

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1348

By: Corn

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7 AS INTRODUCED

8 An Act relating to crimes and punishments; amending
9 21 O.S. 2001, Section 187.1, as amended by Section 2,
10 Chapter 282, O.S.L. 2008 (21 O.S. Supp. 2009, Section
11 187.1), which relates to campaign contributions;
12 prohibiting certain persons from making campaign
13 contributions; prohibiting acceptance of certain
14 contributions; and declaring an emergency.

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

16 SECTION 1. AMENDATORY 21 O.S. 2001, Section 187.1, as
17 amended by Section 2, Chapter 282, O.S.L. 2008 (21 O.S. Supp. 2009,
18 Section 187.1), is amended to read as follows:

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

20 1. Five Thousand Dollars (\$5,000.00) in any calendar year to a
21 committee other than a candidate committee;

22 2. Five Thousand Dollars (\$5,000.00) to a candidate for state
23 office, to a candidate for municipal office in a municipality with a
24 population of over two hundred fifty thousand (250,000) persons,
according to the most recent Federal Decennial Census, to a

1 candidate for county office in a county with a population of over
2 two hundred fifty thousand (250,000) persons, according to the most
3 recent Federal Decennial Census, or to a candidate committee
4 authorized by such a candidate to receive contributions or make
5 expenditures on his or her behalf, for any campaign; or

6 3. One Thousand Dollars (\$1,000.00) to a candidate for other
7 local office, or to a candidate committee authorized by such a
8 candidate to receive contributions or make expenditures on his or
9 her behalf, for any campaign.

10 B. No candidate, candidate committee, or other committee shall
11 knowingly accept contributions in excess of the amounts provided
12 herein.

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

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

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

24

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

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

7 E. Any person who knowingly and willfully violates any
8 provision of this section where the aggregate amount contributed
9 exceeds the contribution limitation specified in subsection A of
10 this section by Five Thousand Dollars (\$5,000.00) or more, upon
11 conviction, shall be guilty of a felony punishable by a fine of up
12 to four times the amount exceeding the contribution limitation or by
13 imprisonment in the State Penitentiary for up to one (1) year, or by
14 both such fine and imprisonment.

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

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1 G. No lobbyist or lobbyist principal as defined in Section 4249
2 of Title 74 of the Oklahoma Statutes shall make or promise to make a
3 contribution to, or solicit or promise to solicit a contribution for
4 ~~a member of the Oklahoma Legislature or a candidate for a state~~
5 ~~legislative office during any regular legislative session, beginning~~
6 ~~the first Monday in February, through its adjournment, and for five~~
7 ~~(5) calendar days following sine die adjournment~~ a candidate for
8 state office. ~~A member of the Oklahoma Legislature or a candidate~~
9 ~~for a state legislative office~~ candidate for state office shall not
10 intentionally solicit or accept a contribution from a lobbyist or
11 lobbyist principal as defined in Section 4249 of Title 74 of the
12 Oklahoma Statutes ~~during any regular legislative session and for~~
13 ~~five (5) calendar days after sine die adjournment~~. For the purposes
14 of this subsection, a candidate shall mean any person who has filed
15 a statement of organization for a state ~~legislative~~ office pursuant
16 to Oklahoma Statutes, Title 74, Chapter 62 Appendix, Rule 257:10-1-
17 8.

18 H. Any person who knowingly and willfully violates any
19 provision of subsection G of this section, upon conviction, shall be
20 guilty of a misdemeanor punishable by a fine of not more than One
21 Thousand Dollars (\$1,000.00), or by imprisonment in the county jail
22 for up to one (1) year, or by both such fine and imprisonment.

23 SECTION 2. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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