

THE HOUSE OF REPRESENTATIVES  
Wednesday, March 7, 2007

Committee Substitute for  
House Bill No. 2110

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2110 - By: CARGILL AND MORGAN (DANNY) of the House and COFFEE AND MORGAN (MIKE) of the Senate.

( Rules of the Ethics Commission - definitions - committee solicitations and funds - out-of-state independent organizations from splitting funds - periodic reports - ethics training- rules of construction - effective date.)

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

1 SECTION 1. AMENDATORY Rule 257:1-1-2 of the Rules of the Ethics  
2 Commission (74 O.S. Supp. 2006, Chapter 62, App.), is amended to read as follows:  
3 Rule 257:1-1-2. Definitions. Masculine words, whenever used in this title, shall  
4 include the feminine and neuter, and the singular includes the plural, unless otherwise  
5 specified. In addition, the following words or terms, when used in this title, shall have  
6 the following meaning, unless the context clearly indicates otherwise:  
7 "Accept", with reference to a contribution, means failure by a candidate, treasurer,  
8 deputy treasurer or agent of a committee to expressly and unconditionally reject and  
9 return a tendered contribution to the contributor within six (6) business days from  
10 receipt of the tender.

1 "Act" means the Ethics Commission Act, Section 4200 et seq. of Title 74 of the  
2 Oklahoma Statutes.

3 "Address" means mailing address unless otherwise specified in this title.

4 "Affiliated" or "Connected entity" means any entity which directly or indirectly  
5 establishes, administers or financially supports a political entity.

6 "Anything of value", "Thing of value" or "Things of value"

7 (1) These terms, to the extent that consideration of equal or greater value is not  
8 received, include the following:

9 (A) a pecuniary item, including money, or a bank bill or note;

10 (B) a promissory note, bill of exchange, order, draft, warrant, check, or  
11 bond given for the payment of money;

12 (C) a contract, agreement, promise, or other obligation for an advance,  
13 conveyance, forgiveness of indebtedness, deposit, distribution, loan,  
14 payment, gift, pledge, or transfer of money;

15 (D) a stock, bond, note, or other investment interest in an entity;

16 (E) a receipt given for the payment of money or other property;

17 (F) a right in action;

18 (G) a gift, tangible good, chattel, or an interest in a gift, tangible good, or  
19 chattel, except as provided in subparagraphs (C), (D) and (N) of  
20 Paragraph (2) of this definition;

21 (H) a loan or forgiveness of indebtedness, except as otherwise provided in  
22 subparagraph (I) of Paragraph (2) of this definition;

- 1 (I) a work of art, antique, or collectible;
- 2 (J) an automobile or other means of personal transportation;
- 3 (K) real property or an interest in real property, including title to realty, a
- 4 fee simple or partial interest, present or future, contingent or vested in
- 5 realty, a leasehold interest, or other beneficial interest in realty;
- 6 (L) ~~an honorarium or~~ compensation for services, except as otherwise
- 7 provided in subparagraph (M) of Paragraph (2) of this definition;
- 8 (M) a rebate or discount in the price of anything of value or the sale or
- 9 trade of something for reasonable compensation that would ordinarily
- 10 not be available to a member of the public, except as provided in
- 11 subparagraph (J) of Paragraph (2) of this definition;
- 12 (N) a promise or offer of employment;
- 13 (O) transportation, lodging or entertainment; or
- 14 (P) any other thing of value not excluded by Paragraph (2) of this
- 15 definition.

16 (2) These terms do not include:

- 17 (A) a campaign contribution properly received and reported;
- 18 (B) any books, written materials, audio tapes, videotapes, or other
- 19 informational promotional material related to the performance of a
- 20 state officer's or state employee's official duties;
- 21 (C) a gift that:
- 22 (i) is not used, and

- 1 (ii) no later than thirty (30) days after receipt, is returned to the  
2 donor or delivered to a charitable organization and is not  
3 claimed as a charitable contribution for federal income tax  
4 purposes;
- 5 (D) a gift, devise, or inheritance from an individual's spouse, child, step-  
6 child, parent, step-parent, grandparent, step-grandparent, sibling,  
7 step-sibling, parent-in-law, sibling-in-law, nephew, niece, aunt, uncle,  
8 or first cousin or the spouse of that individual, if the donor is not acting  
9 as the agent or intermediary for someone other than a person covered  
10 by this subparagraph;
- 11 (E) a plaque or trophy with a value that does not exceed two hundred  
12 dollars (\$200);
- 13 (F) modest items of food and refreshments, such as soft drinks, coffee, and  
14 donuts, offered other than as part of a meal;
- 15 (G) food and beverage consumed on the occasion when participating in a  
16 charitable, civic, or community event, or at any event to which all  
17 members of the Legislature are invited, which bears a relationship to  
18 the state officer's or state employee's office and the officer or employee  
19 is attending in an official capacity;
- 20 (H) greeting cards and items with little intrinsic value, such as certificates,  
21 which are intended solely for presentation;

- 1 (I) loans from banks and other financial institutions on terms generally  
2 available to the public;
- 3 (J) opportunities and benefits, including favorable rates and commercial  
4 discounts, available to the public or to a class consisting of all state  
5 government employees, whether or not restricted on the basis of  
6 geographic consideration;
- 7 (K) rewards and prizes given to competitors in contests or events,  
8 including random drawings, which are open to the public; rewards and  
9 prizes from contests or events which are not open to the public are also  
10 excepted if the state officer's or state employee's entry into the contest  
11 is required as part of his official duties;
- 12 (L) pension and other benefits resulting from participation in a retirement  
13 plan offered by an employer or former employer of a state officer or  
14 state employee;
- 15 (M) anything which is paid for by the state government or secured by the  
16 state government under state government contract;
- 17 (N) any gift accepted on behalf of the state of Oklahoma or a governmental  
18 entity by the Governor under Section 381 et seq. of Title 60 of the  
19 Oklahoma Statutes. In order to be deemed accepted, the Governor  
20 must be notified in writing of any gift received by a governmental  
21 entity, or person on behalf of a governmental entity, within ten (10)  
22 days of receipt of the gift. Notice of acceptance must be received from

- 1 the Governor within the next thirty (30) days. Upon lack of a response  
2 from the Governor within thirty (30) days of receipt of the notice, the  
3 gift is deemed rejected and must be returned to the donor;
- 4 (O) anything for which market value is paid or secured by written contract  
5 to be paid by the state officer or state employee no later than 30 days  
6 of receipt;
- 7 (P) transportation furnished to a state officer or state employee for the  
8 purpose of assisting the officer or employee in the performance of the  
9 officer's or employee's official duties and from which the officer or  
10 employee receives only incidental personal benefits ancillary to said  
11 purpose;
- 12 (Q) food, transportation or entertainment provided by a governmental  
13 agency or governmental enterprise of a foreign nation as a gesture of  
14 hospitality;
- 15 (R) prescription drugs or similar items given to the recipient for  
16 distribution to patients in need of treatment which are not used by the  
17 recipient;
- 18 (S) a meal or other food served at a meeting at which the state officer or  
19 state employee is an invited guest; and
- 20 (T) any gratuity provided at a meeting, conference, or seminar by  
21 sponsors, exhibitors, etc., the cost of which is not borne by a registrant  
22 to such meeting, conference, or seminar.

1 "Associated", when used with reference to an entity, includes an entity in which an  
2 individual or a member of his or her immediate family is a director, officer, fiduciary,  
3 trustee, agent, or partner, or owns or controls, in the aggregate, at least two percent (2%)  
4 or a value of five thousand dollars (\$5,000) of the outstanding equity.

5 "Ballot measure" means an initiative, referendum, legislative referendum,  
6 legislative initiative, state question, or any proposition or measure submitted to voters  
7 for their approval or rejection at a statewide election.

8 "Business" means any corporation, limited liability company, partnership, limited  
9 liability partnership, limited partnership, sole proprietorship, firm, enterprise, franchise,  
10 association, self-employed individual, holding company, joint stock company,  
11 receivership, trust, or any legal entity through which business is conducted for profit.

12 "Business day" means any day except a Saturday, Sunday or a legal holiday  
13 designated in Section 82.1 of Title 25 of the Oklahoma Statutes.

14 "Campaign" means and includes all activities for or against the election of a  
15 candidate to a specific state office for a specific term or the passage or defeat of a ballot  
16 measure from the date of acceptance of the first contribution, the making of the first  
17 expenditure, or the filing of a declaration of candidacy, whichever is first, until a final  
18 campaign contributions and expenditures report is filed.

19 "Campaign expenditure" is an expenditure not otherwise prohibited which is used  
20 to defray the costs of a candidate's campaign including, without limitation, advertising,  
21 travel and food while campaigning, and costs for campaign workers, whether paid or  
22 volunteers.

1 "Candidate" means a person who seeks nomination or election to state office. An  
2 individual is a candidate when the individual:

3 (1) has filed a declaration of candidacy for any state office with the Secretary of the  
4 State Election Board;

5 (2) has filed a declaration of candidacy with the Secretary of State and has drawn  
6 active opposition;

7 (3) is nominated as a "substitute candidate" pursuant to Section 1-105 of Title 26 of  
8 the Oklahoma Statutes; or

9 (4) solicits or accepts contributions, makes expenditures or gives consent to an  
10 individual, organization, party committee, or other committee to solicit or accept  
11 contributions or make expenditures to secure election to any state office at any time,  
12 whether or not the office for which the individual will seek nomination or election is  
13 known when the:

14 (A) solicitation is made;

15 (B) contribution is accepted; or

16 (C) expenditure is made.

17 The term "candidate" shall include a person whose candidacy is unopposed.

18 "Candidate committee" means the committee, consisting of one or more persons who  
19 may be the candidate only, designated by a candidate to promote the candidate's  
20 candidacy and serve as the recipient of all contributions and the disburser of all  
21 expenditures for the candidate.

1 "Charitable organization" means an entity described in 501 (c) (3) of Title 26 of the  
2 United States Code, 26 U.S.C., Section 501 (c) (3), as it currently exists or as it may be  
3 amended.

4 "Classified employee" means a state employee or a state employee on leave from  
5 employment who is under the jurisdiction of the Merit System of Personnel  
6 Administration as provided in the Oklahoma Personnel Act, Section ~~840-1~~ 840-1.1 et seq.  
7 of Title 74 of the Oklahoma Statutes.

8 "Commission" means the Ethics Commission.

9 "Committee" means a candidate committee, political action committee, or party  
10 committee.

11 "Compensation"

12 (1) means:

13 (A) an advance, conveyance, forgiveness of indebtedness, deposit,  
14 distribution, loan, payment, pledge, or transfer of money or anything of  
15 value; or

16 (B) a contract, agreement, promise, or other obligation for an advance,  
17 conveyance, forgiveness of indebtedness, deposit, distribution, loan,  
18 payment, pledge, or transfer of money or anything of value,  
19 for services rendered or to be rendered.

20 (2) The term does not include reimbursement of expenses:

21 (A) if the reimbursement:

22 (i) does not exceed the amount expended for the expenses; and

1 (ii) is substantiated by an itemization of expenses; or

2 (B) if the reimbursement is authorized by law.

3 "Contribution"

4 (1) means and includes:

5 (A) a gift, subscription, loan, guarantee or forgiveness of a loan,  
6 conveyance, advance, payment, distribution, or deposit of money or  
7 anything of value made to and with the knowledge and for the benefit  
8 of a committee, which expressly advocates the election or defeat of a  
9 clearly identified candidate or candidates or the passage or defeat of a  
10 ballot measure or ballot measures, or for reducing the debt of such  
11 committee;

12 (B) an expenditure expressly advocating the election or defeat of a clearly  
13 identified candidate or candidates or the passage or defeat of a ballot  
14 measure or ballot measures made by a person or committee, other than  
15 a candidate committee, with the cooperation of, or in consultation with,  
16 a committee, a candidate, candidate committee, or candidate's agent or  
17 that is made in concert with, or at the request or suggestion of, a  
18 candidate, candidate committee, or candidate's agent;

19 (C) the difference between the payment to a person, other than a  
20 candidate or committee, of compensation for personal services or  
21 products to the candidate or committee, and the reasonable and  
22 customary rate charged by the person for like services or products in

- 1 like quantities when the candidate or committee has knowledge of the  
2 discounted services or products;
- 3 (D) anything of value received by a committee that is transferred from  
4 another committee or other source;
- 5 (E) sums paid for tickets for a political event such as a reception, rally, or  
6 a similar fundraising event; however, the amount of any such  
7 contribution may be reduced for the purpose of complying with the  
8 reporting and contribution limitations requirements of Chapter 10 of  
9 ~~this title~~, by the actual cost of consumables furnished by the committee  
10 in connection with the purchase of the tickets, and only the excess over  
11 the actual cost of the consumables shall be deemed a contribution;
- 12 (F) the candidate's own money used on behalf of that candidate's  
13 candidacy; and
- 14 (G) the difference between the open market value and a discount or rebate:  
15 (i) not extended to the public generally; or  
16 (ii) by a television or radio station not extended equally to all  
17 candidates for the same office.
- 18 (2) The term "contribution" shall not include:
- 19 (A) the value of services provided without compensation by any individual  
20 who volunteers on behalf of a candidate or committee;
- 21 (B) for purposes of the contribution limits set forth in Section 2 of Chapter  
22 10, the transfer of any funds by a political action committee to an

- 1 affiliated or connected political action committee or by a party  
2 committee to an affiliated or connected party committee, provided the  
3 committees have been established as provided by law and the  
4 transferring committee and the receiving committee have been  
5 established, directly or indirectly, and are administered or financially  
6 supported, directly or indirectly, by a common entity; or
- 7 (C) any payment or obligation incurred by a corporation, labor  
8 organization, membership organization, cooperative or corporation  
9 without capital stock for the establishment, administration, and  
10 solicitation of contributions to a separate segregated fund or political  
11 action committee to be utilized for political purposes;
- 12 (D) a nonreimbursed payment made by an individual for the individual's  
13 own travel expenses on behalf of a committee;
- 14 (E) a payment made by an occupant of a residence or office for costs  
15 related to a meeting or fundraising event held in the occupant's  
16 residence or office if the costs for the meeting or fundraising event do  
17 not exceed five hundred dollars (\$500). However, if the occupant hosts  
18 more than one (1) event in an election cycle for the same beneficiary,  
19 all subsequent payments that exceed five hundred dollars (\$500) in the  
20 aggregate are contributions;
- 21 (F) a loan of money made in the ordinary course of business by a financial  
22 institution authorized to transact business in this state at terms and

- 1 interest rates generally available to a member of the public without  
2 regard to that person's status as a state officer or state employee or a  
3 candidate for state office by the institution;
- 4 (G) a communication by a corporation, labor organization, or association  
5 aimed at its members, owners, stockholders, directors, executive  
6 administrative personnel, or their families;
- 7 (H) a tender of a contribution if the tender is not accepted, including use as  
8 collateral, or is transferred to the state as provided in Subsection (i) of  
9 Section 2 of Chapter 10 ~~of this title~~;
- 10 (I) the fair market value earnings of a sole proprietorship, partnership,  
11 limited partnership, limited liability partnership, or limited liability  
12 company; or
- 13 (J) a communication which does not expressly advocate the election or  
14 defeat of a clearly identified candidate or candidates or the passage or  
15 defeat of a ballot measure or ballot measures.

16 (3) If any person makes, or contracts to make, any disbursement for any  
17 electioneering communication as defined in this section; and such disbursement is  
18 coordinated with a:

- 19 (A) candidate or authorized committee of such candidate, or agent or  
20 official of any such candidate, such disbursement or contracting shall  
21 be treated as a contribution to the candidate supported by the

1 electioneering communication and as an expenditure by that candidate  
2 committee.

3 (B) state or local political party or committee thereof, or agent or official of  
4 such political party, such disbursement or contracting shall be treated  
5 as a contribution to the political party of the candidate or candidates  
6 supported by the electioneering communication and as an expenditure  
7 by that candidate's or candidates' party; or

8 (C) ballot measure committee, or an agent or official of any such ballot  
9 measure committee; such disbursement or contracting shall be treated  
10 as a contribution to the ballot measure committee supported by the  
11 electioneering communication and as an expenditure by that ballot  
12 measure committee.

13 "Contributor" means and includes every person who makes a contribution.

14 "Day" means calendar day, except that in instances where a report or other  
15 document is required to be filed with the Commission and the calendar day upon which  
16 such a report or document must be filed falls on a day other than a business day, any  
17 such report or document may be filed on the immediate next business day.

18 "Economic interest" means a personal financial interest in a state purchase, sale,  
19 lease, contract, option, or other transaction or arrangement involving property or services  
20 when the person who has the economic interest is taking action to influence the state  
21 purchase, sale, lease, contract, option, or other transaction or arrangement involving  
22 property or services.

1 "Election" means a Primary, Run-off Primary, General, or Special Election in which  
2 a candidate or ballot measure is on the ballot.

3 "Election board" means the State Election Board in reference to candidates who file  
4 a declaration of candidacy with the State Election Board.

5 "Election cycle" means the period beginning the day after the General Election, up  
6 to and including the following General Election, including a Primary, Special Primary  
7 and the following Special General Election.

8 "Electioneering Communication"

9 (1) means any communication that is sent by handbill or direct mail; broadcast by  
10 radio, television, cable or satellite; or appears in a newspaper, magazine or on a billboard  
11 which –

12 (A) refers to one or more clearly identified candidates for state office or one  
13 or more ballot measures;

14 (B) is made within –

15 (i) 60 days before a general or special election for the office sought  
16 by the candidate or candidates or the ballot measure or ballot  
17 measures; or

18 (ii) 30 days before a primary or runoff primary election for the office  
19 sought by the candidate or candidates; and

20 (C) is targeted to the relevant electorate;

21 (2) does not mean –

1 (A) a communication appearing in a news story, commentary, or editorial  
2 distributed through the facilities of any broadcasting station,  
3 newspaper, magazine, or other periodical publication, unless such  
4 facilities are owned or controlled by any political party, political action  
5 committee, candidate, candidate committee or ballot measure  
6 committee;

7 (B) a communication which constitutes an expenditure or an independent  
8 expenditure under this chapter; or

9 (C) a communication which constitutes a candidate debate or forum or  
10 which solely promotes such a debate or forum and is made by or on  
11 behalf of the person sponsoring the debate or forum;

12 (3) For purposes of this definition, a communication which refers to one or more  
13 clearly identified candidates for state office or one or more ballot measures is ‘targeted to  
14 the relevant electorate’ if the communication has been or can be received by –

15 (A) 2,500 or more persons in the district the candidate seeks to represent  
16 in the case of a candidate for the Oklahoma State House of  
17 Representatives;

18 (B) 5,000 or more in the district the candidate seeks to represent in the  
19 case of a candidate for district attorney, district judge, associate  
20 district judge, or the Oklahoma State Senate; or

21 (C) 25,000 or more persons in the State of Oklahoma in the case of a  
22 candidate for a statewide elective office or ballot measure.

1 "Elective officer" means an individual elected to a state office or an individual who  
2 is appointed to fill a vacancy in a state office.

3 "Expenditure":

4 (1) means a purchase, payment, distribution, loan, advance, compensation,  
5 reimbursement, fee deposit, transfer of funds between committees, or a gift made by a  
6 committee which is used to expressly advocate the election or defeat of a clearly  
7 identified candidate or candidates or the passage or defeat of a ballot measure or ballot  
8 measures.

9 (2) An expenditure does not include the following:

10 (A) a loan of money, made in the ordinary course of business, by a financial  
11 institution authorized to transact business in this state;

12 (B) a communication by a corporation, labor organization, or association  
13 aimed at its members, owners, stockholders, executive administrative  
14 personnel, or their families, except a communication by the  
15 corporation's political action committee promoting or opposing a  
16 candidate or candidates;

17 (C) uncompensated services provided by an individual volunteering the  
18 individual's time; or

19 (D) a transfer of funds to another committee if such transfer is not  
20 accepted; or

21 (E) any news story, commentary, or editorial distributed through the  
22 facilities of any broadcasting station, newspaper, magazine, or other

1                   periodical publication, unless such facilities are owned or controlled by  
2                   any political party, political action committee, candidate, candidate  
3                   committee or ballot measure committee.

4           "Expenditures incurred" means an amount owed to a creditor for purchase of  
5 delivered goods or completed services.

6           "Family" means an individual, his or her spouse, if any, and all children under the  
7 age of eighteen (18) years residing in the same household.

8           "Filer" means an individual who is required to file a report or statement pursuant to  
9 this title.

10          "Gift" means "anything of value", as defined in this section, to the extent that  
11 consideration of equal or greater value is not received in exchange therefor.

12          "Governmental entity"

13          (1) means any department, commission, authority, council, board, bureau,  
14 committee, legislative body, agency, state beneficial public trust, or other establishment  
15 of the executive, legislative or judicial branch of the State of Oklahoma.

16          (2) shall not mean entities of political subdivisions of the State of Oklahoma.

17          "Immediate family" means a child under the age of eighteen (18) years residing in a  
18 state officer's or state employee's household, a spouse of a state officer or state employee,  
19 and an individual claimed by the state officer or state employee or the state officer's or  
20 state employee's spouse as a dependent for tax purposes.

21          "Income" means any money or thing of value received, or to be received as a claim  
22 on future services, whether in the form of a fee, salary, gift, expense, allowance,

1 forbearance, forgiveness, interest, dividend, royalty, rent, capital gain, or any other form  
2 of recompense or any combination thereof; provided, the term "income" shall not include  
3 campaign contributions.

4 "Independent expenditure" means an expenditure made by a person to advocate the  
5 election or defeat of a clearly identified candidate or candidates or a ballot measure or  
6 ballot measures, but which is not made to, controlled by, coordinated with, requested by,  
7 or made upon consultation with a candidate, committee, treasurer, deputy treasurer or  
8 agent of a candidate committee or ballot measure committee.

9 "In-kind contribution or expenditure" means goods or services provided to or by a  
10 person at no charge or for less than their fair market value, but shall not include services  
11 provided by a volunteer.

12 "Judicial office" means all elective offices for district judge, associate district judge  
13 and offices for which declarations of candidacy are filed with the secretary of state.

14 "Legislation" means a bill, resolution, amendment, nomination or other matter  
15 pending in either house of the Legislature; any other matter which may be the subject of  
16 action by either house of the Legislature, including the introduction, consideration,  
17 passage, defeat, approval or veto of the matter; or any matter pending in or which may  
18 be the subject of action by a constitutional convention.

19 "Loan" means a transfer of money, property, guarantee, or anything of value in  
20 exchange for an obligation, conditional or not, to repay in whole or part.

21 "Lobbying", or any derivative of the word thereof, means any oral or written  
22 communication with a member of the Legislature or with the Governor or with a member

1 of the judiciary or with an employee of the Legislature or the Governor or the judiciary  
2 on behalf of a lobbyist principal with regard to the passage, defeat, formulation,  
3 modification, interpretation, amendment, adoption, approval or veto of any legislation,  
4 rules, regulation, executive order or any other program, policy or position of the state  
5 government; provided, however, it shall not mean testimony given before, or submitted in  
6 writing to, a committee or subcommittee of the Legislature, nor a speech, article,  
7 publication or other material that is widely distributed, published in newspapers,  
8 magazines or similar publications or broadcast on radio or television; provided further, it  
9 shall not mean representation of himself or a client by an attorney, acting in a  
10 professional capacity as an attorney, in a court proceeding or quasi-judicial proceeding.

11 "Lobbyist" means any individual who is employed or retained by another for  
12 financial or other compensation to perform services that include lobbying, other than an  
13 individual whose lobbying activities are only incidental to, and are not a significant part  
14 of, the services provided by such individual to the client, except as exempted by Section  
15 4228 of Title 74 of the Oklahoma Statutes or as it may hereafter be renumbered or  
16 recodified.

17 "Lobbyist principal" means any person who employs or retains another person for  
18 financial or other compensation to conduct lobbying activities on behalf of the lobbyist  
19 principal; provided, however, it shall not mean any individual members, partners,  
20 officers or shareholders of a corporation, association, firm, joint venture, joint stock  
21 company, syndicate, business trust, estate, trust, company, partnership, limited

1 partnership, organization, committee, or club, or a group of persons who are voluntarily  
2 acting in concert.

3 "Official action" means any judicial, executive, legislative or administrative action  
4 which shall include, but is not limited to, the promulgation of rules and regulations and  
5 the setting of rates.

6 "Organization" means a:

7 (1) labor organization;

8 (2) collective bargaining organization;

9 (3) local, state, or national organization to which a labor organization pays  
10 membership or per capita fees, based upon its affiliation and membership; or

11 (4) trade or professional association that receives its funds exclusively from  
12 membership dues or service fees, whether organized inside or outside the state.

13 "Participation" includes decision, approval, disapproval, recommendation, the  
14 rendering of advice, or vote.

15 "Particular matter" includes a judicial or other proceeding, application, request for a  
16 ruling or other determination, contract, claim, controversy, inquiry, investigation,  
17 charge, accusation, arrest, rulemaking, or legislation.

18 "Party committee" means a political party or any affiliated or connected entity.

19 "Person" means an individual, corporation, limited liability company, association,  
20 proprietorship, firm, partnership, limited liability partnership, limited partnership, joint  
21 venture, joint stock company, syndicate, business trust, estate, trust, company,

1 organization, committee, or club, or a group of persons who are voluntarily acting in  
2 concert.

3 "Political action committee"

4 (1) means a combination of at least two individuals, or a person other than an  
5 individual:

6 (A) with the primary purpose of:

7 (i) expressly supporting or opposing a clearly identified candidate  
8 or candidates, or a party committee, except those required to file  
9 with the Federal Election Commission, or

10 (ii) supporting or opposing a ballot measure; and

11 (B) which accepts or gives contributions or makes expenditures from a  
12 joint account aggregating at least five hundred dollars (\$500) during a  
13 calendar year.

14 (2) does not include:

15 (A) a party committee or a candidate committee;

16 (B) a person other than an individual, when that person makes an  
17 expenditure or expenditures from an account to which contributions  
18 have not been solicited or accepted from any other persons or  
19 individuals; and, the expenditure or expenditures are required by  
20 these rules to be reported by the recipient committee or committees as  
21 a contribution or contributions; and

1 (C) a combination of individuals, or a person other than an individual, if  
2 the combination of individuals, or a person other than an individual,  
3 solicits contributions on behalf of a committee; and, any contributions  
4 received as a result of the solicitation are forwarded to the committee  
5 without being deposited in any account; and, the contributions are  
6 required by these rules to be reported by the committee that receives  
7 the contributions.

8 "Political party" means any political party so recognized for the purpose of having  
9 candidates appear on the ballot.

10 "Public member" means a member appointed to a compensated or uncompensated  
11 part-time position on a board, commission, council, authority, bureau, committee, state  
12 beneficial public trust, or other establishment of the executive, legislative or judicial  
13 branch of the State of Oklahoma.

14 (1) A public member does not lose this status by receiving reimbursement of  
15 expenses or a per diem payment for services.

16 (2) A public member does not include:

17 (A) members of advisory bodies to the legislative, executive, or judicial  
18 branch of state government;

19 (B) Postadjudication Review Board members appointed pursuant to  
20 Section 1116.2 of Title 10 of the Oklahoma Statutes;

21 (C) board members of guaranty associations created pursuant to state  
22 statute; and

1 (D) precinct inspectors, judges, clerks and counters.

2 "Registered lobbyist" means a person that has filed as a lobbyist with the  
3 Commission.

4 "Represent" or "representation" means any formal or informal attendance before, or  
5 any written or oral communication with, or the filing of documents with any  
6 governmental entity on behalf of a person or organization whether gratuitous or for  
7 compensation.

8 "Securities" means evidences of debts, property or obligations to pay money or of  
9 rights to participate in earnings and distribution of corporate trust, and other property,  
10 including but not limited to, stocks, bonds, notes, convertible debentures, warrants, or  
11 other documents that represent a share in a company or a debt owed by a company.

12 "State employee"

13 (1) means:

14 (A) an elective or appointed officer or an employee of any governmental  
15 entity, except members of the House of Representatives or State  
16 Senate; and

17 (B) an employee, other than an adjunct professor, in the service of an  
18 institution of higher education comprising the Oklahoma State System  
19 of Higher Education.

20 (2) does not mean a public member.

21 "State office" means all elective offices for which declarations of candidacy are filed  
22 with the Secretary of the State Election Board.

1 "State officer" means an elective, appointed or employed officer, including a public  
2 member, in the executive, judicial or legislative branch of the State of Oklahoma.

3 "Substantial financial interest" means an interest that could result in directly or  
4 indirectly receiving a substantial pecuniary gain or sustaining a substantial pecuniary  
5 loss as a result of ownership or interest in a business entity, or as a result of salary,  
6 gratuity or other compensation or remuneration from any person, partnership,  
7 organization or association. The term `substantial financial interest' includes, but is not  
8 limited to, an ownership interest of five percent (5%) or more in a business enterprise or  
9 an interest in an entity from which dividends of one thousand dollars (\$1,000.00) or more  
10 were derived during the preceding calendar year.

11 "Surplus funds" arise:

12 (1) when a candidate committee has an unexpended balance of funds not otherwise  
13 obligated for the purposes specified in Paragraph (1) of Subsection (a) of Section 20 of  
14 Chapter 10 ~~of this title~~; or

15 (2) when a committee formed to support or oppose a ballot measure has an  
16 unexpended balance of funds not otherwise obligated for any campaign expenditure; or

17 (3) when a committee, other than a candidate committee or a ballot measure  
18 committee, has an unexpended balance of funds not otherwise obligated to further the  
19 committee's purposes.

20 "Transfer" means the movement or exchange of anything of value between  
21 committees, except the disposition of surplus funds or material assets by a candidate

1 committee to a party committee in accordance with the dissolution procedure in Sections  
2 19 and 20 of Chapter 10 ~~of this title.~~

3 SECTION 2. AMENDATORY Rule 257:10-1-2 of the Rules of the Ethics  
4 Commission (74 O.S. Supp. 2006, Chapter 62, App.), is amended to read as follows:

5 Rule 257:10-1-2. Contributions. (a) Limitations on contributions from a person.

6 (1) No person or family may contribute more than five thousand dollars (\$5,000) to  
7 a political action committee or a party committee in any calendar year. No political  
8 action committee or party committee shall knowingly accept a contribution from a person  
9 or family in excess of five thousand dollars (\$5,000) in a calendar year. Contributions to  
10 be used for federal election activity, as defined in 2 U.S.C. § 431(20), and subject to the  
11 requirements of 2 U.S.C. § 441i, commonly referred to as “Levin Funds”, shall not be  
12 aggregated with other contributions to a party committee.

13 (2) No person or family may contribute more than five thousand dollars (\$5,000) to  
14 a candidate for state office or to a candidate committee authorized by such a candidate to  
15 accept contributions or make expenditures on his behalf during a campaign as defined in  
16 Chapter 1, Section 2 and as provided in Paragraphs (4) and (5) of this subsection. No  
17 candidate or candidate committee shall knowingly accept a contribution in excess of five  
18 thousand dollars (\$5,000) from a person or family during a campaign.

19 (3) These restrictions do not apply to:

20 (A) a committee supporting or opposing a ballot measure;

21 (B) a candidate making a contribution of his or her own funds, to his or her  
22 campaign; or

1 (C) a political party making a contribution according to the restrictions set  
2 forth in Subsection (b) of this section.

3 (4) For purposes of this subsection, if a candidate:

4 (A) begins a campaign for a specific state office;

5 (B) accepts one or more contributions for such campaign but prior to the  
6 election therefor chooses not to run for such office and becomes a  
7 candidate for a different office; and

8 (C) transfers all or any part of the contributions accepted for the first  
9 campaign to the second campaign;

10 the second campaign shall be deemed to have begun when the candidate began the first  
11 campaign.

12 (5) For purposes of this subsection, if a candidate:

13 (A) does not dissolve his or her candidate committee after the election at  
14 which the office at stake is decided;

15 (B) accepts one or more contributions for such committee after such  
16 election; and

17 (C) begins a campaign for the same or another office in a subsequent  
18 election cycle;

19 any contributions accepted within six (6) months prior to the beginning of the campaign  
20 for the same or another office in a subsequent election cycle shall be applied to the limit  
21 specified in Paragraph (2) of this subsection for such campaign.

1 (6) The \$5,000 limitation is to be applied collectively and cumulatively so that any  
2 contribution made by the entities as set forth in the definition of “person” in Section 2 of  
3 Chapter 1 of this title, shall be allocated to the individuals owning such entities in their  
4 percentage of ownership. Once the limit of \$5,000 is reached, applying all sources to the  
5 individual or family, no further contributions can be made during the campaign or  
6 calendar year.

7 (b) Limitations on contributions from a political party committee. A candidate  
8 committee shall not accept contributions from a political party of more than:

9 (1) fifty thousand dollars (\$50,000) per campaign in the case of a candidate for  
10 governor; and

11 (2) twenty-five thousand dollars (\$25,000) per campaign in the case of a candidate  
12 for other non-federal statewide elective office.

13 CAVEAT: This provision, increasing the amount of contributions a political party  
14 may give to its statewide candidates, is inconsistent with Section 187.1 of Title 21 of the  
15 Oklahoma Statutes, which attaches a criminal penalty to contributions from any person  
16 or family to a state candidate in excess of \$5,000.

17 (c) Contributor statement. Within ten (10) business days of accepting a ~~single~~  
18 ~~contribution exceeding fifty dollars (\$50.00), or before accepting multiple contributions~~  
19 ~~from a single source which exceed fifty dollars (\$50.00) in the aggregate, persons~~  
20 accepting contributions must obtain from each contributor who resides in Oklahoma a  
21 statement which shall include:

22 (1) the date the contribution was given;

1 (2) the name and address, occupation [e.g. "retail sales clerk"] and employer [e.g.  
2 "Dillard"], or principal business activity of the contributor; a contribution from a person  
3 other than an individual or a committee shall be reported by the name of the person or  
4 committee and not the individual who signed the check;

5 (3) the amount; if in-kind, a description of the contribution and a good-faith  
6 estimate of its fair market value;

7 (4) a declaration that the contribution is freely and voluntarily given from the  
8 contributor's personal property, if an individual, or the person or committee's property, if  
9 other than an individual;

10 (5) a declaration that the contributor has not been directly or indirectly  
11 compensated or reimbursed for the contribution, if an individual, and, if a person other  
12 than an individual or a committee, that the person or committee has not been  
13 compensated or reimbursed for the contribution by persons:

14 (A) other than those from whom contributor statements have been  
15 received and of whom disclosure has or will be made; or

16 (B) if from persons exempted from the definition of political action  
17 committee, by other persons; and

18 (6) the signature of the contributor, or in the case of a committee, the treasurer or,  
19 in the treasurer's absence, the deputy treasurer of the committee.

20 Persons accepting contributions from contributors who contribute by payroll deduction,  
21 dues check-off, or similar process shall be required to obtain only one contributor

1 statement annually or at such other times as a change is made in the deduction, check-  
2 off, or similar process.

3 (d) Contributor statement from contributors outside of the state. Persons accepting  
4 contributions from contributors whose primary residence is outside the state must obtain  
5 from each contributor a statement which shall include:

6 (1) the date the contribution was given;

7 (2) the name, address, occupation, and employer, or principal business activity of  
8 the contributor; a contribution from a person other than an individual or a committee  
9 shall be reported by the name of the person or committee and not the individual who  
10 signed the check;

11 (3) a statement of understanding and intent to make a contribution to a particular  
12 candidate for a particular campaign in the State of Oklahoma;

13 (4) the amount; if in-kind, a description of the contribution and a good-faith  
14 estimate of its fair market value;

15 (5) a declaration that the contributor has not been directly or indirectly  
16 compensated or reimbursed for the contribution, if an individual, and, if a person other  
17 than an individual or a committee, that the person or committee has not been  
18 compensated or reimbursed for the contribution by persons:

19 (A) other than those from whom contributor statements have been  
20 received and of whom disclosure has or will be made; or

21 (B) exempted from the definition of a political action committee, by other  
22 persons; and

1           (6) the signature of the contributor, or in the case of a committee, the treasurer or,  
2 in the treasurer's absence, the deputy treasurer of the committee.

3           (e) Prohibitions and exceptions to corporate and labor organization contributions  
4 and expenditures.

5           (1) No corporation or labor organization shall contribute to any campaign fund of  
6 any party committee of this state or to any other person for the benefit of such party  
7 committee or its candidates, nor shall it, through any agent, officer, representative,  
8 employee, attorney, or any other person or persons, so contribute. Nor shall any such  
9 corporation, directly or through such other person, make any loan of money or anything  
10 of value, or give or furnish any privilege, favor or other thing of value to any party  
11 committee, or to any representative of a party committee, or to any other person for it, or  
12 to any candidate upon the ticket of any political party.

13           (2) A corporation or labor organization shall not make a contribution or an  
14 expenditure or an independent expenditure to, or for the benefit of, a candidate or  
15 committee in connection with an election or for any electioneering communication, except  
16 that this provision shall not apply to:

17           (A) a campaign or committee solely for or against a ballot measure or local  
18 question; or

19           (B) the establishment, administration, and solicitation of contributions to  
20 a political action committee to be utilized for political purposes by a  
21 corporation or labor organization.

1 (3) No candidate, candidate committee or other committee shall knowingly accept  
2 contributions given in violation of the provisions of Paragraphs (1) and (2) of this  
3 subsection.

4 (4) The provisions of this subsection shall not apply to a bank, savings and loan  
5 association or credit union loaning money to a candidate in connection with his own  
6 campaign which is to be repaid with interest at a rate comparable to that of equivalent  
7 loans for other purposes.

8 (5) The provisions of this subsection shall not apply to independent expenditures  
9 made by a corporation that:

10 (A) has as an express purpose promoting social, educational, or political  
11 ideas and not to generate business income;

12 (B) does not have shareholders or other persons which have a financial  
13 interest in its assets and earnings; and

14 (C) was not established by a business corporation or other business entity,  
15 by a professional association, or by a labor organization and does not  
16 receive substantial revenue from such entities. Substantial revenue is  
17 rebuttably presumed to be more than ten percent (10%) of total  
18 revenues or \$10,000, whichever is less, in a calendar year.

19 ~~(e)~~ (f) Prohibitions relating to committee solicitations and funds. It shall be  
20 prohibited for:

21 (1) a political action committee to accept a contribution or make an expenditure by  
22 using anything of value secured:

- 1 (A) by physical force, job discrimination, financial reprisals, or threat of  
2 the same; or
- 3 (B) by dues, fees, or other monies required as a condition of membership in  
4 a labor organization or as a condition of employment, unless the  
5 making of such contributions is authorized by the organization's  
6 members;

7 (2) a person to solicit a contribution from an employee in exchange for any  
8 advantage or promise of an advantage conditioned upon making a contribution, or  
9 reprisal or threat of reprisal related to the failure to make a contribution;

10 (3) a corporation or political action committee of a corporation to solicit  
11 contributions to the political action committee from a person other than its members,  
12 shareholders, directors, executive and administrative personnel, and their families; and

13 (4) corporate contributions to a committee or person for or against a ballot measure  
14 to be commingled with a fund established by such person or committee to contribute to  
15 candidate committees or committees which support or oppose candidates.

16 ~~(f)~~ (g) Prohibition on transfer of funds between committees.

17 (1) A candidate committee shall not make a contribution to another candidate or  
18 make an independent expenditure on behalf of another candidate. The principal  
19 candidate committee or an authorized committee of a person, as such terms are defined  
20 in Section 431 of Title 2 of the United States Code, shall not make a contribution to a  
21 candidate or make an independent expenditure on behalf of a candidate. A candidate or  
22 candidate committee shall not accept such a contribution.

1 (2) This subsection shall not prohibit a candidate or any other person from making  
2 a contribution from the candidate's or person's personal funds to his or her own  
3 candidate committee or on behalf of his or her own candidacy or to the committee of  
4 another candidate for a different office.

5 (3) This subsection shall not prohibit a candidate committee from providing its  
6 surplus funds or material assets to the state or local central committee of a political  
7 party in accordance with the procedures for dissolution of a candidate committee under  
8 Sections 19 and 20 of this chapter.

9 ~~(g)~~ (h) Aggregation of contributions. For purposes of the contribution limitations,  
10 the following apply:

11 (1) Two (2) or more political action committees or party committees are treated as a  
12 single entity if the committees:

13 (A) share the majority of members on their boards of directors;

14 (B) are owned or controlled by the same majority shareholder or  
15 shareholders;

16 (C) are in a parent subsidiary relationship; or

17 (D) have by laws so stating; or

18 (E) are affiliated or connected entities.

19 (2) A candidate committee and a committee other than a candidate committee are  
20 treated as a single committee if the committees both have the candidate or a member of  
21 the candidate's immediate family as an officer.

22 ~~(h)~~ (i) Attribution and aggregation of family contributions.

1 (1) Contributions by a husband and wife are aggregated.

2 (2) Contributions by children under eighteen (18) years of age shall be considered to  
3 be contributions made by their parent, parents or legal guardian and shall be attributed  
4 to the family limit specified in Subsection (a) of this section. In the case of a single  
5 custodial parent, the total amount of such a contribution shall be considered to be a  
6 contribution made by the single custodial parent.

7 ~~(i)~~ (j) Restrictions on loans.

8 (1) A loan is considered a contribution from the lender, guarantor, and endorser of  
9 the loan and is subject to the contribution limitations of this section.

10 (2) A loan to a candidate or the candidate committee shall be by written agreement.

11 (3) The proceeds of a loan, regardless of the amount, made to a candidate:

12 (A) by a commercial lending institution;

13 (B) made in the regular course of business;

14 (C) on the same terms ordinarily available to members of the public; and

15 (D) which is secured or guaranteed solely by the candidate;

16 are not subject to the contribution limits of this section.

17 (4) A loan from one committee to another is prohibited.

18 ~~(i)~~ (k) Anonymous and earmarked contributions.

19 (1) A person shall not make to a committee and a committee shall not accept an  
20 anonymous contribution ~~in excess of fifty dollars (\$50)~~. The recipient of an anonymous  
21 contribution ~~in excess of fifty dollars (\$50)~~ shall, within two (2) business days, remit the

1 contribution to the Commission to be deposited with the State Treasurer to the credit of  
2 the General Revenue Fund.

3 (2) For purposes of the contribution limitations imposed by this section, all  
4 contributions made by a person, either directly or indirectly, to or for the benefit of a  
5 particular candidate committee, including contributions which are in any way earmarked  
6 or otherwise directed through an intermediary or conduit to such candidate committee,  
7 shall be treated as contributions from such person to such candidate committee. It shall  
8 be prohibited for an intermediary or a conduit to make a contribution to a committee in  
9 his or her own name rather than the name of the original source of such contribution.  
10 For purposes of this paragraph, an intermediary or conduit means a person, who is not  
11 the treasurer, deputy treasurer or agent of a committee, but who is given a contribution  
12 by another with the understanding that it will be contributed to that committee. The  
13 reports shall show the correct name of the person actually making the contribution.

14 ~~(k)~~ (l) Reimbursement for contribution prohibited. A person shall not, directly or  
15 indirectly, reimburse a person for a contribution to a candidate or committee.

16 ~~(j)~~ (m) Cash contributions.

17 (1) An individual shall not make to a candidate committee or a committee  
18 supporting or opposing a ballot measure and a candidate committee or a committee  
19 supporting or opposing a ballot measure shall not accept a contribution of more than fifty  
20 dollars (\$50) in cash during a campaign as defined in Chapter 1, Section 2. Agents  
21 accepting and delivering cash shall deliver contributor statements disclosing cash  
22 contributions equal to the aggregate amount of cash delivered.

1 (2) A committee, or a person other than an individual, shall not make a  
2 contribution in cash.

3 ~~(m)~~ (n) Certain contributions required to be by written instrument.

4 (1) An individual shall not make a contribution of more than fifty dollars (\$50),  
5 other than an in kind contribution, except by written instrument containing the name of  
6 the contributor and the name of the payee during a campaign as defined in Chapter 1,  
7 Section 2.

8 (2) A committee, or a person other than an individual, shall not make a  
9 contribution, other than in-kind, except by written instrument containing the name of  
10 the contributor and the name of the payee.

11 ~~(n)~~ (o) Use of other funds.

12 (1) Anything of value which is solicited from the public in the name of or for the  
13 benefit of an elective officer or candidate, and which is accepted by an elective officer or  
14 candidate, shall be subject to the reporting requirements of this chapter. This would  
15 include, but not be limited to, things of value given for an inauguration or renovation of  
16 public property. Anything of value accepted by an agent or representative of an elective  
17 officer or candidate or by a committee established by, in the name of, or for the benefit of,  
18 an elective officer or candidate shall be deemed to be accepted by such elective officer or  
19 candidate for purposes of this section.

20 (2) The use of such things of value shall be limited to the stated purpose or  
21 purposes for which such things of value were solicited.

1 (3) Any surplus things of value which are not needed for the stated purpose or  
2 purposes shall be returned to the donors pursuant to a formula by which no donor  
3 receives more than his or her original donation or deposited with the State Treasurer to  
4 the credit of the General Revenue Fund.

5 ~~(p)~~ (p) Auctions. When an auction is held by a committee as a fundraiser, a  
6 contributor statement shall be required with respect to each person donating an item to  
7 be auctioned and shall include the fair market value of each item donated.

8 (1) If an item is sold for a price in excess of the established fair market value, the  
9 buyer thereof shall be deemed to have made a contribution in the amount of the price  
10 paid in excess of the established fair market value and the donor thereof shall be deemed  
11 to have made a contribution in the amount of the established fair market value.

12 (2) If an item is sold at the established fair market value, the donor thereof shall be  
13 deemed to have made a contribution in the amount of the established fair market value  
14 and the buyer thereof shall not be deemed to have made a contribution.

15 (3) If an item is sold at less than the established fair market value, the fair market  
16 value shall be reduced to the actual sale price and the donor thereof shall be deemed to  
17 have made a contribution in the amount of the sale price and the buyer thereof shall not  
18 be deemed to have made a contribution.

19 (q) Out-of-state independent organizations. It shall be prohibited for an out-of-  
20 state independent organization to split a contribution received by the organization into  
21 smaller amounts, so that only part of the original contribution is spent in Oklahoma for  
22 the purpose of influencing the outcome of an election. "Independent organization" for

1 purposes of this subsection shall mean a political action committee or an organization  
2 registered under Section 527 of the Internal Revenue Code that spends money in  
3 connection with any election in Oklahoma independently of any candidate.

4 (r) Political contributions in the State Capitol. A state officer shall not accept a  
5 contribution to benefit a candidate, political action committee, political party, or ballot  
6 measure inside the State Capitol building at any time during the year.

7 SECTION 3. AMENDATORY Rule 257:10-1-13 of the Rules of the Ethics  
8 Commission (74 O.S. Supp. 2006, Chapter 62, App.), is amended to read as follows:

9 Rule 257:10-1-13. Required reports of contributions and expenditures. (a) Periodic  
10 reports by all committees.

11 (1) Except as provided in Paragraphs (2) and (3) of this subsection, the treasurer of  
12 each committee or, in the treasurer's absence, the deputy treasurer, other than those  
13 specified in Paragraph (3) of this subsection, shall file ~~quarterly~~ monthly reports of  
14 contributions and expenditures no later than ~~January 31, April 30, July 31, and October~~  
15 ~~31~~ the 15th of each month, and include all contributions accepted and expenditures made  
16 as of ~~December 31, March 31, June 30, and September 30, respectively~~ the last day of the  
17 previous month. ~~Quarterly~~ Monthly reporting periods may be extended to include the  
18 month following the end of the quarter when filing a quarterly and final report on the  
19 same form but shall be filed no later than the due dates provided in this subsection. The  
20 first report filed by a candidate committee shall be the next report due following the  
21 filing of a statement of organization.

1 (2) If a committee has accepted no contributions and has made no expenditures  
2 during a reporting period, the treasurer or, in the treasurer's absence, the deputy  
3 treasurer shall file a statement of inactivity.

4 (3) The treasurer or, in the treasurer's absence, the deputy treasurer of each  
5 committee supporting or opposing a ballot measure, or supporting or opposing a  
6 candidate and a ballot measure, shall file monthly reports of contributions accepted and  
7 expenditures made no later than the tenth (10th) day of each month and include all  
8 contributions and expenditures made the previous month. The first report filed by such  
9 a committee shall be the next report due following the filing of a statement of  
10 organization.

11 (b) Preelection reports by all committees.

12 (1) A committee shall file a preelection report for each primary, runoff primary and  
13 general election held pursuant to Sections 1-101, 1-102 and 1-103 of Title 26 of the  
14 Oklahoma Statutes and for any special election, including a special primary election, if  
15 any, for which a registered committee accepts a contribution or makes an expenditure in  
16 support of or in opposition to a candidate for office in that election cycle or a ballot  
17 measure on the ballot in that election.

18 (2) A preelection report shall be filed no later than eight (8) days and no earlier  
19 than fourteen (14) days before an election. This preelection report shall include  
20 information for all transactions made since the end of the last reporting period through  
21 fifteen (15) days before the date of the election. In the event that the preelection report  
22 filed prior to the Primary is due before the previous ~~quarterly~~ monthly report, the report

1 filed prior to the Primary shall include information for all transactions made for the  
2 previous quarter through a period fifteen (15) days before the date of the election.

3 (3) The preelection report filed prior to the Primary in an election year shall cover a  
4 reporting period beginning April 1 and ending the fifteenth day prior to the Primary.  
5 The preelection reports filed prior to the Primary, Runoff Primary and General Elections  
6 shall substitute for the ~~quarterly~~ monthly report due by July 31 and October 31 for a  
7 candidate committee during an election year of the candidate or a committee supporting  
8 or opposing only candidates in an election cycle.

9 (4) The first ~~quarterly~~ monthly report due after a General Election in which a  
10 committee supported or opposed candidates on the ballot shall cover a period beginning  
11 with the first day following the end of the reporting period of the preelection report for  
12 the General Election and end with the last day of the quarter.

13 (c) Exemptions

14 (1) Federal committees. Committees registered under the laws of the United  
15 States, who contribute more than \$500 in the aggregate or make expenditures exceeding  
16 \$500 in the aggregate in support of or in opposition to a candidate for state office in an  
17 election cycle, in filing the reports prescribed by this chapter, may disclose only  
18 contributions from Oklahoma residents or contributions to Oklahoma state campaigns  
19 for the period prior to and reporting periods following the period during which the  
20 contribution to a state candidate for state office was made.

21 (2) Exemption for candidate committees with minimal activity. A candidate  
22 committee which does not accept contributions exceeding \$500 in the aggregate may file

1 an affidavit with the Ethics Commission stating the committee will not accept  
2 contributions or make expenditures exceeding \$500 in the aggregate which shall exempt  
3 such candidate committee from filing required reports. If the committee later determines  
4 it will exceed the threshold, it shall file a statement of organization within five (5) days  
5 following the activity and file the next and all succeeding required reports until  
6 dissolution.

7 (3) Exemption for candidate committee with minimal calendar year activity

8 (A) Statement of intent for minimal calendar year activity. A statement of  
9 intent for minimal calendar year activity may be filed by a candidate  
10 committee by April 30 of any year for the same year, other than the  
11 year of the General Election during which the office sought will be  
12 filled. The statement of intent must include the name and address of  
13 the candidate committee; the treasurer's name, address and telephone  
14 number; and a statement that the committee does not intend to accept  
15 contributions nor make expenditures exceeding \$500 during the  
16 calendar year. It must be certified and signed by the treasurer. If the  
17 committee later determines it has exceeded \$500 in contributions or  
18 expenditures during the calendar year for which the statement was  
19 filed, it shall file an amended statement of organization within five (5)  
20 days of such time and file the next and all succeeding required  
21 quarterly reports.

1 (B) Annual report. All required disclosure for which a statement of intent  
2 for minimal calendar year activity is filed must be reported for the  
3 calendar year period covered by the statement of intent for minimal  
4 calendar year activity on a campaign contributions and expenditures  
5 report and must be filed between January 1 and 31 following the end of  
6 the calendar year for which the statement was filed.

7 SECTION 4. AMENDATORY Rule 257:15-1-7 of the Rules of the Ethics  
8 Commission (74 O.S. 2001, Chapter 62, App.), is amended to read as follows:

9 Rule 257:15-1-7. Information required. (a) From compensated filers, candidates  
10 and commissioners. A statement of financial interests of candidates, members of the  
11 Commission, and filers who receive compensation from the state, excluding public  
12 members who are members of boards of regents within the Oklahoma State System of  
13 Higher Education, must contain full and complete information concerning the following:

14 (1) the name, birth date, mailing address, and work place telephone number of the  
15 filer;

16 (2) the filing status of the filer including:

17 (A) whether the filer is a state officer or state employee, and if so, the  
18 filer's:

- 19 (i) position title,  
20 (ii) governmental entity served,  
21 (iii) term of office, if applicable, and  
22 (iv) appointment or employment date, if applicable; and

1 (B) whether the filer is a candidate running in an election, and if so,  
2 (i) the month and year of the general election or special general  
3 election for which the statement is being filed, and  
4 (ii) the term of the office sought;  
5 (3) the name and mailing address of the entity and the type of income exceeding  
6 five thousand dollars (\$5,000) in amount or value received from a governmental entity by  
7 the filer or the filer's spouse or dependents;  
8 (4) the name, mailing address, and a description of the principal business activity  
9 of a person from whom income in cash or in-kind exceeding five thousand dollars (\$5,000)  
10 in amount or value was received by the filer and the type of income received. If income  
11 results from employment by, operation of, or participation in a proprietorship or  
12 partnership or professional corporation or business or nonprofit corporation or other  
13 person, the filer may list the proprietorship or partnership or professional corporation or  
14 business or nonprofit corporation or other person as the source and not each patron,  
15 customer, patient, client, or each oil or gas well of the proprietorship or partnership or  
16 professional corporation or business or nonprofit corporation or other person. For  
17 purposes of this section, "type of income" shall include, but not be limited to, dividends,  
18 profit sharing, proceeds from sales, rent, royalty, salary, stock splits, and wages;  
19 (5) the name of any registered lobbyist or lobbyist principal with whom the filer has  
20 engaged in business from which income exceeding five thousand dollars (\$5,000) in  
21 amount or value was received, provided that the following shall not be required:

- 1 (A) the name of any registered lobbyist or lobbyist principal with whom  
2 the filer's employer, its subsidiaries, or parent company is engaged in  
3 business; and
- 4 (B) the name of any director, stockholder, partner, agent, affiliate,  
5 member, employee or officer of a lobbyist principal with whom the filer  
6 is engaged in business;
- 7 ~~(6) the name of any entity from which an honorarium or honoraria, valued at more~~  
8 ~~than two hundred dollars (\$200) over and above actual expenses paid to the filer, was~~  
9 ~~received and the value of any such honorarium;~~
- 10 ~~(7)~~ the name of every business or entity in which the filer held securities valued at  
11 five thousand dollars (\$5,000) or more during the reporting period; provided, however,  
12 mutual funds and similar securities need be identified only by the type of investments  
13 made by the mutual fund or similar security;
- 14 ~~(8)~~ (7) the name and address of all clients represented by the filer or the filer's  
15 spouse before a regulatory state governmental agency, as listed in Section 3 of Chapter  
16 23 of this title, for compensation exceeding one thousand dollars (\$1,000) in amount or  
17 value during the preceding calendar year;
- 18 ~~(9)~~ (8) every officership, directorship, trusteeship, or other fiduciary relationship  
19 held in an entity doing business with a governmental entity with which the filer is  
20 associated during the disclosure period and the term of such officership, directorship,  
21 trusteeship, or other fiduciary relationship; and
- 22 ~~(10)~~ (9) professional or occupational permits or licenses held by the filer.

1 (b) From uncompensated filers. A statement of financial interests of a filer who  
2 does not receive compensation from the state and from public members who are members  
3 of boards of regents within the Oklahoma State System of Higher Education must  
4 contain full and complete information concerning the following:

5 (1) the name, birth date, mailing address, and work place telephone number of the  
6 filer;

7 (2) the filing status of the filer including the filer's:

8 (A) position title,

9 (B) governmental entity served,

10 (C) term of office, if applicable, and

11 (D) appointment or employment date, if applicable; and

12 (3) the name and mailing address of the entity and the type of income exceeding  
13 five thousand dollars (\$5,000) in amount or value received from a governmental entity by  
14 the filer or the filer's spouse or dependents;

15 (4) a list of categories or industries from which other income in cash or in-kind  
16 exceeding five thousand dollars (\$5,000) in amount or value was received by the filer;

17 (5) the name of any registered lobbyist or lobbyist principal with whom the filer has  
18 engaged in business from which income exceeding five thousand dollars (\$5,000) in  
19 amount or value was received, provided that the following shall not be required:

20 (A) the name of any registered lobbyist or lobbyist principal with whom  
21 the filer's employer, its subsidiaries, or parent company is engaged in  
22 business; and

1 (B) the name of any director, stockholder, partner, agent, affiliate,  
2 member, employee or officer of a lobbyist principal with whom the filer  
3 is engaged in business;

4 ~~(6) the name of any entity from which an honorarium or honoraria, valued at more~~  
5 ~~than two hundred dollars (\$200) over and above actual expenses paid to the filer, was~~  
6 ~~received and the value of any such honorarium;~~

7 ~~(7)~~ the principal business activity of every business or entity in which the filer held  
8 securities valued at five thousand dollars (\$5,000) or more during the reporting period;  
9 provided, however, mutual funds and similar securities need be identified only by the  
10 type of investments made by the mutual fund or similar security;

11 ~~(8)~~ (7) every officership, directorship, trusteeship, or other fiduciary relationship  
12 held in an entity doing business with a governmental entity with which the filer is  
13 associated during the disclosure period and the term of such officership, directorship,  
14 trusteeship, or other fiduciary relationship; and

15 ~~(9)~~ (8) professional or occupational permits or licenses held by the filer.

16 (c) Supplement. A supplement to the statement of financial interests required by  
17 Subsection (a) of this section shall be filed, by paper form or computer diskette or  
18 electronic transmission, with the Commission within ten (10) days of a filer or a filer's  
19 spouse contracting with or receiving payments from new clients required to be reported  
20 under Paragraph (8) of Subsection (a) of this section. Electronic filings must be followed  
21 by delivering, faxing or mailing a signed paper copy.

1 (d) Statement of no change. A statement of no change must include the same  
2 information as required by Subsection (a) Paragraphs (1) and (2), or Subsection (b)  
3 Paragraphs (1) and (2), and a statement that all required information was reported for  
4 the previous calendar year and there has been no change in the information reported for  
5 the previous calendar year. It shall be certified.

6 (e) Forms. The information shall be filed on forms prescribed by the Commission or  
7 utilizing form software provided by the Commission.

8 SECTION 5. AMENDATORY Rule 257:20-1-3 of the Rules of the Ethics  
9 Commission (74 O.S. 2001, Chapter 62, App.), is amended to read as follows:

10 Rule 257:20-1-3. Accountability. (a) All state officers and all state employees:

11 (1) shall support, obey, and defend the Constitution and laws of the State of  
12 Oklahoma; and

13 (2) shall not knowingly receive, directly or indirectly, any money or other valuable  
14 thing, for the performance or nonperformance of any act or duty pertaining to his or her  
15 office, other than the compensation allowed by law.

16 (b) Nothing in Subsection (a) of this section shall be construed to include matters  
17 within the purview of the Oklahoma Personnel Act, Sections 840 et seq. and 841 et seq.  
18 of Title 74 of the Oklahoma Statutes.

19 (c) Each chamber of the Legislature shall schedule and conduct an annual ethics  
20 training seminar for all members, employees, and lobbyists, to be held between the dates  
21 of November 16 and December 31 of each year. Members and employees of each chamber  
22 are required to attend the training conducted in their respective chamber of employment

1 or service. Lobbyists are required to attend only one of the trainings conducted by the  
2 Legislature each year. Each chamber shall file a record of attendees with the Ethics  
3 Commission within ten (10) days of the completion of the training. The training  
4 curriculum shall include the rules and reporting guidelines of the Ethics Commission.

5 SECTION 6. AMENDATORY Rule 257:20-1-9 of the Rules of the Ethics  
6 Commission (74 O.S. Supp. 2006, Chapter 62, App.), is amended to read as follows:

7 Rule 257:20-1-9. Restraints on solicitation or acceptance of anything of value -  
8 Disclosure.

9 (a) Influence of official act, fraud or official duty. No state officer and no state  
10 employee shall, directly or indirectly, ask, demand, exact, solicit, seek, accept, assign,  
11 receive, or agree to receive anything of value for the state officer or employee or for any  
12 other person or entity, in return for being:

13 (1) influenced in the performance of an official act;

14 (2) influenced to commit, aid in committing, collude in, or allow fraud, or make an  
15 opportunity for the commission of fraud on a governmental entity; or

16 (3) induced to perform or fail to perform an act in violation of the state officer's or  
17 state employee's official duty.

18 (b) Soliciting individually or on behalf of a regulatory governmental entity  
19 prohibited. No state officer and no state employee shall, directly or indirectly, ask,  
20 demand, exact, solicit, seek, accept, assign, receive or agree to receive anything of value  
21 individually or for or on behalf of a governmental entity from a business entity, its  
22 employees, officers or board members, or a person who has greater than a ten percent

1 (10%) interest in such entity if the rates, charges, prices or fees charged by the business  
2 entity are subject to regulation by the governmental entity which the officer or employee  
3 serves. This provision does not apply to a campaign contribution properly received and  
4 reported, which is exempt from the definition of anything of value in Section 2 of Chapter  
5 1 of this title, or to anything of value accepted on behalf of the state of Oklahoma  
6 pursuant to Subsection (e) of this section.

7 (c) Calendar year limits on things of value.

8 (1) Elective officers. No elective officer, or an immediate family member of an  
9 elective officer shall, directly or indirectly, ask, demand, exact, solicit, seek, accept,  
10 assign, receive, or agree to receive things of value in a calendar year which, in the  
11 aggregate, are valued at more than three hundred dollars (\$300); and

12 (2) Other state officers and state employees. Except for an elective officer, no state  
13 officer, state employee or an immediate family member of such state officer or state  
14 employee shall, directly or indirectly, ask, demand, exact, solicit, seek, accept, assign  
15 receive or agree to receive things of value in a calendar year which, in the aggregate, are  
16 valued at more than one hundred dollars (\$100):

17 from a person who the state officer or state employee knows or should know:

18 (A) is a lobbyist or lobbyist principal, provided that the following shall not  
19 be subject to this subsection:

20 (i) things of value received as a result of or arising out of  
21 employment by, or doing business with, a lobbyist or lobbyist  
22 principal; and

1 (ii) things of value received from any director, stockholder, partner,  
2 agent, affiliate, member, employee or officer of a lobbyist  
3 principal if the donor is excepted in subparagraph (D) of  
4 Paragraph (2) from the definition of “anything of value” in  
5 Section 2 of Chapter 1 ~~of this title~~, or if there exists between the  
6 recipient and the donor a close personal relationship of long  
7 standing in which the mutual exchange of gifts on special  
8 occasions, such as holidays or anniversaries, has become  
9 customary;

10 (B) is seeking to do business or doing business with the governmental  
11 entity of which the state officer's or state employee's office or  
12 employment is a part; or

13 (C) has an economic interest in actions or matters before or affecting the  
14 governmental entity of which the state officer's or state employee's  
15 office or employment is a part.

16 (d) Prohibition versus limit - Exception. Nothing in Subsection (c) shall allow a  
17 state officer or state employee to accept anything of value in violation of Subsection (a) of  
18 this section. Subsection (c) shall not apply to public members when things of value are  
19 received but are not given as a result of the public member's status as a public member.

20 (e) Exceptions for state officers and employees of judicial branch and corporations.  
21 Nothing in this section shall allow:

1 (1) a judicial officer, juror, referee, arbitrator or umpire to accept anything of value  
2 from a corporation or any other person, knowing that person to be a party in interest or  
3 the attorney or counsel of a party in interest to any action or proceeding then pending or  
4 about to be brought before him or her pursuant to Section 386 of Title 21 of the  
5 Oklahoma Statutes; or

6 (2) a corporation to influence elections or official duty by contributions of money or  
7 anything of value pursuant to Section 40 of Article IX of the Oklahoma Constitution.

8 (f) Exceptions for forms of compensation, gifts to state, and officers/directors of  
9 organizations. Nothing in this section shall prohibit the acceptance or require the  
10 disclosure of:

11 (1) compensation, bonuses, dividends, interest payments, employee benefits,  
12 expense reimbursements or other forms of compensation or earnings on investments;

13 (2) anything of value which is accepted by the Governor on behalf of the state of  
14 Oklahoma or a governmental entity pursuant to Section 381 et seq. of Title 60 of the  
15 Oklahoma Statutes. Section 381 et seq. of Title 60 of the Oklahoma Statutes. In order to  
16 be deemed accepted, the Governor must be notified in writing of any gift received by a  
17 governmental entity, or person on behalf of a governmental entity, within ten (10) days of  
18 receipt of the gift. Notice of acceptance must be received from the Governor within the  
19 next thirty (30) days. Upon lack of a response from the Governor within thirty (30) days  
20 of receipt of notice, the gift is deemed rejected and must be returned to the donor; or

21 (3) the solicitation or acceptance of anything of value for or from either:

1 (A) a charitable organization or an organization described in Section 501  
2 (c) of Title 26 of the United States Code, 26 U.S.C., Section 501 (c), as  
3 it currently exists or as it may be amended; or

4 (B) a tax-exempt professional organization established by state statute or  
5 rules passed by the Oklahoma Supreme Court,  
6 by a member, state officer or state employee, who is a member, officer or director of the  
7 organization, when receipt of anything of value results from the member, state officer or  
8 state employee attending a function, meeting or seminar on behalf of, or as a  
9 representative of, the organization.

10 (g) No state officer or state employee shall directly or indirectly borrow money from  
11 a lobbyist, or an immediate family member of a lobbyist, or an entity controlled by or  
12 employing a lobbyist. This subsection shall not apply to:

13 (1) a loan of money made by a commercial lending institution, in the regular course  
14 of business, on the same terms ordinarily available to members of the public, and which  
15 is not secured or guaranteed by a lobbyist or lobbyist principal or any other person on  
16 behalf of a lobbyist or lobbyist principal; or

17 (2) a loan from a father, stepfather, father-in-law, mother, stepmother, mother-in-  
18 law, sister, step sister, brother, step brother, child, step child, adopted child or their  
19 spouses.

20 (h) Except for the compensation a state officer is entitled to for the performance of  
21 official duties, no member shall solicit or accept compensation for an article, appearance

1 or speech, or for participation at an event, unless the appearance is made as part of the  
2 normal course of business in the officer's private occupation.

3 (i) For the purpose of this section, "compensation" means any money or anything of  
4 value received or to be received as a claim for services, whether in the form of a retainer,  
5 fee, salary, expense, allowance, honorarium, forbearance, forgiveness, interest, dividend,  
6 royalty, rent, or any other form of recompense or any combination thereof.

7 "Compensation" does not include payments received for food, lodging, or travel which  
8 bears a relationship to a legislative member's office when such member is appearing in  
9 an official capacity.

10 SECTION 7. AMENDATORY Rule 257:23-1-2 of the Rules of the Ethics  
11 Commission (74 O.S. Supp. 2006, Chapter 62, App.), is amended to read as follows:

12 Rule 257:23-1-2. Anything of value reporting by lobbyists - Preservation of  
13 accounts, books, etc.

14 (a) Required reports. Every lobbyist shall file reports required by this section with  
15 the Ethics Commission concerning the activities specified in this section. The reports  
16 shall be filed whether or not the person has taken any action which is required to be  
17 reported pursuant to the provisions of this section. The reports shall be filed between the  
18 first and twentieth day of January and the first and twentieth day of July of each  
19 calendar year which shall cover the activities during the period following the last report.

20 (b) Disclosure of things of value exceeding \$50. The report shall be signed by the  
21 lobbyist, who shall attest to the report's accuracy and veracity, and the signature shall be  
22 notarized. The reports shall include the information specified in Subsection (d) of this

1 section for things of value given to an elective officer or the immediate family member of  
2 an elective officer by the lobbyist or any lobbyist principal by whom the lobbyist is  
3 employed or retained, the costs of which exceed fifty dollars (\$50) in the aggregate of  
4 things of value given to a state officer, excluding an elective officer, state employee, or  
5 the immediate family member of a state officer, excluding an elective officer, or a state  
6 employee, by the lobbyist or any lobbyist principal by whom the lobbyist is employed or  
7 retained, the costs of which exceed twenty-five dollars (\$25) in the aggregate during a  
8 six-month period beginning January 1 and ending June 30 or beginning July 1 and  
9 ending December 31.

10 (c) Limit on things of value and exceptions. Lobbyists or lobbyist principals shall  
11 not give things of value which, in the aggregate, are valued at more than \$300 annually  
12 to any elective officer or the immediate family member of an elective officer, or things of  
13 value which, in the aggregate, are valued at more than \$100 annually to any other state  
14 officer or state employee, or the immediate family member of a state officer, excluding an  
15 elective officer, or a state employee, provided that the following shall not be subject to  
16 this subsection:

17 (1) things of value given by a lobbyist or lobbyist principal as a result of or arising  
18 out of employment of, or the lobbyist or lobbyist principal doing business with a state  
19 officer or state employee or the recipient; and

20 (2) things of value given to the recipient by any director, stockholder, partner,  
21 agent, affiliate, member, employee or officer of a lobbyist principal if the donor is  
22 excepted in subparagraph (D) of Paragraph (2) from the definition of “anything of value”

1 in Section 2 of Chapter 1 ~~of this title~~, or if there exists between the recipient and the  
2 donor a close personal relationship of long standing in which the mutual exchange of  
3 gifts on special occasions, such as holidays or anniversaries, has become customary.

4 (d) Contents of reports. The information to be reported pursuant to the provisions  
5 of Subsection (b) of this section shall be as follows:

6 (1) The name and position of the state officer or state employee to whom the thing  
7 of value was given;

8 (2) The date the thing of value was given;

9 (3) The nature of the thing of value given;

10 (4) The amount of the expenditure made by the lobbyist or lobbyist principal for the  
11 thing of value; and

12 (5) The name of the lobbyist principal or lobbyist principals on whose behalf the  
13 thing of value was given, if any.

14 (e) Prohibition against dividing costs among lobbyist principals or other lobbyists.  
15 For purposes of reporting things of value as required by this section, a lobbyist giving a  
16 thing of value on behalf of more than one lobbyist principal shall not divide the cost of  
17 the thing of value by the number of participating lobbyist principals. Nor may a lobbyist  
18 divide the cost of a thing of value with other lobbyists for any single expenditure.

19 (f) Presence of lobbyist - exception for nominal things of value. A lobbyist who gives  
20 a thing of value to a state officer or state employee must be present when the thing of  
21 value is accepted by the recipient unless the thing of value is of no more than ten dollars  
22 (\$10) in value.

1 (g) Reporting of things of value given on behalf of lobbyist or lobbyist principal. A  
2 lobbyist shall also report things of value when given by other persons on behalf of the  
3 lobbyist or the lobbyist principal if they were made with the knowledge of the lobbyist.  
4 When other persons, including lobbyist principals, give things of value that the lobbyist  
5 is required to report, the other persons shall provide a full, verified account of such  
6 things of value to the lobbyist at least seven (7) days before the reports of the lobbyists  
7 are due to be filed. When exact values are not known and not ascertainable, a good-faith  
8 estimate of the fair market value shall be reported.

9 (h) Exception for campaign contributions. Any information required to be reported  
10 pursuant to the provisions of Chapter 10 ~~of this title~~ is not required to be reported  
11 pursuant to the provisions of Sections 2 and 3 of this chapter.

12 (i) Form for lobbyist reporting. The form or computer diskette with form software  
13 for reports of lobbyists shall be prescribed by the Ethics Commission.

14 (j) Record-keeping requirements. Each lobbyist shall obtain and preserve all  
15 accounts, bills, receipts, books, papers, and documents necessary to substantiate the  
16 activity reports required to be made pursuant to this section for four (4) years from the  
17 date of filing of the reports containing the items.

18 (k) Exceptions to reporting. Nothing in this section shall prohibit the giving or  
19 require the disclosure of the giving of anything of value by:

20 (1) a charitable organization or an organization described in Section 501 (c) of Title  
21 26 of the United States Code, 26 U.S.C., Section 501 (c), as it currently exists or as it may  
22 be amended; or

1 (2) a tax-exempt professional organization established by state statute or rules  
2 passed by the Oklahoma Supreme Court, to a state officer or state employee, who is an  
3 officer or director of the organization, when receipt of anything of value results from the  
4 state officer or state employee attending a function, meeting or seminar on behalf of, or  
5 as a representative of, the organization.

6 (l) Monthly Reports on Other Contributions.

7 (1) Lobbyist report – in general. In accordance with reporting deadlines provided  
8 for in this section, a lobbyist shall file a report with the Ethics Commission containing:

9 (A) the name of the registrant or lobbyist;

10 (B) the employer of the lobbyist or the names of all political committees  
11 established or administered by the registrant;

12 (C) the name of each candidate or officeholder, political action committee,  
13 or political party committee, to whom aggregate contributions equal to  
14 or exceeding \$200 were made by the lobbyist, the registrant, or a  
15 political committee established or administered by the registrant  
16 within the reporting dates, and the date and amount of each  
17 contribution made;

18 (D) the name of each candidate or officeholder, political action committee,  
19 or political party committee for whom a fundraising event was hosted,  
20 cohosted, or sponsored by the lobbyist, the registrant, or a political  
21 committee established or administered by the registrant within the

- 1                    reporting dates, and the date, location, and total amount (or good-faith  
2                    estimate thereof) raised at such event;
- 3            (E)    the name of each candidate or officeholder, political action committee,  
4                    or political party committee for whom aggregate contributions equal to  
5                    or exceeding \$200 were collected or arranged within the reporting  
6                    dates, and to the extent known the aggregate amount of such  
7                    contributions (or a good-faith estimate thereof) within the reporting  
8                    dates for each recipient;
- 9            (F)    the name of each covered legislative branch official or covered  
10                    executive branch official for whom the lobbyist, the registrant, or a  
11                    political committee established or administered by the registrant  
12                    provided, or directed or caused to be provided, any payment or  
13                    reimbursements for travel and related expenses in connection with the  
14                    duties of such covered official, including for each such official:
- 15                    (i)    an itemization of the payments or reimbursements provided to  
16                    finance the travel and related expenses, and to whom the  
17                    payments or reimbursements were made with the express or  
18                    implied understanding or agreement that such funds will be  
19                    used for travel and related expenses;
- 20                    (ii)    the purpose and final itinerary of the trip, including a  
21                    description of all meetings, tours, events, and outings attended;
- 22                    (iii)    whether the registrant or lobbyist traveled on any such travel;

- 1           (iv) the identity of the listed sponsor or sponsors of such travel; and  
2           (v) the identity of any person or entity, other than the listed sponsor  
3           or sponsors of the travel, who directly or indirectly provided for  
4           payment of travel and related expenses at the request or  
5           suggestion of the lobbyist, the registrant, or a political  
6           committee established or administered by the registrant;

7           (G) the date, recipient, and amount of funds contributed, disbursed, or  
8           arranged (or a good-faith estimate thereof) by the lobbyist, the  
9           registrant, or a political committee established or administered by the  
10           registrant:

11           (i) to pay the cost of an event to honor or recognize a covered  
12           legislative branch official or covered executive branch official;

13           (ii) to, or on behalf of, an entity that is named for a covered  
14           legislative branch official, or to a person or entity in recognition  
15           of such official;

16           (iii) to an entity established, financed, maintained, or controlled by a  
17           covered legislative branch official or covered executive branch  
18           official, or an entity designated by such official; or

19           (iv) to pay the costs of a meeting, retreat, conference, or other  
20           similar event held by, or for the benefit of, one or more covered  
21           legislative branch officials or covered executive branch officials.

22           (m) Rules of construction.

1           (1) In general. For purposes of this subsection, contributions, donations, or other  
2 funds:

3           (A) are “collected” by a lobbyist where funds donated by a person other  
4 than the lobbyist are received by the lobbyist for, or forwarded by the  
5 lobbyist to, a candidate or other recipient; and

6           (B) are “arranged” by a lobbyist:

7           (i) where there is a formal or informal agreement, understanding,  
8 or arrangement between the lobbyist and a candidate or other  
9 recipient that such contributions, donations, or other funds will  
10 be or have been credited or attributed by the candidate or other  
11 recipient in records, designations, or formal or informal  
12 recognitions as having been raised, solicited, or directed by the  
13 lobbyist; or

14           (ii) where the lobbyist has actual knowledge that the candidate or  
15 other recipient is aware that the contributions, donations, or  
16 other funds were solicited, arranged, or directed by the lobbyist.

17           (2) Clarifications. For the purposes of this subsection —

18           (A) the term “lobbyist” shall include a lobbyist, registrant, or political  
19 committee established or administered by the registrant; and

20           (B) the term “candidate or other recipient” shall include a candidate,  
21 officeholder, political action committee, or political party committee.

22           SECTION 8. This act shall become effective November 1, 2007.

1 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03-06-07 - DO PASS, As  
2 Amended and Coauthored.