

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2483

BY: McCORKELL

AS INTRODUCED

AN ACT RELATING TO THE ETHICS COMMISSION ACT;

AMENDING 74 O.S. 1991, SECTION 4223, WHICH RELATES
TO FINANCIAL DISCLOSURE STATEMENTS; MODIFYING
PERSONS REQUIRED TO FILE A FINANCIAL DISCLOSURE
STATEMENT; CLARIFYING EXEMPTION FROM FILING; AND
DECLARING AN EMERGENCY.

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

SECTION 1. AMENDATORY 74 O.S. 1991, 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 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 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 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)~~ Two Thousand Five Hundred Dollars (\$2,500.00) in cost per calendar year shall file a Financial Disclosure Statement with the Commission upon initial employment and not later than April 30 of each even-numbered year thereafter.

E. 1. 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 Commission upon initial appointment and not later than April 30 of each even-numbered year thereafter.

2. The provisions of this subsection shall not be construed to require a Financial Disclosure Statement to be filed by:

- a. precinct inspectors, judges, clerks ~~and~~ or counters ~~to~~
~~file Financial Disclosure Statements, or~~
- b. members of any advisory body to the legislative,
executive or judicial branch of state government.

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

G. Every person failing to file a Financial Disclosure Statement on or before the dates specified in this section shall be assessed by the 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 2. 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.

43-2-8002

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