

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2451

By: Braddock

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5  
6 AS INTRODUCED

7 An Act relating to Rules of the Ethics Commission;  
8 amending Rule 257:10-1-4 of the Rules of the Ethics  
9 Commission (74 O.S. 2001, Chapter 62, App.), which  
10 relates to state employee political activity;  
11 allowing state employees to campaign for family  
12 members; defining term; and providing an effective  
13 date.

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

15 SECTION 1. AMENDATORY Rule 257:10-1-4 of the Rules of  
16 the Ethics Commission (74 O.S. 2001, Chapter 62, App.), is amended  
17 to read as follows:

18 Rule 257:10-1-4. Classified employees' political activity.

19 (a) Classified employees. No classified employee shall:

20 (1) use ~~his~~ official authority or influence for the purpose of  
21 interfering with an election to or a nomination for office, or  
22 affecting the result thereof;

23 (2) become a candidate for an elective office in a partisan  
24 election;

1 (3) directly or indirectly solicit contributions or other funds  
2 for a partisan political candidate or party committee;

3 (4) directly or indirectly solicit, accept, collect, handle,  
4 disburse or account for assessments, contributions or other funds  
5 for a partisan political purpose; or

6 (5) organize, sell tickets to, promote or actively participate  
7 in a fundraising activity of a candidate in a partisan election or  
8 of a party committee.

9 (b) O.S.B.I. and O.S.B.N.D.D.C. classified employees. In  
10 addition to those prohibitions specified in Subsection (a) of this  
11 section, no classified employee of the Oklahoma State Bureau of  
12 Investigation or the Oklahoma State Bureau of Narcotics and  
13 Dangerous Drugs Control who has the power of a peace officer shall:

14 (1) serve as an officer of a party committee at the national,  
15 state or local level;

16 (2) organize or reorganize a party committee;

17 (3) solicit votes in support of or in opposition to a candidate  
18 for state office in a partisan election or a candidate for party  
19 committee office;

20 (4) act as a watcher at the polls in behalf of a party  
21 committee or a candidate in a partisan election;

22 (5) drive voters to the polls on behalf of a party committee or  
23 a candidate in a partisan election;

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1 (6) endorse or oppose a candidate for state office in a  
2 partisan election or a candidate for party committee office in a  
3 political advertisement, broadcast, campaign, literature or similar  
4 material;

5 (7) serve as a delegate, alternate or proxy to a party  
6 committee convention;

7 (8) address a convention, caucus, rally or similar gathering of  
8 a party committee in support of or in opposition to a partisan  
9 candidate for state office or party committee office;

10 (9) initiate or circulate a partisan nominating petition; or

11 (10) take any active part in political organization management.

12 (c) Retained rights. Except as otherwise prohibited in  
13 Subsection (b), a classified employee shall retain the right to:

14 (1) register and vote in any election;

15 (2) express ~~his~~ an opinion as an individual privately and  
16 publicly on political subjects and candidates;

17 (3) display a political picture, sticker, badge or button;

18 (4) serve as an officer of a party committee at the national,  
19 state or local level;

20 (5) participate in the activities of a civic, community,  
21 social, labor or professional organization or of a similar  
22 organization;

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1 (6) be a member of a party committee or other political action  
2 committee and participate in its activities consistent with  
3 Subsections (a) and (b) of this section;

4 (7) attend a political convention, rally, fundraising function  
5 or other political gathering;

6 (8) sign a political petition as an individual;

7 (9) make a voluntary financial contribution to a committee;

8 (10) be politically active in connection with a question, such  
9 as an amendment to the State Constitution, referendum, approval of a  
10 municipal ordinance or any other question or issue of a similar  
11 character;

12 (11) serve as an election judge or clerk, or in a similar  
13 position to perform duties as prescribed by state or local law; and

14 (12) otherwise participate fully in public affairs, except as  
15 prohibited by law, in a manner which does not materially compromise  
16 the neutrality, efficiency or integrity of ~~his~~ administration of  
17 state functions.

18 (d) During work status. Subsection (c) of this section shall  
19 not authorize a classified employee to engage in political activity,  
20 while on duty, or while in a uniform that identifies ~~him~~ the  
21 employee as a state employee. Nor shall a classified state employee  
22 be permitted to engage in political activities in the assigned work  
23 areas of a state agency.

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1 (e) Unclassified or classified state employees. No  
2 unclassified or classified state employee, with the exception of  
3 elective officers, shall wear a campaign button, hat, badge or other  
4 campaign paraphernalia during the hours that the employee is  
5 officially in work status for a governmental entity.

6 (f) Nothing in this section shall prohibit a state employee  
7 from campaigning for an immediate family member.

8 (g) As used in this section, "immediate family member" means  
9 the spouse, a child by birth or adoption, a stepchild, a parent, a  
10 grandparent, a sibling, or the spouse of an immediate family member.

11 SECTION 2. This act shall become effective November 1, 2008.

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13 51-2-9321 LRB 12/20/07

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