

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

SENATE BILL 542

By: Adelson

AS INTRODUCED

An Act relating to campaign contributions; amending 21 O.S. 2001, Section 187.1, which relates to limitations on campaign contributions; limiting certain contributions; prohibiting acceptance of certain contributions; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2001, Section 187.1, is amended to read as follows:

Section 187.1 A. No person or family may contribute more than:

1. Five Thousand Dollars (\$5,000.00) in any calendar year to a committee other than a candidate committee;
2. Five Thousand Dollars (\$5,000.00) to a candidate for state office, to a candidate for municipal office in a municipality with a population of over two hundred fifty thousand (250,000) persons, according to the most recent Federal Decennial Census, to a candidate for county office in a county with a population of over two hundred fifty thousand (250,000) persons, according to the most recent Federal Decennial Census, or to a candidate committee authorized by such a candidate to receive contributions or make expenditures on his or her behalf, for any campaign; ~~or~~
3. One Thousand Dollars (\$1,000.00) to a candidate for other local office, or to a candidate committee authorized by such a candidate to receive contributions or make expenditures on his or her behalf, for any campaign; or
4. Five Thousand Dollars (\$5,000.00) in any calendar year to an organization described in Section 527 of the Internal Revenue Code

if the contribution is made for the purpose of supporting or opposing a candidate for a state or local office.

No candidate, candidate committee, ~~or~~ other committee or organization shall knowingly accept contributions in excess of the amounts provided herein.

These restrictions shall not apply to a committee supporting or opposing a ballot measure or local question or to a candidate making a contribution of his or her own funds to his or her own campaign.

B. It shall be prohibited for a campaign contribution to be made to a particular candidate or committee through an intermediary or conduit for the purpose of:

1. Evading requirements of effective Rules of the Ethics Commission promulgated pursuant to Article XXIX of the Oklahoma Constitution or laws relating to the reporting of contributions and expenditures; or

2. Exceeding the contribution limitations imposed by subsection A of this section.

It shall be prohibited for a campaign contribution to be made to an out-of-state committee or organization described in Section 527 of the Internal Revenue Code with the expectation or understanding that the contribution or an equivalent amount or portion thereof will be returned to an Oklahoma candidate or committee.

Any person making a contribution in violation of this subsection or serving as an intermediary or conduit for such a contribution, upon conviction, shall be subject to the penalties prescribed in subsections C and D of this section.

C. Any person who knowingly and willfully violates any provision of this section where the aggregate amount contributed exceeds the contribution limitation specified in subsection A of this section by Five Thousand Dollars (\$5,000.00) or more, upon conviction, shall be guilty of a felony punishable by a fine of up to four times the amount exceeding the contribution limitation or by

imprisonment in the State Penitentiary for up to one (1) year, or by both such fine and imprisonment.

D. Any person who knowingly and willfully violates any provision of this section where the aggregate amount contributed is less than Five Thousand Dollars (\$5,000.00) in excess of the contribution limitation specified in subsection A of this section, upon conviction, shall be guilty of a misdemeanor punishable by a fine of not more than three times the amount exceeding the contribution limitation or One Thousand Dollars (\$1,000.00), whichever is greater, or by imprisonment in the county jail for up to one (1) year, or by both such fine and imprisonment.

SECTION 2. This act shall become effective November 1, 2005.

50-1-536

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