

CS for SB 1815

1 THE STATE SENATE

2 Monday, April 3, 2006

3 Committee Substitute for
4 Senate Bill No. 1815

5 COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1815 - By: LAWLER of the
6 Senate and McCARTER of the House.

7 An Act relating to Rules of the Ethics Commission; amending
8 Rule 257:10-1-9 of the Rules of the Ethics Commission (74
9 O.S. Supp. 2005, Ch. 62, App.), which relates to campaign
10 reporting; modifying requirement that certain filings be
11 made by Internet access only; and declaring an emergency.

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

13 SECTION 1. AMENDATORY Rule 257:10-1-9 of the Rules of
14 the Ethics Commission (74 O.S. Supp. 2005, Ch. 62, App.), is amended
15 to read as follows:

16 Section 10-1-9. (a) General provisions.

17 (1) A person may be chair, treasurer, or both chair and
18 treasurer of the committee.

19 (2) A committee officer shall accept the appointment, in
20 writing, on the statement of organization.

21 (3) A treasurer, deputy treasurer or agent of the committee,
22 other than an out-of-state committee, shall be a resident of this
23 state.

24 (4) A candidate may not serve as the treasurer or deputy
25 treasurer, except as the treasurer of the candidate's own committee.

1 (5) A deputy treasurer may also be appointed and serve in the
2 treasurer's capacity in the absence of the treasurer. The
3 designation of the deputy treasurer shall be on the statement of
4 organization.

5 (b) Candidate committee officer vacancies.

6 (1) A treasurer, a deputy treasurer, or chair of a candidate
7 committee may be removed from office by the candidate.

8 (2) When a vacancy occurs in a candidate committee office other
9 than the office of a deputy treasurer, the candidate shall:

10 (A) notify the Commission no later than five (5) business
11 days after the vacancy occurs;

12 (B) assume the duties and responsibilities of the vacant
13 office except that the deputy treasurer, if one has
14 been designated, shall assume the vacated office of
15 treasurer;

16 (C) notify the Commission of the appointment of an officer
17 to fill the vacancy; and

18 (D) provide all information to the Commission required by
19 the statement of organization, for the new appointee,
20 no later than five (5) business days after the
21 appointment.

22 (3) When a vacancy occurs in the office of a deputy treasurer
23 for a candidate committee, the candidate shall:

1 (A) notify the Commission no later than five (5) business
2 days after the vacancy occurs; and

3 (B) if a deputy treasurer is appointed to fill the
4 vacancy, notify the Commission of the appointment and
5 provide all information to the Commission required by
6 the statement of organization for the new appointee
7 within five (5) business days after the appointment.

8 (4) If a candidate dies and there is no living committee
9 officer, the personal representative of the candidate's estate shall
10 dissolve the committee as soon as is practicable under terms of the
11 dissolution procedures provided under this chapter and the time
12 limits imposed for probating an estate.

13 (c) Officer vacancies in committees other than candidate
14 committees.

15 (1) When a vacancy occurs in an office, other than the office
16 of a deputy treasurer, of a committee other than a candidate
17 committee, the committee shall:

18 (A) notify the Commission no later than five (5) business
19 days after the vacancy occurs;

20 (B) designate an individual qualified under this chapter
21 to assume the duties and responsibilities of the
22 vacant office no later than five (5) business days
23 after the vacancy;

- 1 (C) notify the Commission of the appointment of an officer
2 to fill the vacancy; and
3 (D) provide all information required by the statement of
4 organization, for the new appointee, no later than
5 five (5) business days after the appointment.

6 (2) When a vacancy occurs in the office of a deputy treasurer
7 for a committee other than a candidate committee, the committee
8 shall:

9 (A) notify the Commission no later than five (5) business
10 days after the vacancy occurs; and

11 (B) if a deputy treasurer is appointed to fill the
12 vacancy, notify the Commission of the appointment and
13 provide all information to the Commission required by
14 the statement of organization for the new appointee
15 within five (5) business days after the appointment.

16 (d) Duties of the treasurer/deputy treasurer.

17 (1) The committee treasurer or, in the treasurer's absence, the
18 deputy treasurer shall maintain and preserve an account of the
19 following:

20 (A) the total of contributions accepted by the committee;

21 (B) the contributor statement and a copy of an accepted
22 check or written instrument evidencing the
23 contribution;

- 1 (C) the total of expenditures made by or on behalf of the
2 committee;
- 3 (D) all receipted bills, canceled checks, or other proofs
4 of payment, with an explanation of each, for each
5 expenditure; and
- 6 (E) any other documentation necessary to file the reports
7 required by this chapter.

8 (2) The treasurer or, in the treasurer's absence, the deputy
9 treasurer shall maintain and preserve all receipted bills and
10 accounts required by this chapter for at least three years.

11 (3) The treasurer or, in the treasurer's absence, the deputy
12 treasurer of a committee shall file, in a timely manner, the
13 appropriate reports or statements on the forms prescribed by the
14 Commission. ~~Filing~~ For a committee filing a statement of
15 organization on or after July 1, 2008, filing statements and reports
16 by Internet access only shall be required, ~~beginning July 1, 2006,~~
17 of a candidate committee which has exceeded \$20,000 in contributions
18 or expenditures during an active campaign or a non-candidate
19 committee which has exceeded \$20,000 in contributions or
20 expenditures during the current or previous calendar year.

21 (4) The treasurer or, in the treasurer's absence, the deputy
22 treasurer shall file an amended report if the treasurer has

1 knowledge of an error or omission on a report of the committee that
2 has previously been filed.

3 (5) The written records shall be the property of the candidate
4 or committee to which they relate and shall be delivered to the
5 candidate or committee immediately upon:

6 (A) demand by the candidate or committee;

7 (B) removal or resignation of the treasurer; or

8 (C) the expiration of the treasurer's appointment,
9 whichever shall first occur.

10 SECTION 2. It being immediately necessary for the preservation
11 of the public peace, health and safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

14 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 3-28-06 - DO
15 PASS, As Amended and Coauthored.