

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 3083

By: Lindley

AS INTRODUCED

An Act relating to Rules of the Ethics Commission; amending 257:20-1-4 of the Rules of the Ethics Commission (74 O.S. 2001, Ch. 62, App.), which relates to misuse of office; requiring members of the Legislature to provide certain information on the official web site of the appropriate house of the Legislature; and providing an effective date; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Rule 257:20-1-4 of the Rules of the Ethics Commission (74 O.S. 2001, Ch. 62, App.), is amended to read as follows:

Section 257:20-1-4. (a) No state officer or state employee shall use his or her official position to solicit or secure special privileges, exemptions or compensation for himself, herself or others, except in the performance of his or her duties or as may be allowed by law. Such prohibited activity, except as provided by statute, shall not include:

(1) writing letters or orally communicating recommendations for hiring, reclassifying, terminating or promoting a state employee; or

(2) an employee of an institution within The Oklahoma System of Higher Education receiving income from ownership interest in a technology or other intellectual property or in a business enterprise commercializing the technology or other intellectual property, or receiving income as a consultant, adviser, or employee of such business enterprise, when such technology or other

intellectual property is the result of research conducted by the employee in the performance of his or her duties on behalf of the institution or involving the authorized use of the facilities, equipment, or services of the institution.

(b) No state officer or state employee, except in the performance of his or her duties, shall disclose or offer to disclose confidential information acquired by reason of his or her official position to any person, group or others not entitled to receive such confidential information, nor shall he or she use such information for his or her personal gain or benefit.

(c) No state officer or state employee shall:

(1) receive or solicit any compensation that would impair his or her independence of judgment for his or her services as an officer or employee of any state agency, from any source other than the state, unless otherwise provided by law; or

(2) accept or solicit other employment which would impair his or her independence of judgment in the performance of his or her public duties.

Provided, the activities prohibited by this subsection shall not include an employee of an institution within The Oklahoma State System of Higher Education receiving income from ownership interest in a technology or other intellectual property or in a business enterprise commercializing the technology or other intellectual property, or receiving income as a consultant, adviser, or employee of such business enterprise, when such technology or other intellectual property is the result of research conducted by the employee in the performance of his or her duties on behalf of the institution or the authorized use of the facilities or services of the institution.

(d) No legislator or statewide elective officer shall be employed by or receive any commission, fee, or other compensation from the state, except:

(1) the compensation and allowance for expenses provided by law to such legislator or statewide elective officer;

(2) compensation from serving in the Oklahoma National Guard or the Oklahoma State Guard; or

(3) income from government pension or retirement plans.

(e) No legislator shall use postage provided by the Oklahoma House of Representatives or the Oklahoma Senate for mailing copies of a document to more than twenty-five (25) persons, unless a copy of the document and a statement that includes the cost of the mailing is posted on the official web site of the House of Representatives, if the legislator is a member of the House of Representatives, or on the official web site of the Oklahoma Senate, if the legislator is a member of the Senate.

SECTION 2. This act shall become effective July 1, 2006.

SECTION 3. 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.

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