office and, campaigns for state initiatives and referenda and public officials and public employees elected or appointed to serve in state and county government;

2. The municipal clerk shall administer ~~this act~~ the Ethics Commission Act with respect to candidates or candidate committees for municipal office or committees supporting or opposing candidates for municipal office; and

3. The clerk of the board of education shall administer this act with respect to candidates or candidate committees for school district office or committees supporting or opposing candidates for school district office.

B. The municipal clerk and the clerk of the board of education shall not receive any complaints of violations of this act and shall be limited to the duties prescribed in paragraphs 1, 2, 3, 4 and 5 of subsection A of Section 4206 of ~~Title 74 of the Oklahoma Statutes~~ this title.

SECTION 5. AMENDATORY Section 3, Chapter 255, O.S.L. 1986, as last amended by Section 1, Chapter 201, O.S.L. 1989 (74 O.S. Supp. 1990, Section 4202), is amended to read as follows:

Section 4202. As used in this act, Section 4200 et seq. of this title:

1. "Business" means any corporation, partnership, sole proprietorship, firm, enterprise, franchise, association,

organization, self-employed individual, holding company, joint stock company, receivership, trust, or any legal entity through which business is conducted for profit;

2. "Calendar quarter" means each three-month period of a calendar year, beginning on January 1, April 1, July 1 and October 1 of each year;

~~2.~~ 3. "Campaign" means and includes all activities for or against the election of a candidate to a specific state or local office for a specific term or the passage or defeat of a state question from the date of the first contribution, the making of the first expenditure, the filing of a declaration of candidacy or a public announcement of intent to seek such election, whichever is first;

~~3.~~ 4. "Candidate" means a person who has filed a notification and declaration of candidacy for any public office with the Secretary of the State Election Board or the secretary of any county election board. The term "candidate" shall include a person whose candidacy is unopposed, but shall not include any person who has withdrawn such notification and declaration of candidacy;

5. "Candidate committee" means the committee, consisting of one or more persons who may be the candidate only, designated by a candidate to promote the candidate's candidacy and serve as the recipient of all contributions and the disbursing officer of all expenditures for the candidate;

6. "Classified employee" means a state employee or a state employee on leave from employment who is under the jurisdiction of the Merit System of Personnel Administration as provided in the Oklahoma Personnel Act, Section 840.1 et seq. of this title;

7. "Committee" means a candidate committee, political action committee, political party, or organization;

8. "Compensation" means money, service, facility or thing of value or financial benefit which is received or is to be received in return for or in connection with services rendered or to be rendered;

~~4.~~ 9. "Complainant" means a person filing a complaint pursuant to the provisions of Section 4207 of this title;

~~5.~~ 10. "Contributor" means and includes every person or ~~organization~~ committee who makes a contribution;

~~6.~~ 11. "Contribution" means and includes any money, property, or in-kind services, including but not limited to, printing or engraving, radio or television time, billboards, advertising, subscription, forgiveness of indebtedness, personal or professional services or any other thing of value whatsoever which is given or loaned to be used in a campaign. The term "contribution" shall not include:

- a. money loaned to a candidate in connection with his own campaign by a bank, savings and loan association or credit union which is to be repaid with interest at a rate comparable to that of loans for equivalent amounts for other purposes,
- b. ~~voluntary services performed by the person donating such services~~ the value of services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate, organization, political action committee, state question committee, political party or federal political committee,
- c. for purposes of the contribution limits set forth in Section 4216 of this title, the transfer of any funds by a political action committee to another political

action committee, provided the committee has been established as provided by law if the transferring committee and the receiving committee have been established, directly or indirectly, and are administered or financially supported, directly or indirectly, by a common organization, or

- d. any payment made or obligation incurred by a corporation ~~or a~~, labor organization, membership organization, cooperative or corporation without capital stock for the establishment, administration, and solicitation of contributions to a separate segregated fund or political action committee to be utilized for political purposes ~~by a corporation, labor organization, membership organization, cooperative, or corporation without capital stock;~~

~~7.~~ 12. "Council Commission" means the Oklahoma Council on Campaign Compliance and Ethical Standards Ethics Commission;

13. "Election" means a Primary, Run-off Primary, General, or Special Election in which a candidate or state question is on the ballot;

~~8.~~ 14. "Election board" means the State Election Board in reference to candidates who file a declaration of candidacy with the State Election Board, or the appropriate county election board in reference to candidates who file a declaration of candidacy with the county election board;

~~9.~~ 15. "Expenditure" means a payment, distribution, contribution, loan, advance, compensation, reimbursement, fee deposit or gift of money securement, or any other thing of value, or services including but not limited to postage, telephone, telegraph, printing, advertising, travel, lodging, meals or entertainment for which payment is made with private or public funds, and includes a contract, promise or agreement to make an expenditure, whether or not legally enforceable;

~~10.~~ 16. "Family" means an individual, his or her spouse, if any, and all children under the age of eighteen (18) years residing in the same household;

~~11.~~ 17. "Governmental entity" means any department, commission, authority, council, board, bureau, committee, legislative body, agency, public trust, or other establishment of the executive, legislative or judicial branch of the State of Oklahoma or political subdivision thereof;

~~12.~~ 18. "Income" means any money or thing of value received, or to be received as a claim on future services, whether in the form of a fee, salary, gift, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, capital gain, or any other form of recompense or any combination thereof; provided, the term "income" shall not include campaign contributions;

19. "Legislation" means a bill, resolution, amendment, nomination or other matter pending in either house of the Legislature; any other matter which may be the subject of action by either house of the Legislature, including the introduction, consideration, passage, defeat, approval or veto of the matter; or any matter pending in or which may be the subject of action by a constitutional convention;

~~13.~~ 20. "Lobbying", or any derivative of the word thereof, means promoting, opposing or attempting to influence any official action; but shall not include any person representing himself or a client in a professional capacity in a court proceeding or before any governmental entity;

~~14.~~ 21. "Local office" means all elective offices for which declarations of candidacy are filed with the secretary of any county election board;

~~15.~~ 22. "Ministerial action" means an action that a person performs in a prescribed manner which involves no discretionary judgment;

~~16.~~ 23. "Official action" means any judicial, executive, legislative or administrative action which shall include, but is not limited to, the promulgation of rules and regulations and the setting of rates;

~~16.~~ 24. "Organization" includes a corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association, union, education or action group or committee or entity with two or more persons having a joint or common political interest;

~~17.~~ 25. "Person" means an individual, corporation, association, firm, partnership, labor union or labor organization, committee, club or other organization, or a group of persons who are voluntarily acting in concert;

~~18.~~ 26. "Political action committee" means a combination of at least two individuals, or a person other than an individual:

a. with the primary or incidental purpose of:

(1) supporting or opposing a candidate or political party, except those required to file with the Federal Election Commission, or

(2) supporting or opposing a state question, and

b. which accepts contributions or makes expenditures aggregating at least Two Hundred Dollars (\$200.00) during a calendar year;

~~18.~~ 27. "Political party" means any political party so recognized for the purpose of having candidates appear on the ballot;

~~19.~~ 28. "Public employee" means any person who is employed by and receives compensation from any governmental entity, but shall not mean independent contractors or public officials;

~~20.~~ 29. "Public official" means an elected or appointed official in the executive or legislative branch of the State of Oklahoma or any political subdivision thereof;

~~21.~~ 30. "Represent" or "representation" means any formal or informal attendance before, or any written or oral communication with, or the filing of documents with any governmental entity on behalf of a person or organization;

~~22.~~ 31. "Respondent" means a person named in a complaint filed pursuant to the provisions of Section 4207 of this title;

~~23.~~ 32. "Source" means the name, address, and description of the principal business activity of a person or organization; ~~and~~

~~33.~~ 33. "State employee" means an elected or appointed officer or employee of the executive, judicial, or legislative branch of state government, except members of the House of Representatives or State Senate;

~~24.~~ 34. "State office" means all elective offices for which declarations of candidacy are filed with the Secretary of the State Election Board; and

~~35.~~ 35. "Substantial financial interest" means an interest that could result in directly or indirectly receiving a substantial pecuniary gain or sustaining a substantial pecuniary loss as a result of ownership or interest in a business entity, or as a result of salary, gratuity or other compensation or remuneration from any person, partnership, organization, or association.

SECTION 6. AMENDATORY Section 4, Chapter 255, O.S.L. 1986, as amended by Section 5, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4203), is amended to read as follows:

Section 4203. A. ~~There is hereby created the Oklahoma Council on Campaign Compliance and Ethical Standards. The Council shall consist of nine (9) members who shall be appointed as follows:~~

~~1. Three members shall be appointed by the Governor. One member shall be a resident of Congressional District No. 3, one member shall be a resident of Congressional District No. 6 and one member shall be a resident of the state at large;~~

~~2. Three members shall be appointed by the President Pro Tempore of the Senate with the advice and consent of the Senate. One member shall be a resident of Congressional District No. 1, one member shall be a resident of Congressional District No. 4, and one member shall be a resident of the state at large; and~~

~~3. Three members shall be appointed by the Speaker of the House of Representatives with the advice and consent of the House of Representatives. One member shall be a resident of Congressional District No. 2, one member shall be a resident of Congressional District No. 5, and one member shall be a resident of the state at large.~~

~~The members of the Oklahoma Ethics Commission in office on the effective date of this act shall serve the remainders of their terms as members of the Council. Any references to the Oklahoma Ethics Commission or the Oklahoma Council on Campaign Compliance and Ethical Standards shall be construed to refer to the Council Ethics Commission created in Section 1 of Article XXIX of the Oklahoma Constitution.~~

~~No congressional district shall be represented by more than two members on the Council. No more than two of the three members of the Council appointed by the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall be from the same political party. Each member shall have been a member of his political party for not less than one (1) year.~~

~~B. The term of office of the initial appointments to the Council shall be as follows:~~

~~1. The term of office for three positions, one appointed by the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives, shall expire on March 31, 1991;~~

~~2. The term of office for three positions, one appointed by the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives, shall expire on March 31, 1989; and~~

~~3. The term of office for three positions, one appointed by the Governor, the President Pro Tempore of the Senate and the Speaker of the House of Representatives, shall expire on March 31, 1987. Thereafter, successors in office shall be appointed for a term of office of six (6) years. Members shall be eligible to succeed themselves in office.~~

~~C. B. No member or employee of the Council Commission, during the period of such membership or employment, shall:~~

~~1. Hold or campaign for state or local office;~~

~~2. Be an officer of any political party or organization committee;~~

~~3. Permit his name to be used, or make contributions, in support of or in opposition to any candidate or proposition;~~

~~4. Participate in any way in any election campaign; provided, a member or employee of the Council Commission shall retain the rights to register and vote in any election, to express his opinion privately on political subjects or candidates, to participate in the~~

activities of a civic, community, social, labor or professional organization and to be a member of a political party;

5. Lobby or assist a lobbyist; provided a member or employee of the ~~Council~~ Commission may lobby on matters directly affecting this act, Section 4200 et seq. of this title, at the request of any member of the Legislature;

6. Sell or cause to be sold, rent or lease either as an individual or through any nonpublicly traded business enterprise in which he holds a substantial financial interest, goods, services, buildings or property to the state or any county except by condemnation or threat of condemnation. For purposes of this subsection, "substantial financial interest" shall mean an ownership interest of five percent (5%) or more in a business enterprise or an interest in a nonpublicly traded entity from which dividends of One Thousand Dollars (\$1,000.00) or more were derived during the preceding calendar year. A member or employee of the ~~Council~~ Commission holding a substantial financial interest in a publicly traded business enterprise shall disqualify himself in any proceeding in which such interest might cause his impartiality to be reasonably questioned pursuant to the provisions of Section ~~6~~ 4203.1 of this ~~act~~ title;

7. Be employed by the state or any county in any other capacity, whether or not for compensation; or

8. Receive or agree to receive compensation for representing or assisting any person or business in any transaction involving the state or any county, except a court of law, or represent another person, firm, corporation or entity for a fee before any state department, agency, board or commission, except a court of law.

~~D. Members of the Council shall be removable only for cause pursuant to the provisions of this act or as provided by law for the removal of officers not subject to impeachment.~~

~~E. Members of the Council shall receive reimbursement for expenses incurred in the performance of their duties as provided for in the State Travel Reimbursement Act, Section 500.1 et seq. of this title.~~

~~F. Any vacancy in the Council shall be filled for the unexpired term of office in the same manner as the original appointment was made.~~

SECTION 7. AMENDATORY Section 6, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4203.1), is amended to read as follows:

Section 4203.1 A. A member of the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission shall disqualify himself or be disqualified by the ~~Council~~ Commission in a proceeding in which his impartiality might reasonably be questioned, including but not limited to, instances where:

1. The member has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

2. The member knows that he or his spouse or child has an interest in the subject matter in controversy or in a party to the proceeding that could be substantially affected by the outcome of the proceeding;

3. The member or his spouse or a person within the third degree of consanguinity to either of them or the spouse of such person:

a. is a party to the proceeding, or an officer, director, or trustee of a party,

b. is acting as a lawyer in the proceeding,

- c. is known by the member to have an interest that could be substantially affected by the outcome of the proceeding, or
- d. is to the member's knowledge likely to be a material witness in the proceeding.

B. A member shall inform himself about his personal and fiduciary financial interests and make a reasonable effort to inform himself about the personal financial interests of his spouse and children.

C. A member disqualified by the terms of this section may, instead of withdrawing from the proceeding, disclose on the record the basis of the disqualification. If, based on such disclosure, the respondent agrees in writing that the member's relationship is immaterial or that the financial interest is insubstantial, the member is no longer disqualified, and may participate in the proceeding. The agreement, signed by the respondent, shall be incorporated in the record of the proceeding.

D. The Chief Justice of the Supreme Court shall appoint a member of the Court on the Judiciary to replace any member of the ~~Council~~ Commission who disqualifies himself or who is disqualified pursuant to the provisions of this section to serve with respect to that particular proceeding only. The Executive Director of the ~~Council~~ Commission shall notify the Chief Justice in writing of any such disqualification. Such notice shall be confidential and not open for public inspection.

SECTION 8. AMENDATORY Section 6, Chapter 255, O.S.L. 1986, as amended by Section 8, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4205), is amended to read as follows:

Section 4205. ~~A. The Governor shall appoint, with the advice and consent of the Senate and the House of Representatives, an Executive Director of the Oklahoma Council on Campaign Compliance and Ethical Standards from a list of three (3) names submitted to the Governor by the Council.~~

~~B. A. The Executive Director of the Ethics Commission shall:~~

- ~~1. Be appointed for a two-year term ending March 31 of every odd-numbered year;~~

~~2. Be eligible to succeed himself;~~

~~3. Be subject to removal by the Council;~~

4. 1. Be an attorney licensed to practice law in this state with not less than five (5) years' experience in the practice of law;

~~5. 2.~~ Employ and set salaries of ~~Council~~ Commission staff within the limits authorized by the Legislature. Except for employees and positions in the unclassified service pursuant to Sections 840.8 and 840.10 of this title, all employees and positions shall be classified and subject to the provisions of the Merit System of Personnel Administration as provided in the Oklahoma Personnel Act, Section 840.1 et seq. of this title;

~~6. 3.~~ Receive a salary which shall be equal to the salary of a district attorney pursuant to the provisions of Section 215.30 of Title 19 of the Oklahoma Statutes; and

~~7. 4.~~ Be responsible for the administrative operations of the ~~Council~~ Commission and perform such other duties as may be delegated or assigned to him from time to time by law or by the ~~Council~~ Commission, pursuant to this act.

B. The ~~Council~~ Commission may employ one or more temporary assistants to assist the ~~Council~~ Commission in any proceedings held pursuant to the provisions of Section 4207 of this title.

SECTION 9. AMENDATORY Section 7, Chapter 255, O.S.L. 1986, as amended by Section 9, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4206), is amended to read as follows:

Section 4206. A. ~~The Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission shall:

1. Serve as the official repository for financial disclosure statements, campaign contributions and expenditures reports, lobbyist registrations and reports and such other documents filed by candidates or candidate committees for state or county office and public officials and public employees of state and county government as pertain to its duties;

2. Accept and file any information voluntarily supplied that exceeds the requirements of this act; provided, the ~~Council~~ Commission shall not require the disclosure of any information other than as specifically provided by this act;

3. Distribute forms upon which information shall be provided as required by this act and copies of this act to the persons required to submit forms and provide an adequate supply of such forms to each county election board and to the State Election Board and to the clerks of the appropriate political subdivisions for distribution to all candidates, committees, officials, and employees required to submit such forms;

4. Make campaign contributions and expenditures reports, lobbyists' registrations and reports, political action committees' registrations and financial disclosure statements filed with it available during regular business hours to the public subject to the Open Records Act, Section 24A.1 et seq. of Title 51 of the Oklahoma Statutes. No original or record copies of reports, registrations and statements shall be removed from the office of the ~~Council~~ Commission. No records or materials of the ~~Council~~ Commission shall be subject to the Open Records Act unless expressly provided for in this act;

5. Preserve such reports, registrations and statements in accordance with the Records Management Act, Section 201 et seq. of Title 67 of the Oklahoma Statutes, or for a period of at least two (2) years from date of receipt;

6. Issue ~~advisory opinions~~ ethics interpretations pertaining to the provisions of this act when requested by any person or ~~organization~~ committee under the jurisdiction of the ~~Council~~ Commission and publish its ethics interpretations annually; provided, that failure of a person to request an ~~advisory opinion~~ ethics interpretation shall have no relevance in any subsequent proceeding under this act or rules of the Ethics Commission involving such person. Provided further, such interpretation shall be binding on the Commission in any subsequent proceeding under this act or rules of the Ethics Commission. Sufficient deletions shall be made by the Commission in published ethics interpretations to prevent the disclosure of the identity of the persons involved in the situations presented in the ethical interpretations;

7. Pursuant to a complaint filed under the provisions of Section 4207 of this title and as specifically authorized by law, hold hearings, subpoena witnesses upon a vote of ~~at least seven a~~ majority of the members of the ~~Council~~ Commission, and compel their attendance and testimony, administer oaths and affirmations, take evidence, and require by subpoena the production of any books, papers, records, or other items relevant to the performance of the ~~Council's~~ Commission's duties or exercise of its powers; ~~and~~

8. Conduct investigations, inquiries, and hearings concerning its rules governing ethical conduct of campaigns, state officers,

and state employees and certify its own acts and records and determine whether to investigate and act upon a complaint;

~~8.~~ 9. Enforce and collect such late filing fees as provided for by this act. The ~~Council~~ Commission shall establish a procedure by which an employee of or person contracting with the ~~Council~~ Commission shall conduct a hearing regarding any late filing fee imposed upon written request. The hearing shall be conducted within thirty (30) days of the request. The decision of the person conducting the hearing may be appealed to the ~~Council~~ Commission upon written request; and

10. Initiate and continue programs for the purpose of educating officials, employees and citizens of this state on matters of ethics and government service.

B. ~~The Council~~ After public hearing, the Commission shall not be authorized to promulgate rules and regulations unless specifically so directed by the Legislature of ethical conduct for campaigns for initiatives and referenda and for state officers and employees, including civil penalties for violation of those rules, pursuant to the provisions of Section 3 of Article XXIX of the Oklahoma Constitution.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4206.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. The Ethics Commission shall be authorized to promulgate rules and regulations pursuant to the Administrative Procedures Act, Section 250 et seq. of Title 75 of the Oklahoma Statutes, for the purpose of carrying out its duties specified in Section 4206 of Title 74 of the Oklahoma Statutes with respect to candidates and candidate committees for county office, for campaigns for county initiatives and referenda and for county officers and employees.

B. The Ethics Commission shall adopt rules and regulations providing standards for allowing registrations, reports and statements to be filed on magnetic media or in other machine-readable form with the Commission.

SECTION 11. AMENDATORY Section 8, Chapter 255, O.S.L. 1986, as amended by Section 10, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4207), is amended to read as follows:

Section 4207. A. Except as otherwise provided in this section, persons, committees, candidates, public officials or public employees of state or county government shall be filed with the Oklahoma Council on Campaign Compliance and Ethical Standards Ethics Commission. The ~~Council~~ Commission shall not accept a complaint alleging a violation by a candidate for local office other than county office.

B. ~~The Council~~ Commission shall not initiate any investigation or other proceedings except ~~pursuant:~~

1. Pursuant to a complaint which meets the requirements of this section ~~or except pursuant;~~

2. Pursuant to the provisions of Section 4209 of this title; or

3. Pursuant to a violation of a rule promulgated by the Commission in accordance with subsection B of Section 4206 of this title and Section 3 of Article XXIX of the Oklahoma Constitution.

~~B.~~ C. Complaints shall be made in writing and signed by the person making the complaint and shall be verified and notarized. Each complaint shall state specifically the sections of this act or rules of the Ethics Commission that the person named in the complaint is alleged to have violated and the date of the alleged violation, which shall not be more than two (2) years before the date the complaint is filed. The Executive Director shall be

authorized, without action of the Council Commission, to refuse to accept any complaint which does not meet the requirements of this section and shall notify the person filing the complaint of the reasons for such refusal. The Executive Director shall, without action of the Council Commission, forward any complaint filed with the Council Commission, over which the Court on the Judiciary has jurisdiction to the Court on the Judiciary. The Executive Director shall forward any complaint alleging a violation by a member of the Council Commission to the Council on Judicial Complaints, which shall be authorized to refer the complaint to the district attorney of the county in which the alleged violation occurred.

D. If the Commission determines that information the Commission has received provides an adequate basis for the belief that a violation of its rules governing ethical conduct of campaigns for elective state office, campaigns for initiatives and referenda or state officers and state employees has been committed, an investigation may be conducted with respect to the alleged violation.

If the Commission finds probable cause to believe that a violation of its rules has occurred, it may, upon its own motion, make a complaint in writing, stating the name of the person who is alleged to have committed a violation of such rules, and set forth the particulars thereof. A complaint initiated by the Commission must be signed by a majority of the members of the Commission.

E. If a verified complaint has been filed, or if the Commission has issued its own complaint pursuant to the provisions of subsection D of this section, and subsequently the Commission finds probable cause to believe that a violation of its rules has occurred, other than the violation alleged in the complaint, the Commission may amend the complaint upon its own motion and include the violation. An amended complaint issued by the Commission must be signed by a majority of the members of the Commission. The Commission shall forward a copy of the amended complaint, and a general statement of the applicable laws or rules with respect to the amended complaint, to the complainant and respondent.

G. F. No person shall disclose the contents of a complaint, his intention to file a complaint, the fact that a complaint has been filed or his knowledge of another person's intention to file a complaint; provided, the respondent may disclose the entire contents of a complaint and any related materials at any time in the proceedings. If the respondent so discloses, any provisions of this act prohibiting disclosure of information shall be waived and the complaint and all records and materials related thereto shall be open for public inspection.

D. G. No complaint alleging any violation of the provisions of Sections 4211 through 4221 of this title by a candidate or by any person in connection with a campaign for state or county office may be filed with ~~or~~, received by or initiated by the Council Commission during the period beginning on the first day of the period for filing declarations of candidacy for the office and ending on the day after certification of the results of the election at which the office is filled.

E. H. A copy of any complaint filed with the Council Commission that meets the requirements of subsection B C of this section or a copy of any complaint initiated by the Commission, and a general statement of the applicable laws or rules with respect to the complaint, shall be sent by certified mail to the person named in the complaint. Such person shall have twenty (20) days from the day of receipt of the copy of the complaint to file a written response to the complaint. Upon written request by the person, the chairman

of the ~~Council~~ Commission may extend the time for response an additional twenty (20) days.

~~F.~~ I. A complaint may be withdrawn by the complainant at any time during the proceedings outlined in this section with the consent of the ~~Council~~ Commission and the respondent.

~~G.~~ J. Upon the filing of a complaint, the ~~Council~~ Commission shall determine if the complaint may be resolved by action on the part of either party or by a conciliation agreement pursuant to the provisions of subsection ~~P~~ S of this section or if the complaint should be dismissed. If not, the ~~Council~~ Commission may cause an investigation to be conducted and may order a hearing to be held pursuant to the provisions of Section 309 et seq. of Title 75 of the Oklahoma Statutes. The respondent shall have the right to be present during any of the proceedings except the final deliberations and the right to appear with counsel and shall be notified that the investigation and hearing may result in a referral of the complaint to the appropriate authority for prosecution if a criminal penalty is provided in this act for the violation cited in the complaint. The complainant shall not be present except at such times as he may be required to provide testimony.

~~H.~~ K. The rules of evidence shall apply to any hearings held pursuant to the provisions of this section.

~~I.~~ L. All proceedings held pursuant to the provisions of this section shall be conducted in executive sessions. All records relating to any such complaint, review or investigation shall be confidential and not open for public inspection.

~~J.~~ M. The ~~Council~~ Commission shall cause a record to be made of such proceedings and shall ~~provide for request~~ a hearing officer to conduct the proceedings and advise the ~~Council~~ Commission as necessary. The hearing officer shall be an attorney licensed to practice law in this state. The Court Administrator shall designate hearing officers. The Executive Director or designee shall present the complaint and any evidence supporting the complaint. The ~~Council~~ Commission shall determine:

1. The order of the proceedings;
2. The order in which the Executive Director or designee and the respondent and his counsel are to put on testimony and evidence, cross-examine witnesses and present arguments; and
3. Such other matters as may be necessary to ensure orderly proceedings. The ~~Council~~ Commission may request the assistance of the hearing officer in making such determinations.

~~K.~~ N. At the conclusion of the hearing, the ~~Council~~ Commission shall conduct final deliberations and shall determine if the complaint may be resolved by a conciliation agreement. No other person shall be present at such deliberations; provided, after such determination, the ~~Council~~ Commission may request the assistance of the Executive Director.

~~L.~~ O. At the conclusion of final deliberations, the ~~Council~~ Commission shall either set forth its determination in writing with findings of fact and conclusions of law. Such written decision with findings of fact and conclusions of law must contain one of the following orders:

1. ~~dismiss~~ A dismissal of the complaint;
2. ~~enter into~~ An order reflecting the terms of a conciliation agreement with the complainant and the respondent pursuant to the provisions of subsection ~~P~~ S of this section; ~~or~~
3. ~~refer~~ For complaints alleging a violation of rules of the Commission for which a civil penalty is provided and which govern ethical conduct of campaigns for elective state office, campaigns for initiatives and referenda or state officers and employees, an

order directing the Executive Director or designee to prosecute the complaint in the district court in the county where the violation occurred; or

4. For complaints alleging a violation of this act for which a criminal penalty is provided, an order referring the complaint and all material gathered by the ~~Council~~ Commission concerning the alleged violation to the appropriate authority for prosecution or action; provided, such referral shall only be made upon the affirmative vote of ~~at least seven (7) members of the Council~~ a majority of the members serving that there is probable cause to believe that the respondent committed a knowing and willful violation of the sections of this act cited in the complaint. If the ~~Council~~ Commission refers the complaint for prosecution or action, the records of any proceedings held pursuant to the complaint shall be transcribed.

As used in this section, "appropriate authority" means the district attorney of the county in which the violation occurred; provided, for Section 4246 of this title, "appropriate authority" means the appropriate House of the Legislature pursuant to Section 30 of Article V of the Oklahoma Constitution. If uncertainty exists as to the county in which the violation occurred, the Commission may prosecute in, or refer complaints to the district attorney of, any county in which the evidence indicates the violation might have been committed.

~~M. P.~~ If the appropriate authority declines to prosecute or take action, the investigation and order and all materials related thereto shall remain confidential. If the Executive Director or designee or other appropriate authority decides to prosecute or take action, the respondent shall be entitled to a copy of any report prepared by the ~~Council~~ Commission concerning the complaint and only that material presented at trial shall become open for public inspection. If the ~~Council~~ Commission dismisses the complaint, all materials related to the investigation shall be destroyed by the ~~Council~~ Commission six (6) months after the date of dismissal unless such materials are required for prosecution of filing a frivolous complaint pursuant to the provisions of Section 4208 of this title.

~~N. Q.~~ In making a determination to dismiss a complaint or to proceed with an investigation or to make a referral to the appropriate authority pursuant to the provisions of subsection O of this section, the ~~Council~~ Commission may exercise such discretion as it deems necessary to provide fairness to the accused and to maintain confidence in the public officials and employees who are subject to the provisions of this act.

~~O. R.~~ Any person disclosing any material made confidential pursuant to the provisions of this section, upon conviction, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding Ten Thousand Dollars (\$10,000.00). If the ~~Council~~ Commission upon a vote of at least seven members, a majority of the members serving determines that confidential information has been disclosed, it shall forward any materials related to such disclosure, along with any information it deems necessary, to the appropriate district attorney.

~~P. S.~~ A conciliation agreement to resolve any complaint filed may be entered into by the ~~Council~~ Commission and the respondent at any time during the proceedings provided for in this section. A conciliation agreement, unless violated, shall be a bar to any other action by the ~~Council~~ Commission or the district attorney. A conciliation agreement shall not be made public unless such disclosure is made part of the agreement. A conciliation agreement

may include a requirement that the respondent pay a civil penalty of:

1. ~~up to One Thousand Dollars (\$1,000.00)~~ Five Thousand Dollars (\$5,000.00) for a ~~public employee or a public official who is not a statewide elected official or up to Five Thousand Dollars (\$5,000.00) for a public official who is a statewide elected official.~~ respondent who is a statewide elected official, a candidate for statewide elective office or a committee for a candidate for statewide elective office;

2. Up to Five Thousand Dollars (\$5,000.00) or up to the combined total of expenditures and contributions not reported, whichever is greater, for a respondent who is a person or committee supporting or opposing a state question; or

3. Up to Two Thousand Five Hundred Dollars (\$2,500.00) for a respondent who is a person or committee other than those specified in paragraphs 1 and 2 of this subsection.

Such penalties shall be deposited with the State Treasurer to the credit of the General Revenue Fund. If the ~~Council~~ Commission finds, or either party alleges, that a conciliation agreement has been violated, the ~~Council~~ Commission shall conduct a hearing under the procedures specified in this section to determine if the conciliation agreement has been violated and, if so, if the complaint should be referred to the appropriate authority for prosecution. A conciliation agreement may be amended by the ~~Council~~ Commission.

SECTION 12. AMENDATORY Section 9, Chapter 255, O.S.L. 1986, as amended by Section 11, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4208), is amended to read as follows:

Section 4208. It shall be unlawful to file a frivolous complaint with the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission. A person shall be deemed to have filed a frivolous complaint if:

1. he has submitted or has caused or conspired with the complainant to submit substantially the same complaint to the ~~Council~~ Commission within the preceding six (6) months;

2. to the best of his knowledge, the complaint is not accurate or is not well grounded in fact; or

3. the complaint is made for an improper purpose, including harassment of any person named in the complaint.

If the ~~Council~~ Commission upon a vote of ~~at least seven~~ a majority of the members, ~~serving~~ determines that a frivolous complaint has been filed, it shall forward the complaint, along with any information it deems necessary, to the appropriate district attorney. Any person convicted of filing a frivolous complaint shall be guilty of a misdemeanor and shall be punished by a fine not exceeding Ten Thousand Dollars (\$10,000.00).

SECTION 13. AMENDATORY Section 10, Chapter 255, O.S.L. 1986, as amended by Section 12, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4209), is amended to read as follows:

Section 4209. The ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission shall post in public view in its office a list of those delinquent in filing any statements or reports required by this act. It shall send a delinquency notice to the appropriate person within twenty-four (24) hours of the filing deadline by registered or certified mail and may impose late filing fees as provided by law. If any person has not filed any statement or report within forty-eight (48) hours after receipt of such notice, the ~~Council~~ Commission may, on its own motion, institute proceedings against such person pursuant to the provisions of Section 4207 of this title; provided, the provisions of subsection ~~D~~

G of Section 4207 of this title shall not apply to proceedings instituted pursuant to the provisions of this section.

SECTION 14. AMENDATORY Section 11, Chapter 255, O.S.L. 1986, as amended by Section 13, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4210), is amended to read as follows:

Section 4210. There is hereby created in the State Treasury a revolving fund for the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission to be designated the "~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Revolving Ethics Commission Fund". The fund shall be a continuing fund, not subject to fiscal year limitations and shall consist of all copying fees received by the ~~Council~~ Commission. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the ~~Council~~ Commission for any expenses incurred in the implementation of this act. 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 State Finance for approval and payment.

SECTION 15. AMENDATORY 26 O.S. 1981, Section 15-103, as renumbered by Section 34, Chapter 255, O.S.L. 1986 and as amended by Section 14, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4211), is amended to read as follows:

Section 4211. A. ~~Every candidate, political party and organization~~ If a candidate or committee has accepted one or more contributions, or made one or more expenditures during a reporting period, the designated agent shall be required to file a complete written reports report of all contributions and expenditures as provided for in this act. If a candidate or committee has not accepted any contributions and has made no expenditures during a reporting period, the designated agent shall file a statement of inactivity.

B. ~~Every candidate or candidate committee for state or county office and every political party and organization committee, except for committees supporting or opposing municipal or school board candidates,~~ which receives a contribution which exceeds Two Hundred Dollars (\$200.00) in a campaign shall file a report reports with the Oklahoma Council on Campaign Compliance and Ethical Standards naming the source of each contribution which exceeds Two Hundred Dollars (\$200.00) and stating the amount of each contribution which exceeds Two Hundred Dollars (\$200.00) Ethics Commission. Every candidate or candidate committee for local office other than county office who receives a contribution which exceeds Two Hundred Dollars (\$200.00) in a campaign shall file such a report reports with the clerk of the appropriate political subdivision.

C. Every candidate and committee shall report the sources of each contribution which exceeds Two Hundred Dollars (\$200.00) in the aggregate during the campaign or calendar year.

D. Every committee, except for candidate committees, that makes a contribution to another candidate or committee in an amount which exceeds Two Hundred Dollars (\$200.00) in the aggregate during the campaign or calendar year shall report the contribution as an expenditure as provided by Section 4214 of this title; provided, this subsection shall not authorize any contribution otherwise prohibited by law. A committee shall not make a contribution in cash. A committee shall not make a contribution, other than in kind, except by written instrument containing the name of the donor and the name of the payee.

E. If a contributor makes more than one contribution to a candidate, organization or a political party candidate or committee and any of such contributions are of a value less than Two Hundred

Dollars (\$200.00) in the aggregate during the campaign a calendar year, then such contributions shall be reported whenever the aggregate value or amount of such contributions and the theretofore unreported contributions to such ~~candidate, organization or political party~~ candidate or committee exceeds Two Hundred Dollars (\$200.00).

~~D. F.~~ Contributions of a value Two Hundred Dollars (\$200.00) or less during the reporting period shall be reported as one aggregate total without identifying the contributors thereof; provided the source and nature of all corporate contributions to a committee or person for or against a state question shall be reported to the Ethics Commission, pursuant to Section 4215 of this title, regardless of the amount of such contributions. All corporate contributions to a committee or person for or against a state question shall be segregated from, and may not be commingled with, a fund established by such person or committee to contribute to candidates or committees which support or oppose candidates.

~~E. G.~~ Expenditures made by a candidate or candidate committee from his the candidate's own funds, including but not limited to, any funds loaned to him by a bank, savings and loan association or credit union, and on his own behalf shall not be considered as contributions but shall be reported as expenditures.

SECTION 16. AMENDATORY Section 13, Chapter 255, O.S.L. 1986, as amended by Section 15, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4212), is amended to read as follows:

Section 4212. A. ~~Political action committees~~ Committees shall register with the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission within ten (10) days of organization or within ten (10) days of receiving or expending more than Two Hundred Dollars (\$200.00). The form shall require the following information:

1. The name and address of the committee;
2. The name and address and relationship of any affiliated or connected organizations;
3. The name, address and position of the designated agent of the committee;
4. The name and address of the chairman, vice-chairman and treasurer of the committee and its staff director, if any;
5. If the committee is authorized by a candidate, the name, address, office and party affiliation of the candidate; and
6. A listing of all banks, safety deposit boxes or other depository used by the committee.

B. The form shall be as follows:

REGISTRATION: ~~Political Action~~ Committees

Please type or print clearly in ink.

1. NAME OF COMMITTEE: (Full Exact Name, Do not Abbreviate)

Street Address

City

State

Zip

2. PURPOSE OF COMMITTEE: (Check only one, then provide additional information on line checked)

Candidate	Candidate's Name (Last, First, Middle)	Office Sought	District/County/ County
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()

Ballot Committee Name or Description State Question# For Against
 (Initiative, of state question () ()
 Bond, Levy,
 Recall, etc.)
 ()

Special Interest (Associated with a business, association,
 labor union, or similar organization)
 ()

Other (Explain fully on an attached sheet) Brief Description
 ()

3. DURATION: Will committee continue beyond next election? 4. DATE: General/ Special Election MM/DD/YY 5. FEC ID NUMBER: (Federal Committees Only)
 () Yes () No

6. OFFICERS: Name (Last, First, Middle) Address (Street, City, State, Zip)

Chairman

Vice Chairman

Treasurer

Staff Director

7. DESIGNATED AGENT: Name Daytime Phone No.

Address City State Zip

8. DEPOSITORIES: Please list all banks, safety boxes or other depositories used by the above-named organization, committee or party. List primary depository first; use attached sheet if necessary.

Institution Name City ~~Desc.~~ Description
 (Account, Safety Deposit Box...)
 & Number

9. CONNECTED ORGANIZATIONS: List all affiliated or connected

organizations and indicate their relationship to this committee. List primary connected organization first; use attached sheet if necessary.

Organization Name	Address (Street, City, State, Zip)	Relationship
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10. CERTIFICATE: We certify that the above information is true, complete and correct.

Chairman's Signature	Date	Designated Agent's Signature	Date
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C. Any change in submitted information shall be reported within ten (10) days after the date of change. ~~Upon termination, a political action committee shall file a written statement that it no longer retains any contributions, that it will no longer receive any contributions or make any disbursements and that it has no outstanding debts or obligations.~~

SECTION 17. AMENDATORY Section 1, Chapter 245, O.S.L. 1989 (74 O.S. Supp. 1990, Section 4212.1), is amended to read as follows:

Section 4212.1 ~~The provisions of Sections 4211 and 4212 of Title 74 of the Oklahoma Statutes~~ this title shall not apply to out-of-state ~~organizations~~ committees which receive contributions and which contribute in Oklahoma only through an Oklahoma ~~organization~~ committee that registers and files reports of contributions and expenditures pursuant to the provisions of the ~~Oklahoma Campaign Compliance and Ethical Standards~~ Ethics Commission Act, Section 4200 et seq. of ~~Title 74 of the Oklahoma Statutes~~ this title.

SECTION 18. AMENDATORY 26 O.S. 1981, Section 15-105, as renumbered by Section 34, Chapter 255, O.S.L. 1986 and as last amended by Section 16, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4213), is amended to read as follows:

Section 4213. A. Every candidate or committee shall designate a person, who may be the candidate himself for a candidate committee, to be ~~his~~ the agent of the committee for the receipt and expenditure of contributions for reporting purposes. The agent may designate as many subagents as he deems fit. ~~A candidate~~ The chairperson of a committee may remove ~~his~~ the designated agent and designate another agent at any time. ~~A candidate~~ The chairperson or agent may remove a subagent and designate other subagents at any time. The designations of agents and subagents shall be made in writing and filed with the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission for candidates or candidate committees for state and county office and with the clerk of the appropriate political subdivision for candidates or candidate committees for local office other than county office. No person shall act as any agent or as a subagent until after his designation is so filed.

B. The form for designation of agent shall be as follows:

State of Oklahoma

DESIGNATION OF AGENT

Please type or print clearly in ink.

NAME OF CANDIDATE, OR COMMITTEE, ~~PARTY OR AGENT~~:
(Do not abbreviate. ~~Include candidate or agent's full name~~)

Business Address (Street or Box, City, State, Zip)

~~Residential Address (Street or Box, City, State, Zip)~~

CHECK YOUR FILING STATUS: (mark only one box)

() A CANDIDATE ~~running in an election~~ COMMITTEE. Name of authorized candidate committee (if any):

() A POLITICAL ACTION COMMITTEE. Name of ~~candidate (if authorized candidate committee)~~ Corporation or Organization:

() A POLITICAL PARTY. Central Committee/District/County/Club:

() AN AGENT. Name of candidate, or committee ~~or political party~~ represented:

Candidates or Candidate Committees Only: (fill in each applicable blank for candidate)

Office Title: Position No.: District/City/County

Date of Primary Election: Date of Runoff Primary Election: Date of General Election:

DESIGNATION OF AGENT: Name Daytime Phone No.

Address City State Zip

DESIGNATION OF SUBAGENTS: Name Address Daytime Phone Number

AGENT/SUBAGENTS REMOVED:

Name	Term of Service (from date of appointment to present)
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CERTIFICATE: I certify that the above information is true, complete and correct.

Candidate, Chairman or Agent's

Signature (person serving as appointing authority)

Date

~~C. Every political party shall designate a person to be its agent for the receipt and expenditure of contributions for reporting purposes. The agent may designate as many subagents as he deems fit. A political party may remove its agent and designate another agent at any time. The designations of agents and subagents shall be made in writing and file with the Council. No person shall act as any agent or subagent until after his designation is so filed.~~

~~D. Each agent shall maintain written records of all contributions and expenditures handled by him and shall require each of his subagents to maintain a written record of all contributions and expenditures handled by each such subagent. The written records shall be the property of the candidate or political party committee to which they relate and shall be delivered to the candidate or political party committee immediately upon:~~

- ~~1. Demand by the candidate, political party or agent or committee; ~~or~~~~
 - ~~2. Removal of an agent or subagent; or~~
 - ~~3. The expiration of his appointment; ~~or~~~~
 - ~~4. Expiration of ten (10) days after the general election,~~
- whichever shall first occur.

~~E. D. No organization committee shall solicit, accept or make a contribution on behalf of any individual candidate without expressed permission of the candidate.~~

SECTION 19. AMENDATORY 26 O.S. 1981, Section 15-106, as renumbered by Section 34, Chapter 255, O.S.L. 1986 and as amended by Section 17, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4214), is amended to read as follows:

Section 4214. A. The campaign contributions and expenditures ~~report reports~~ shall ~~contain~~ disclose:

1. The carryover from a previous campaign or cumulative period. For purposes of this act, a cumulative period shall begin on the first day of an even-numbered year and end on the last day of an odd-numbered year;
2. The grand total of contributions from the last campaign contributions and expenditures report unless beginning a new campaign or cumulative period;
3. The specific identification of each contributor ~~in the case of contributions of the values prescribed in Section 4211 of this~~

title who gives a contribution which exceeds Two Hundred Dollars (\$200.00), including his:

- a. the date the contribution is accepted,
- b. the contributor's address, and
- c. a specific description of the contribution. ~~The reports shall set forth all;~~

4. The aggregate value of all contributions received from each such contributor during the campaign for candidates and candidate committees or during the current calendar year for other committees;

5. The aggregate total of all contributions in the amount of Two Hundred Dollars (\$200.00) or less;

6. The total sum of all contributions during the current reporting period;

7. The grand total of all contributions for the campaign or cumulative period to date;

8. The grand total of expenditures from the last campaign contributions and expenditures report, unless beginning a new campaign or cumulative period;

9. All campaign expenditures in detail by categories or objects of expenditure;

10. The total of all expenditures during the current reporting period; and

11. The grand total of all expenditures for the campaign or cumulative period to date.

~~B. Such reports for candidates shall be subscribed under oath by the candidate and his designated agent. The reports for political parties shall be subscribed under oath certified by the candidate, the principal officer of the political party and its committee, or the designated agent. No fictitious names shall be used on the reports. The reports shall show the correct name of the person actually making the contribution.~~

~~B.~~ C. The form of the campaign contributions and expenditures report reports shall be as follows:

1. For all campaigns, except those for or against a state question:

CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORT

DATE OF REPORT _____, 19____

Name of Candidate, ~~Political Party,~~
or ~~Organization~~ Committee

Address of Candidate, ~~Political Party,~~
or ~~Organization~~ Committee

Office Sought: _____ Report Period:

From (Beginning of Period)

To (End of Period)

OFFICE

Listed below are the contributions received and the expenditures made which are required by law to be reported.

Carryover from Previous Campaign or Cumulative Period \$

CONTRIBUTIONS

Grand Total of Contributions
from Previous Report \$ _____

~~Contributors of more than \$200.00.~~

~~Name and Address Nature of Contribution Amount~~

~~Total of other contributions~~ _____ ~~Total~~
~~contributions this reporting period~~

~~Grand Total - All contributions for~~
~~campaign to date~~

<u>Date</u>	<u>Name and</u>	<u>Nature of</u>	<u>Amount</u>	<u>Total</u>
<u>Accepted</u>	<u>Address of</u>	<u>Contribution:</u>		<u>contributions by</u>
	<u>contributors</u>	<u>Cash, Check,</u>		<u>contributor</u>
	<u>of more than</u>	<u>or In-Kind</u>		<u>during</u>
	<u>\$200.00</u>	<u>(Describe)</u>		<u>campaign or</u>
				<u>calendar year</u>

_____	\$	\$
_____	\$	\$
_____	\$	\$
_____	\$	\$
_____	\$	\$

Total of other contributions \$200.00
or less this reporting
period (not itemized) \$ _____

Total contributions this
reporting period \$ _____

Grand Total - All contributions
for campaign or
cumulative period \$ _____

EXPENDITURES Amount

Previous Grand Total of Expenditures from Last Report \$ _____

Personal Services ◆Printing

Radio and Television _____
 Billboards
 Advertising - general
 Contributions to Other Campaigns

All committees, except for candidate committees, must identify
recipients of contributions to other campaigns following
verification of acceptance of amounts aggregating in excess of
\$200.00 by name, address, amount of contribution and total amount of
contributions during the campaign or calendar year:

<u>Name and Address</u>	<u>Amount</u>	<u>Total amount</u>
		<u>contributed</u>
		<u>during</u>
	<u>campaign</u>	<u>or</u>
		<u>calendar year</u>

_____ \$ _____ \$ _____

	<u>Total</u> \$
Miscellaneous	
Total expenditures this reporting period	\$
Grand Total - All expenditures for campaign to date <u>or cumulative period</u>	\$

BALLOT INFORMATION: candidates or candidate committees, please indicate whether the candidate's name appeared on the ballots for the following elections.

<u>PRIMARY</u>	<u>RUNOFF</u>	<u>GENERAL</u>
	<u>PRIMARY</u>	
____ Yes	____ Yes	____ Yes
____ No	____ No	____ No

To the best of my knowledge and belief, the above is a true and correct compilation.

Candidate's, Signature Chairperson's, or Designated Agent's
Signature

Subscribed and sworn to before me this ___ day of _____, 19__

My commission expires _____
Notary Public

2. For campaigns for or against a state question:
CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORT FOR
STATE QUESTION CAMPAIGNS

DATE OF REPORT _____, 19__

Name of Committee

Address of Committee

Report Period:
From (Beginning of Period) _____ To (End of
Period) _____

Listed below are the contributions received and the expenditures made which are required by law to be reported.

Carryover from Previous Campaign or Cumulative Period \$

CONTRIBUTIONS

Grand Total of Contributions
from Previous Report \$

<u>Date</u> <u>Accepted</u> <u>contributor</u>	<u>Name and</u> <u>Address of</u> <u>Non-corporate</u> <u>Contributors</u> <u>of more than</u> <u>\$200.00</u>	<u>Nature of</u> <u>Contribution:</u> <u>Cash, Check, or</u> <u>In-Kind</u> <u>(Describe)</u>	<u>Amount</u>	<u>Total</u> <u>contributions</u> <u>by</u> <u>during year</u>
			\$	\$

- d. after a candidate's name has been stricken from the ballot pursuant to Section 5-127 of Title 26 of the Oklahoma Statutes, or
- e. after withdrawal of the candidate's candidacy pursuant to Sections 5-115 or 5-116 of Title 26 of the Oklahoma Statutes.

2. A political party committee may dissolve only after the political party itself dissolves.

3. A political action committee or an organization may dissolve only after it determines that it will not accept contributions or make expenditures.

4. A final campaign contributions and expenditures report may be filed at the time or before a scheduled filing is due. The form must:

- a. be marked "final", and
- b. include a list of the material assets worth Fifty Dollars (\$50.00) or more, and detail their disposition.

5. If a committee owes or is owed money, the committee may dissolve, but must report the status of the debts on the same dates as campaign contributions and expenditures reports would be due until all debts are resolved. Methods of resolution must also be detailed.

6. Unused contributions and campaign assets must be disposed of by candidates or candidate committees according to Section 4217 of this title.

SECTION 20. AMENDATORY 26 O.S. 1981, Section 15-107, as renumbered by Section 34, Chapter 255, O.S.L. 1986 and as amended by Section 18, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4215), is amended to read as follows:

Section 4215. The reports of contributions and expenditures or statements of inactivity shall be filed with the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission for candidates or candidate committees for state and county office, ~~political parties or~~ and committees supporting or opposing state or county candidates and organizations, or with the clerk of the appropriate political subdivision for municipal or school board candidates, candidate committees, for local office other than county office and committees supporting or opposing municipal or school board candidates, as follows:

1. The reports of a candidate, ~~political party or organization or committee~~ as herein defined shall be filed on or before the tenth day preceding the date of the Primary ~~or Runoff Primary Election, or the Special Election in which the issue is to be voted upon, in the case of a state question,~~ and shall cover the period beginning with include all contributions accepted and all expenditures made from the date on which the earliest contribution was received or expenditure was made, whichever was earlier, through a period of time ending fifteen (15) days preceding the date of the Primary or Runoff Primary Election, or Special Election in the case of a state question.

2. A further report of a candidate or committee, as herein defined, shall be filed on or before the tenth day preceding the date of the Runoff Primary Election and shall include all contributions accepted and all expenditures made from the close of the reporting period required by paragraph 1 of this section through the fifteenth day preceding the date of the Runoff Primary Election.

2. 3. A further report of a candidate, ~~a political party or organization or committee,~~ as herein defined, shall be filed on or before the tenth day preceding the date of the General Election and

shall include all contributions ~~received~~ accepted and all expenditures made from the ~~date any contribution was first received or expenditure was first made, whichever is earlier,~~ close of the reporting period required by paragraph 2 of this section through the fifteenth day preceding the date of the General Election.

~~3.~~ 4. A further report of a candidate, ~~political party or organization~~ or committee, as herein defined, shall be filed on or before the fortieth day after the date of the General Election, or, in the case of a state question, the election wherein the question was voted upon, and shall include all contributions ~~received~~ accepted and all expenditures made from the ~~date the first contribution was received or expenditure was first made, whichever is earlier,~~ close of the reporting period required by paragraph 3 of this section through the thirtieth day after the date of the General Election.

~~4.~~ 5. The reports of committees accepting contributions or making expenditures for or against a state question shall be filed with the Ethics Commission as follows:

- a. In the case of a campaign for or against an initiative or referendum petition or a legislative referendum, a report shall be filed on or before the fifth day after the initiative or referendum petition or measure containing a legislative referendum is filed with the Secretary of State. The report shall cover the period beginning with the date on which the earliest contribution was accepted or expenditure was made, whichever was earlier, through the day before the petition or measure is filed with the Secretary of State,
- b. In the case of a campaign for or against an initiative or referendum petition or a legislative referendum, a further report shall be filed on or before the tenth day of the month following the month during which the initiative or referendum petition or measure containing a legislative referendum is filed with the Secretary of State. The report shall include all contributions accepted and expenditures made from the close of the reporting period required by subparagraph a of this paragraph through the end of the month during which the petition or measure is filed with the Secretary of State,
- c. In the case of a campaign for or against an initiative or referendum petition or a legislative referendum, a further report shall be filed on or before the tenth day of the second month following the month during which the initiative or referendum petition or measure containing a legislative referendum is filed with the Secretary of State. The report shall include all contributions accepted and expenditures made from the close of the reporting period required by subparagraph b of this paragraph through the end of the month following the month during which the petition is filed with the Secretary of State,
- d. In the case of a campaign for or against an initiative or referendum petition or a legislative referendum, a further report shall be filed on or before the tenth day of the third month following the month during which the initiative or referendum petition or measure containing a legislative referendum is filed with the Secretary of State. The report shall include all

contributions accepted and expenditures made from the close of the reporting period required by subparagraph c of this paragraph through the end of the second month following the month during which the petition is filed with the Secretary of State,

e. In the case of a campaign for or against an initiative or referendum petition or a legislative referendum, a further report shall be filed on or before the tenth day of the fourth month following the month during which the initiative or referendum petition or measure containing a legislative referendum is filed with the Secretary of State. The report shall include all contributions accepted and expenditures made from the close of the reporting period required by subparagraph c of this paragraph through the end of the third month following the month during which the petition is filed with the Secretary of State,

f. In the case of a campaign for or against an initiative or referendum petition which fails to qualify to be placed on the ballot, an additional report shall be filed on or before the thirty-fifth day after the deadline for filing the signed copy of the petition, or on or before the thirty-fifth day after the date of notification that the measure has failed to qualify, whichever is earlier. In the case of a legislative referendum which fails to qualify to be placed on the ballot, an additional report shall be filed on or before the thirty-fifth day after the date of notification that the measure has failed to qualify. The report shall include all contributions accepted and expenditures made from the close of the prior reporting period required by this paragraph through the thirtieth day after either the deadline for filing the signed copy of the petition or the thirtieth day after the date of notification that the measure has failed to qualify, whichever is earlier, or in the case of a legislative referendum, the thirtieth day after the date of such notification,

g. In the case of a campaign for or against a state question which has qualified for the ballot, an additional report shall be filed on or before the fifteenth day after the date of notification that the measure has qualified for the ballot. The report shall include all contributions accepted and expenditures made from the close of the reporting period required by subparagraph d of this paragraph through the tenth day after the date of notification that the measure has qualified for the ballot,

h. In the case of a campaign for or against a state question which has qualified for the ballot, further reports shall be filed monthly up to and including the month following the month of the election that the state question will appear on the ballot. Reports shall be filed within ten (10) calendar days following the end of the preceding month and shall include all contributions accepted and expenditures made during the preceding month,

i. In the case of a campaign for or against a state question which has qualified for the ballot, a pre-election report shall be filed no later than the tenth

day before the election that the state question will appear on the ballot. The report shall include all contributions accepted and expenditures made from the close of the reporting period of the last monthly report through a period of time ending fifteen (15) days prior to the date of the election. Provided, that the monthly report shall substitute for the pre-election report if the closing period of the monthly report is less than fifteen (15) days before said election,

- j. In the case of a campaign for or against a state question, supplemental reports shall be required as provided by paragraph 6 of this section,
- k. Committees supporting or opposing campaigns for or against an initiative or referendum petition or legislative referendum filed before July 1, 1991, shall not be subject to the requirements of paragraph 5, subparagraphs a through h of this section.

6. If any contributions are ~~received~~ accepted or any expenditures made within six (6) months after the ~~date of the General Election~~ close of the reporting period required by paragraph 4 of this section, or, in the case of a state question, the date of the election wherein the question was voted upon, the candidate, ~~the party or organization~~ or committee, as herein defined, shall file a supplemental report within six (6) months and ten (10) days after the date of the General Election, or, in the case of a state question, the ~~Special Election~~ election at which the question was voted upon, together with the names of the contributors and the purpose for which the expenditures were made. Such report shall include all contributions accepted and expenditures made from the close of the reporting period required by paragraph 4 of this section, or in the case of a state question, the date of the election wherein the question was voted upon through six (6) months after the date of the General Election or, in the case of a state question, the date of the election wherein the question was voted upon. Provided further, that if any contributions are accepted or expenditures are made in connection with such campaign after said six-month period same shall also be fully reported not later than ~~December 31~~ January 15 of each year thereafter. Such reports shall include all contributions accepted and expenditures made from the close of the reporting period of the report most recently filed through December 31 of the previous year.

~~5. Reports shall be filed, regardless of whether or not a candidate, political party or organization, as herein defined, receives contributions or makes expenditures.~~

~~6. 7. Reports may be filed by mail or delivered to the Commission or the clerk of the appropriate political subdivision but the same must be ~~postmarked~~ received by the Commission or the clerk of the appropriate political subdivision not later than ~~11:59~~ 4:30 p.m. of the day preceding the day specified for filing in order to be deemed timely filed. If the reports are delivered to the Council or the clerk of the appropriate political subdivision by means other than mail, they must be received by the Council or the clerk not later than 4:30 p.m. on the day specified for filing in order to be deemed timely filed.~~

~~7. 8. Candidates for United States Senator or United States Representative may, in lieu of filing the reports prescribed herein, file with the Commission copies of campaign contribution and expenditure reports required by laws of the United States.~~

~~8. A candidate who is unopposed shall be required to file the first report required by this section but shall only be required to file additional reports if he has received any contributions or made any expenditures during the period for which the report is required.~~

SECTION 21. AMENDATORY 26 O.S. 1981, Section 15-108, as renumbered by Section 34, Chapter 255, O.S.L. 1986, and as amended by Section 19, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4216), is amended to read as follows:

Section 4216. No person or family may contribute more than Five Thousand Dollars (\$5,000.00) to a political party or organization committee, except for a candidate committee, in any calendar year. No person or family may contribute more than Five Thousand Dollars (\$5,000.00) to a candidate for state office or to a candidate for municipal office in a municipality with a population of over two hundred fifty thousand (250,000) persons, according to the most recent federal decennial census, or to an organization a candidate committee authorized by such a candidate to receive contributions or make expenditures on his behalf, nor more than One Thousand Dollars (\$1,000.00) to a candidate for other local office or to an organization authorized by such a candidate to receive contributions or make expenditures on his behalf for a campaign. No political party, organization or candidate, candidate committee, or other committee shall receive contributions in excess of the amounts provided herein. These restrictions do not apply to a committee supporting or opposing an initiative or referendum petition or a legislative referendum.

SECTION 22. AMENDATORY Section 1, Chapter 234, O.S.L. 1984, as renumbered by Section 34, Chapter 255, O.S.L. 1986 and as last amended by Section 20, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4217), is amended to read as follows:

Section 4217. A. Contributions ~~received~~ accepted by any candidate or candidate committee shall be used to defray any campaign expenditures or any ordinary and necessary expenses incurred by the person in connection with his duties as a holder of the public office including, but not limited to, expenses for use in a future election campaign, for political activity, for community activity or for nonreimbursed public office related expenses. Said contributions shall not be used for any other purposes. Contributions and any interest income earned on said contributions which are not used in this manner within forty-eight (48) months of the date specified for filing the final report of campaign contributions and expenditures pursuant to the provisions of paragraph 4 of subsection A of Section 4215 of this title of the General Election which is intended to result in the final election of a single individual to the office at stake shall be disposed of as follows:

1. Returned to the contributors pursuant to any formula approved by the candidate; provided, any amount returned to a contributor shall not exceed the amount of the original contribution;

2. Donated to the campaign of any other political candidate or to any political party officially recognized by the State Election Board;

3. Donated to a charitable organization qualified for a tax exemption pursuant to the provisions of the Internal Revenue Code; or

4. Retained by the candidate or candidate committee for use in a future election.

B. Any person who receives contributions for a campaign but does not file a notification and declaration of candidacy for public

office with the Secretary of the State Election Board or the secretary of any county election board, or any person who has withdrawn such notification and declaration of candidacy, shall ~~file a report of contributions and expenditures on or before the first date specified in Section 4215 of this title for the filing of said reports, and shall otherwise~~ be governed by the provisions of this section.

SECTION 23. AMENDATORY 17 O.S. 1981, Section 177, as amended by Section 1, Chapter 206, O.S.L. 1989 and as renumbered by Section 2, Chapter 206, O.S.L. 1989 (74 O.S. Supp. 1990, Section 4219.1), is amended to read as follows:

Section 4219.1 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 ~~Oklahoma Campaign Compliance and Ethical Standards~~ Ethics Commission Act 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 ~~Oklahoma Campaign Compliance and Ethical Standards~~ Ethics Commission Act 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.

SECTION 24. AMENDATORY 26 O.S. 1981, Section 15-112, as renumbered by Section 34, Chapter 255, O.S.L. 1986 and as amended by Section 23, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4221), is amended to read as follows:

Section 4221. A. Every person who knowingly and willfully violates any of the provisions of Sections 4211 through 4220 of this title shall, upon conviction, be guilty of a misdemeanor and shall be punished by the imposition of a fine of not more than One Thousand Dollars (\$1,000.00) or by confinement in the county jail for not more than six (6) months, or by both such fine and imprisonment. Such violations shall be prosecuted in the county in which said reports are required to be filed.

B. Every candidate or candidate committee for state or county office and every other committee failing to file registrations, designations of agents, and reports of contributions and expenditures or statements of inactivity on or before the days specified in ~~Section~~ Sections 4212, 4213 and 4215 of this title shall be assessed by the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ 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). 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 Section 4215 of this title 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). The agent, except for agents for candidates or candidate committees, may be liable for the late fee. Failure to file a report shall be deemed to be a separate offense

for each day that the report remains unfiled after it becomes due. Fees collected pursuant to the provisions of this subsection shall be deposited with the State Treasurer to the credit of the General Revenue Fund. ~~Such Candidates or candidate committees shall not pay such fees shall not be paid~~ from campaign funds.

SECTION 25. AMENDATORY Section 3, Chapter 44, O.S.L. 1985, as renumbered by Section 34, Chapter 255, O.S.L. 1986 and as last amended by Section 4, Chapter 339, O.S.L. 1989 (74 O.S. Supp. 1990, Section 4223), is amended to read as follows:

Section 4223. A. Any person elected to an office for which a declaration of candidacy is required to be filed with the State Election Board as provided in Section 5-102 of Title 26 of the Oklahoma Statutes or the county election board as provided in Section 5-103 of Title 26 of the Oklahoma Statutes, except any person required to file financial disclosure pursuant to the provisions of any federal law, shall file a Financial Disclosure Statement with the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission on or before the fortieth day after each General Election.

B. Any candidate for an office for which a declaration of candidacy is required to be filed with the State Election Board as provided in Section 5-102 of Title 26 of the Oklahoma Statutes or the county election board as provided in Section 5-103 of Title 26 of the Oklahoma Statutes shall file a Financial Disclosure Statement with the ~~Council during the period specified in Section 5-110 of Title 26 of the Oklahoma Statutes~~ Commission on or before the tenth day following the last day for filing the declaration of candidacy for the office.

C. Any person retained in an office for which a declaration of candidacy is required to be filed with the Secretary of State as provided in Section 11-101 of Title 26 or Section 30.16 of Title 20 of the Oklahoma Statutes shall file a Financial Disclosure Statement with the ~~Council~~ Commission on or before the fortieth day after the General Election.

D. The chief administrative officer and the first assistant administrative officer of any state agency, board or commission who make the policy decisions necessary to implement the duties imposed on the entity by law and any state employee who is responsible for taking or recommending official action of a nonministerial nature with regard to contracting or procurement of services or products exceeding Seven Hundred Fifty Dollars (\$750.00) in cost per calendar year shall file a Financial Disclosure Statement with the ~~Council~~ Commission upon initial employment and not later than April 30 of each even-numbered year thereafter.

E. A member of a board or commission as created by the Oklahoma Constitution or by statute except members of advisory committees to the legislative, executive, or judicial branches of state government, Foster Care Review Board members appointed pursuant to Section 1116.2 of Title 10 of the Oklahoma Statutes, and board members of guaranty associations created pursuant to state statute, shall file a Financial Disclosure Statement with the ~~Council~~ Commission upon initial appointment and not later than April 30 of each even-numbered year thereafter. The provisions of this subsection shall not be construed to require precinct inspectors, judges, clerks and counters to file Financial Disclosure Statements.

F. No individual shall be required to file more than one Financial Disclosure Statement in any calendar year.

~~F. G.~~ Every person failing to file a Financial Disclosure Statement on or before the dates specified in this section shall be assessed by the ~~Council~~ 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 report shall not exceed One Thousand Dollars (\$1,000.00). Failure to file a Financial Disclosure Statement shall be deemed to be a separate offense for each day that the Statement remains unfiled after it becomes due. Fees collected pursuant to the provisions of this subsection shall be deposited with the State Treasurer to the credit of the General Revenue Fund. Such fees shall not be paid from campaign funds.

H. Every state agency, and every board and commission created by the Oklahoma Constitution or by state statute, except those exempted in subsection E of this section, shall designate an employee or member who shall be responsible for filing a list of employees and/or members of governing boards or commissions required under this section to file Financial Disclosure Statements on or before January 1 of each year. Names of individuals no longer required to file shall also be reported along with the effective date of the termination of their services.

SECTION 26. AMENDATORY Section 4, Chapter 44, O.S.L. 1985, as renumbered by Section 34, Chapter 255, O.S.L. 1986, and as last amended by Section 25, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4224), is amended to read as follows:

Section 4224. A. Except for those persons required to file a Financial Disclosure Statement pursuant to the provisions of subsection B of Section 4223 of this title, any person who is required to file a Financial Disclosure Statement may effect one thirty-day extension of his time for filing such a statement by filing with the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission, not more than ten (10) days before or ten (10) days after the date the Financial Disclosure Statement is due, a declaration of his intention to defer the filing of his Financial Disclosure Statement.

B. All Financial Disclosure Statements required to be filed pursuant to the provisions of Section 4223 of this title shall be ~~completed and executed under oath certified.~~

C. The ~~Council~~ Commission shall retain the Financial Disclosure Statements according to the provisions of the Records Management Act, Section 201 et seq. of Title 67 of the Oklahoma Statutes; provided, all statements shall be retained by the ~~Council~~ Commission for at least two (2) years.

SECTION 27. AMENDATORY Section 5, Chapter 44, O.S.L. 1985, as renumbered by Section 34, Chapter 255, O.S.L. 1986, and as last amended by Section 26, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4225), is amended to read as follows:

Section 4225. A. The Financial Disclosure Statement shall contain the following information for the preceding two (2) calendar years or for the period since the most recent Financial Disclosure Statement was filed:

1. Name or title of the office;
2. Name of the person filing the Financial Disclosure Statement;
3. Business address of the person;
4. Residential address of the person;
5. Occupation or business of the person prior to the election or employment for which the Financial Disclosure Statement is being filed;
6. Prior positions held as a public official, regardless of whether a salary or reimbursement was received for such service;

7. Names, business addresses, residential addresses and occupations of the spouse of the person and all living adult children if such spouse or children are doing business with:

- a. the state, if the person filing the Financial Disclosure Statement is a state officer, candidate or employee, or
- b. the county, if the person filing the Financial Disclosure Statement is a county officer or candidate;

8. A list of categories or industries from which income is received without reference to amounts or frequency of receipt of income. Provided, categories or industries from which less than One Thousand Dollars (\$1,000.00) annually is received may be omitted. Such persons shall list special areas of practice in general subjective terms;

9. A list of categories or industries in which the person has had stock during the period for which the information on the Financial Disclosure Statement is required. Provided, categories or industries in which the person has stock valued at less than One Thousand Dollars (\$1,000.00) at the time of filing the Financial Disclosure Statement may be omitted;

10. The name of any entity from which an honorarium or honoraria, valued at more than Two Hundred Dollars (\$200.00) over and above actual expenses paid to the person, was received and the value of any such honorarium; and

11. The name of any registered lobbyist with whom the person has engaged in business from which income of over One Thousand Dollars (\$1,000.00) was received.

B. The form for the Financial Disclosure Statement shall be as follows:

FINANCIAL DISCLOSURE STATEMENT

NAME: (Last, First, Middle)

Birth Date

Business Address (Street or Box, City, State, Zip)

Residential Address (Street or Box, City, State, Zip)

CHECK YOUR FILING STATUS: (mark only one box)

- () An elected official.
- () A candidate running in an election:
month _____ year _____
- () An elected official retained in office.
- () A state agency head or first deputy.
- () A member of a board or commission.
- () Other state employee (with nonministerial duties).

Position you hold or have been appointed to:
(fill in all applicable blanks)

Position title:

County or agency of the office: (give name and number if state)

Position number:

Term begins: _____ ends:

Appointment date:

Employment date:

1. OCCUPATION OR BUSINESS: (current or prior to this election or appointment)

2. PRIOR POSITIONS HELD AS A PUBLIC OFFICIAL: (List most recent positions first)

3. SPOUSE and ADULT CHILDREN: Give the following information for your spouse and all living adult children (over 18 years of age) if your spouse or children are doing business with the State of Oklahoma (for state officials/candidates) or with the county (for county officials/candidates).

NAME	RESIDENTIAL ADDRESS	BUSINESS ADDRESS	OCCUPATION
Check here () if continued on attached sheet			

~~5.~~ 4. INCOME: List categories or industries from which you receive \$1,000 or more annually:

Check here () if continued on attached sheet

~~6.~~ 5. STOCK: List categories or industries in which you have owned stock which is valued at \$1,000 or more during the period for which this Financial Disclosure Statement is required:

CATEGORY OR INDUSTRY

CATEGORY OR INDUSTRY

CATEGORY OR INDUSTRY

Check here () if continued on attached sheet

~~7.~~ 6. HONORARIA: List names of any entities from which you received an honorarium or honoraria valued at more than \$200 over and above actual expenses and list the value of such honorarium or honoraria:

DATE

ENTITY

VALUE

Check here () if continued on attached sheet

~~8.~~ 7. LOBBYISTS: List any registered lobbyists with whom you have engaged in business from which income of over \$1,000 was received:

LOBBYIST'S NAME

LOBBYIST'S NAME:

Check here () if continued on attached sheet

Report additional information on plain 8 1/2 x 11 paper using format of each question. Attach pages to this report. Put your name and the date on all attachments.

To the best of my knowledge and belief, the above is a true and correct compilation:

SIGNATURE: (Person Filing Statement) _____ Date _____

~~Subscribed and sworn to before me this: _____ My commission expires: _____~~

~~_____~~
Date _____ Date _____

~~Notary Signature: _____ (SEAL) _____~~

SECTION 28. AMENDATORY 74 O.S. 1981, Section 4002, as renumbered by Section 34, Chapter 255, O.S.L. 1986, and as last amended by Section 28, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4227), is amended to read as follows:

Section 4227. A. The following persons shall register with the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission as lobbyists:

1. Any person who makes a total expenditure in excess of Two Hundred Fifty Dollars (\$250.00) in a calendar quarter, not including his own travel, food or lodging expenses, or his own membership dues, or contributions for multicounty matching funds used in tourism promotion for lobbying with one or more members of the legislative branch, judicial branch, or executive branch to influence any legislation or official action;

2. Any person who receives a total compensation or reimbursement in excess of Two Hundred Fifty Dollars (\$250.00) in a calendar quarter from another for lobbying with a member of the legislative branch, judicial branch, or executive branch to influence any legislation or official action; or

3. Any person who is retained or employed in whole or in part as a lobbyist or legislative agent by any person, firm, corporation, association, labor union, or labor organization, to promote, oppose, or otherwise influence official action or the passage of any legislation, whether or not any compensation in addition to the salary for that regular employment is received for such lobbying.

B. All registrations for lobbying activities made pursuant to the provisions of this section shall expire on December 31 of each even-numbered year. After that time, all persons wishing to engage in lobbying activities shall register with the ~~Council~~ Commission on or after January 1 of each odd-numbered year.

SECTION 29. AMENDATORY 74 O.S. 1981, Section 4003, as renumbered by Section 34, Chapter 255, O.S.L. 1986 (74 O.S. Supp. 1990, Section 4228), is amended to read as follows:

Section 4228. The following are not required to register under the provisions of ~~this act~~ Sections 4227 through 4240 of this title:

1. ~~Persons appearing before a meeting of a legislative committee at the invitation of a member of the Legislature body or executive agency~~ and who receive no compensation for their appearance other than reimbursements from the state for expenses and engage in no further or other activities to influence any legislation or official action;

2. A public or federal official acting in his official capacity ~~or public officials privately employed in the practice of their profession; and~~

3. A public employee acting on behalf of the governmental entity by which he or she is employed; and

4. Any person exercising his constitutional right to petition the government, who is not specifically required to register under Section 2 4227 of this act title and who receives no compensation or anything of value for lobbying.

SECTION 30. AMENDATORY 74 O.S. 1981, Section 4004, as renumbered by Section 34, Chapter 255, O.S.L. 1986, and as last amended by Section 29, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4229), is amended to read as follows:

Section 4229. A. Every person required to register under the provisions of this act relating to lobbying, Sections 4227 through 4239 of this title, shall file with the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission within five (5) days after the first action requiring registration, except as otherwise provided herein.

B. The registration shall be ~~notarized~~ certified and shall contain the following information:

1. The registrant's full name and address;
2. The registrant's normal business and business address;
3. The full name and address of each person, as defined in this act:

- a. by whom the registrant is reimbursed, retained or employed to lobby, or
- b. on whose behalf the registrant is to lobby.

C. The form for registration of lobbyists shall be as follows:
LOBBYIST REGISTRATION FORM

_____, 19
Date

Registrant's Home Address City State Zip Telephone No.
full name (type or print)

Business Business City State Zip Telephone No.
Address

Names and addresses of persons by whom registrant is reimbursed, retained or employed to lobby, or on whose behalf the registrant is to lobby:

To the best of my knowledge and belief, the above is
a true and correct statement.

Submitted and signed this _____ day of _____, 19__

Registrant

~~Subscribed and sworn to before me this _____ day of _____,
19__~~

~~Notary Public~~

~~My Commission expires _____.~~

Please be sure all information requested is filled in before
submitting form. A receipted copy of this registration will be
returned to you if a self-addressed stamped envelope is provided.

D. All persons required to register pursuant to the provisions
of Sections 4227 through 4239 of this title shall file a
supplemental registration indicating any change in the information
contained in the registration within twenty (20) days after the date
of the change.

SECTION 31. AMENDATORY 74 O.S. 1981, Section 4005, as
renumbered by Section 34, Chapter 255, O.S.L. 1986, and as last
amended by Section 30, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990,
Section 4230), is amended to read as follows:

Section 4230. A. Every person required to be registered
pursuant to the provisions of Sections 4227 through 4239 of this
title shall file reports required by this section with the ~~Oklahoma
Council on Campaign Compliance and Ethical Standards~~ Ethics
Commission reports concerning the activities specified in this
section. The reports shall be filed whether or not the person has
made any expenditures. The reports shall be filed between the first
and twentieth day of January and the first and twentieth day of July
of each calendar year which shall cover the activities during the
period following the last report.

B. The reports shall be signed and ~~notarized~~ certified. The
reports shall include the type of expenditure and the name of the
member of the legislative branch, judicial branch, or executive
branch on whose behalf the expenditure was made of any single
expenditure on any one such member which exceeds Thirty-seven
Dollars and fifty cents (\$37.50), as that amount is annually
adjusted to reflect changes in the United States Consumer Price
Index for Urban Consumers as certified to the ~~Council~~ Commission by
the Department of Commerce, during the period immediately preceding
the first day of the reporting period for the activities during the
period following the last report and any expenditure which exceeds
Three Hundred Dollars (\$300.00), as that amount is annually adjusted
to reflect changes in the United States Consumer Price Index for
Urban Consumers as certified to the ~~Council~~ Commission by the
Department of Commerce, on any one such member in the aggregate
during the twelve (12) months immediately preceding the first day of
the reporting period, which have been made by the registrant for the
purpose of lobbying. The annual adjustments of reporting amounts
shall be posted in the office of the ~~Council~~ Commission by the
Executive Director and shall be attached to any Registered Lobbyist

Expenditure Report form which is distributed. The registrant shall also report any such expenditures when made by other persons on behalf of the registrant if they were made with the knowledge and consent of the registrant. When other persons make expenditures that the registrant is required to report, the other persons shall provide a full, verified account of their expenditures to the registrant at least seven (7) days before the reports of the registrant are due to be filed. Any information required to be reported pursuant to the provisions of Sections 4211 through 4221 of this title is not required to be reported pursuant to the provisions of Sections 4227 through 4239 of this title.

C. The form for reports of lobbyists shall be as follows:

REGISTERED LOBBYIST EXPENDITURE REPORT

Reports required to be filed with the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission between January 1-20 are to cover the period of July 1 through December 31, and between July 1-20 are to cover the period of January 1 through June 30.

Registrant's Full Name (type or print)

Name and Position of Person on Whom Expenditure was made	Branch of Government	Type of Expenditure	Amount of Expenditure
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(If additional lines are needed for the above information, list on a separate sheet and attach hereto.)

To the best of my knowledge and belief, the above is a true and correct compilation.

Submitted and signed this ___ day of _____, 19__

Registrant

~~Subscribed and sworn to before me this ___ day of _____, 19__~~

~~Notary Public~~

~~My Commission expires _____.~~

A receipted copy of this report will be returned to you if a self-addressed stamped envelope is provided.

D. From and after the effective date of this act, each registrant shall obtain and preserve all accounts, bills, receipts, books, papers, and documents necessary to substantiate the activity

reports required to be made pursuant to this section for two (2) years from the date of filing of the reports containing the items.

SECTION 32. AMENDATORY 74 O.S. 1981, Section 4006, as renumbered by Section 34, Chapter 255, O.S.L. 1986, and as last amended by Section 31, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4231), is amended to read as follows:

Section 4231. A. A person who ceases to engage in activities requiring that person to register shall file a written, verified statement with the ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission acknowledging the termination of activities. The notice shall be effective immediately upon filing.

B. A person who files a notice of termination pursuant to the provisions of this section must file the reports required for any reporting period during which the person was registered at the time the notice of termination is effective.

SECTION 33. AMENDATORY 74 O.S. 1981, Section 4007, as renumbered by Section 34, Chapter 255, O.S.L. 1986, and as last amended by Section 32, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4232), is amended to read as follows:

Section 4232. A. All reports filed under Sections 4227 through 4239 of this title are public records and shall be made available for public inspection pursuant to the Open Records Act, Section 24A.1 et seq. of Title 51 of the Oklahoma Statutes.

B. The ~~Oklahoma Council on Campaign Compliance and Ethical Standards~~ Ethics Commission shall maintain registrations and reports in a separate, alphabetical file and make such registrations and reports available to the public for inspection.

SECTION 34. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4246.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. No statewide elected official shall:

1. Cause to have introduced or promoted any proposed special interest legislation on his own behalf, or on behalf of any other person, corporation, partnership, trust or business entity which directly affects such statewide elected official or in which such statewide elected official has or may have any substantial financial interests other than legislation affecting salaries, expenses and allowances; provided, that this provision shall not preclude a statewide elected official from promoting any proposed general legislation which directly affects him or in which he has or may have any substantial financial interest;

2. Directly or indirectly accept or request any compensation, gift, loan, entertainment, favor, or service given for the purpose of influencing such statewide elected official in the discharge of his official duties. Provided, however, that this section shall not apply to bona fide campaign contributions;

3. Use his official position to secure special privileges, exemptions or compensation for himself, except as may be provided by law;

4. Disclose confidential information acquired by reason of his official position to any person, group, or others not entitled to receive such confidential information, nor shall he use such information for his personal gain or benefit;

5. Sell or cause to be sold, rent or lease either as an individual or through any business enterprise in which he holds a substantial financial interest, goods, services, buildings or property to any state agency except by condemnation or threat of condemnation;

6. Receive any compensation for his services as a statewide elected official from any source other than the State of Oklahoma, unless otherwise provided by law;

7. Accept other employment which would impair his independence of judgment in the performance of his public duties;

8. Receive or agree to receive compensation for representing or assisting any person or business in any transaction involving the state; or represent another person, firm, corporation or entity for a fee before any state department, agency, board or commission. The provisions of this paragraph shall not:

a. apply to the practice of law before any court, or

b. preclude a statewide elected official from acting on behalf of a constituent to determine the status of a matter before a state department, agency, board, commission, institution or instrumentality without accepting compensation therefor; or

9. Be employed by or receive any commission, fee, or compensation from the state, except the compensation and allowance for expenses provided by law to a statewide elected official.

B. Any funds accepted in violation of this section accepted during or after the term of office of the elected official or gifts accepted after the term of office shall escheat to the State of Oklahoma.

SECTION 35. AMENDATORY 74 O.S. 1981, Section 1411, as renumbered by Section 34, Chapter 255, O.S.L. 1986 (74 O.S. Supp. 1990, Section 4247), is amended to read as follows:

Section 4247. A. The failure of a legislator to comply with Section 9 hereof Section 4246 of this title shall constitute a willful neglect of duty and grounds for private or public reprimand, censoring or removal from office.

B. Every person who knowingly and willfully violates Section 34 of this act shall, upon conviction, be guilty of a misdemeanor and shall be punished by the imposition of a fine of not more than One Thousand Dollars (\$1,000.00) or by confinement in the county jail for not more than six (6) months, or by both such fine and imprisonment. Such violations shall be prosecuted in the county in which the violation occurred.

SECTION 36. RECODIFICATION 26 O.S. 1981, Section 424.11, as last renumbered by Section 34, Chapter 255, O.S.L. 1986, and as last amended by Section 22, Chapter 303, O.S.L. 1988 (74 O.S. Supp. 1990, Section 4220), shall be recodified as Section 1840 of Title 21 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 37. REPEALER Section 5, Chapter 255, O.S.L. 1986, as amended by Section 7, Chapter 303, O.S.L. 1988, and Section 15, Chapter 276, O.S.L. 1986 (74 O.S. Supp. 1990, Sections 4204 and 4248.1), are hereby repealed.

SECTION 38. This act shall become effective July 1, 1991.

SECTION 39. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 30th day of May, 1991.

Speaker of the House of
Representatives

Passed the Senate the 30th day of May, 1991.

President of the Senate