

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2440

BY: SULLIVAN

AS INTRODUCED

AN ACT RELATING TO STATE GOVERNMENT; AMENDING 74 O.S. 1991, SECTION 4216, WHICH RELATES TO MAXIMUM CONTRIBUTIONS; PROHIBITING CASH CONTRIBUTIONS; REQUIRING CONTRIBUTIONS TO BE MADE IN WRITING; STATING EXCEPTIONS; SUBJECTING CASH CONTRIBUTIONS TO FORFEITURE TO THE STATE; PROHIBITING CERTAIN ACTS RELATED TO CAMPAIGN CONTRIBUTIONS; PROVIDING FOR CODIFICATION; AND DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 74 O.S. 1991, Section 4216, is amended to read as follows:

Section 4216. A. No person or family may contribute more than Five Thousand Dollars (\$5,000.00) to a 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 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 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.

B. No contributions shall be made in cash. All contributions, except contributions consisting of property or in-kind services, shall be made by written instrument containing the name of the donor and the name of the payee.

C. Any cash contribution made in violation of subsection B of this section shall constitute an anonymous contribution subject to forfeiture to the state. All cash contributions received by a candidate shall be remitted to the Ethics Commission within two (2) business days after receipt. The Ethics Commission shall pay such funds to the State Treasurer for deposit to the General Revenue Fund.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4216.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

Candidates for state or local office shall not, directly or indirectly, ask or receive or promise to receive campaign contributions for agreeing to appoint, appointing or procuring the appointment of another person to any public office or agreeing to employ, employing or procuring the employment of another person in any position as a public employee.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4216.2 of Title 74, unless there is created a duplication in numbering, reads as follows:

It shall be prohibited for any person or organization to make a person contribute to any candidate, or committee:

1. By physical force, job discrimination, financial reprisals, or threat of same; or

2. As a condition of employment.

SECTION 4. 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.

43-2-6882

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