

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2775

By: Sullivan

AS INTRODUCED

An Act relating to ethics; requiring candidates and committees to file certain campaign reports; requiring disclosure of certain information; prohibiting cash contributions; requiring certain contributions to be made pursuant to written instrument; requiring segregation of certain contributions; excluding certain expenditures from consideration as contributions; providing penalty; repealing 74 O.S. 1991, Section 4211, as amended by Section 15 of Enrolled House Joint Resolution No. 1077 of the 2nd Session of the 43rd Oklahoma Legislature (74 O.S. Supp. 1993, Section 4211), which relates to the Ethics Commission Act; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 4211.3 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. If a candidate or committee has accepted one or more contributions, or made one or more expenditures during a reporting

period, the treasurer shall be required to file a complete written report of all contributions and expenditures as provided for in the Ethics Commission Act. If a candidate or committee has not accepted any contributions and has made no expenditures during a reporting period, the treasurer shall file a statement of inactivity as provided for in Section 4214 of Title 74 of the Oklahoma Statutes.

B. Every candidate or candidate committee for state or county office and every committee, except for committees supporting or opposing municipal or school board candidates, which accepts a contribution which exceeds Two Hundred Dollars (\$200.00) in a campaign shall file reports with the Ethics Commission. Every candidate or candidate committee for local office other than county office shall file reports with the clerk of the appropriate political subdivision.

C. Every candidate and committee shall report the name and mailing address of the source 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 Title 74 of the Oklahoma Statutes; provided, this subsection shall not authorize any contribution otherwise prohibited by law.

E. A person shall not make and a candidate or committee shall not accept a contribution in cash. A person shall not make a contribution, other than an in-kind contribution, except by written instrument containing the name of the contributor and the name of the payee.

F. If a contributor makes more than one contribution to a 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 or 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 or committee exceeds Two Hundred Dollars (\$200.00).

G. Contributions of a value of 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 ballot measure shall be reported to the Ethics Commission, pursuant to Section 4215 of Title 74 of the Oklahoma Statutes, regardless of the amount of such contributions. All corporate contributions to a committee or person for or against a ballot measure 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.

H. Expenditures made by a candidate or candidate committee from 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.

I. Any person who knowingly or willfully violates a provision of this section, upon conviction, shall be guilty of a misdemeanor.

SECTION 2. REPEALER 74 O.S. 1991, Section 4211, as amended by Section 15 of Enrolled House Joint Resolution No. 1077 of the 2nd Session of the 43rd Oklahoma Legislature (74 O.S. Supp. 1993, Section 4211), is hereby repealed.

SECTION 3. This act shall become effective September 1, 1994.

44-2-7642

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