

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1537

By: Morrissette

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5
6 AS INTRODUCED

7 An Act relating to state government; creating the
8 Oklahoma Public Campaign Finance Act; declaring
9 intent; declaring findings; creating commission;
10 providing for duties of the commission; providing for
11 membership; prohibiting involvement with
12 traditionally funded elections; providing for
13 candidate selection process; providing for donor
14 categories; establishing a community election fund;
15 providing for candidate training; providing for
16 penalties; providing for codification; and providing
17 an effective date.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 4260 of Title 74, unless there
21 is created a duplication in numbering, reads as follows:

22 A. The people of Oklahoma declare our intent to create a Public
23 Campaign Financing Act that will improve the integrity of Oklahoma
24 state government by: diminishing the influence of special interest
money, encouraging citizen participation in the political process,
and promoting freedom of speech under the United States and Oklahoma
Constitutions. Campaigns will become more issue-oriented and less

1 negative because there will be no need to challenge the sources of
2 campaign money.

3 B. The people of Oklahoma find that our current election
4 financing system:

5 1. Allows Oklahoma elected officials to accept large campaign
6 contributions from private interest over which they have
7 governmental jurisdiction;

8 2. Gives incumbents an unhealthy advantage over challengers;

9 3. Hinders communication to voters by many qualified
10 candidates;

11 4. Effectively suppresses the voices and influence of the vast
12 majority of Oklahoma citizens in favor of a small number of wealthy
13 special interests;

14 5. Undermines public confidence in the integrity of public
15 officials;

16 6. Costs average taxpayers millions of dollars in the form of
17 subsidies and special privileges for campaign contributors;

18 7. Drives up the cost of running for state office, discouraging
19 otherwise qualified candidates who lack personal wealth or access to
20 special interests funding; and

21 8. Requires that elected officials spend too much of their time
22 raising funds rather than representing the public.

23 C. Therefore, the Oklahoma Public Campaign Finance Act shall be
24 created to advance publicly funded elections without campaigning for

1 any individual candidate or lobbying for any particular issue but to
2 oversee the donation of funds to be designated for candidates in
3 pursuit of public office and to create necessary systems of
4 accountability to include a commission and a 501(c)(4) organization
5 to be established to receive and account for donated Oklahoma Public
6 Campaign Finance Act campaign funding.

7 D. A commission shall be created to support the election
8 process and to establish qualifications and other regulations
9 specific to publicly funded elections and that the commission shall
10 also adopt and adhere to applicable state qualifications and other
11 regulations governing nonpublicly funded elections and candidates as
12 required by the State of Oklahoma. The commission shall be
13 comprised of eleven (11) members with a director and supporting
14 membership in the form of a board of commissioners to meet monthly
15 to address journals, new business, organizational policies,
16 strategic planning and candidates and campaign funding.

17 E. The commission shall record and account for donated funds
18 and funds to be directed to active campaigns of Oklahoma Public
19 Campaign Finance Act candidates and to dispense campaign funding to
20 active candidates and that the commission shall assume the duties of
21 receiving and accounting for donated campaign funding from public
22 sources and all other sources acting to manage assets received by
23 the 501(c)(4) organization and accounted for in accordance with
24 rules and regulations set forth by the State of Oklahoma for all

1 other 501(c)(4) organizations to include producing an annual report
2 to be filed with the Ethics Commission.

3 F. The board of commissioners shall be comprised of eleven (11)
4 members: five members to be named from appointments by the Chief
5 Justice of the Oklahoma Supreme Court and the Court of Criminal
6 Appeals, five members named by a citizens oversight committee
7 comprised from the memberships of established public campaign
8 finance advocacy groups established under the organizational rules
9 of the State of Oklahoma and who are active at the time of campaign
10 initiation in the State of Oklahoma such as League of Women Voters,
11 United We Stand, Common Cause and other such advocacy organizations
12 and that one member of the board shall be named to be the director
13 of the commission and therefore the acting director of said
14 501(c)(4) organization and that both the appointing body and the
15 naming body agree upon a choice for director.

16 G. Oklahoma Public Campaign Finance Act candidate participation
17 shall not impede the nomination, campaign and election processes of
18 those who choose to participate in traditionally funded elections
19 under current state laws.

20 H. Oklahoma residents participating as Oklahoma Public Campaign
21 Finance Act candidates for public office can do so only if they have
22 established viability. Candidates shall prove they are viable by
23 gathering two percent (2%) of voter signatures from within the
24 candidate's district on a Petition to Run. The petition must be

1 circulated by the candidate and nonpaid volunteers only and that a
2 donation shall accompany each signature in the amount of Ten Dollars
3 (\$10.00) with those funds directed to the commission, biweekly, for
4 distribution and that the petition can be circulated for only one
5 (1) year, beginning in June of each year.

6 I. The commission shall oversee four categories of donors and
7 donations: personal, individual, general and matching. Personal
8 donations are those funds contributed by Oklahoma residents pursuing
9 elected office within a district and as a candidate for office
10 direct the contribution to the candidate. The contribution shall
11 not exceed Five Hundred Dollars (\$500.00) for legislative office and
12 One Thousand Dollars (\$1,000.00) for statewide office. Individual
13 donors are Oklahoma residents who contribute funds on behalf of
14 themselves, and not on behalf of political action committees,
15 businesses, corporations, political parties or labor unions, and
16 specify or direct those donations to a specific candidate in an
17 amount not to exceed Two Hundred Dollars (\$200.00). Through the
18 Oklahoma Public Campaign Finance Act program, each eligible
19 candidate receiving a two-hundred-dollar donation shall receive a
20 6:1 matching grant from the Community Election Fund. Matching funds
21 shall be collected, deposited and drawn from a general fund.
22 Residents of Oklahoma shall be permitted to make unlimited general
23 donations of funds to the Oklahoma Public Campaign Finance Act
24 commission for the establishment of a Community Election Fund, the

1 account to service matching grants only, and to include the ten-
2 dollar donation made at the time of petition for office, giving the
3 commission the authority to direct contributions in accordance with
4 the State of Oklahoma's laws governing all other 501(c)(4)
5 organizations.

6 J. A participating candidate is required to attend an Oklahoma
7 Public Campaign Finance Act commission's training workshop and a
8 commission-sponsored debate.

9 K. Violations of rules of conduct established by the commission
10 will void the candidacy or if elected make the office immediately
11 vacant and may be punishable by imprisonment not to exceed one (1)
12 year in the county jail, by a fine not to exceed Ten Thousand
13 Dollars (\$10,000.00), or by both such imprisonment and fine.

14 SECTION 2. This act shall become effective November 1, 2011.

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