

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 3128

By: Blackburn

AS INTRODUCED

An Act relating to ethics; prohibiting certain elected officials from receiving gifts or anything of value from a lobbyist; prohibiting lobbyists from giving certain elected official gifts or anything of value; amending 74 O.S. 2001, Section 4255, which relates to penalties; clarifying penalties; providing for codification; providing an effective date; and declaring an emergency.

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 4254.1 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. No member of the Oklahoma Legislature shall receive a gift or anything of value, as defined by Rule 257:1-1-2 of the Rules of the Ethics Commission, from a lobbyist or lobbyist principal, as defined by Section 4249 of Title 74 of the Oklahoma Statutes.

B. No lobbyist or lobbyist principal shall give a member of the Oklahoma Legislature a gift or give anything of value.

SECTION 2. AMENDATORY 74 O.S. 2001, Section 4255, is amended to read as follows:

Section 4255. A. Any person who knowingly and willfully violates any provision of Sections ~~5~~ 4249 through ~~11~~ 4254 of this ~~act~~ title, Section 1 of this act, or Chapter 23 of the Rules of the Ethics Commission commits a misdemeanor. Nothing in Sections ~~5~~ 4249 through ~~11~~ 4254 of this ~~act~~ title relieves a person of criminal responsibility under the laws of this state relating to perjury.

B. Any person who knowingly and willfully violates any provision of Sections ~~5~~ 4249 through ~~11~~ 4254 of this ~~act~~ title, Section 1 of this act, or any provision of Chapter 23 of the Rules of the Ethics Commission a third and subsequent time, in addition to any other penalties provided ~~herein~~ by law or Rule of the Ethics Commission, shall be prohibited from further lobbying as defined ~~herein~~ in Section 4249 of this title for a period of five (5) years. If any person having been so prohibited, lobbies while prohibited, such person shall be permanently prohibited from lobbying and shall be guilty of a felony.

SECTION 3. This act shall become effective July 1, 2006.

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.

50-2-8949          SD          01/19/06