STATE OF OKLAHOMA

2nd Session of the 53rd Legislature (2012)

SENATE BILL 1017 By: Brecheen

AS INTRODUCED

An Act relating to statements of financial interests; amending Rule 257:15-1-7 of the Rules of the Ethics Commission (74 O.S. 2011, Ch. 62, App.), which relates to information required on such statements; requiring disclosure of certain information relating to income of filers who are members of the Legislature; and providing an effective date.

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

SECTION 1. AMENDATORY Rule 257:15-1-7 of the Rules of the Ethics Commission (74 O.S. 2011, Ch. 62, App.), is amended to read as follows:

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

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

(2) the filing status of the filer including:

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

(i) position title,

(ii) governmental entity served,

(iii) term of office, if applicable, and

(iv) appointment or employment date, if applicable; and

(B) whether the filer is a candidate running in an election, and if so,

(i) the month and year of the general election or special general election for which the statement is being filed, and

(ii) the term of the office sought;

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

(4) the name, mailing address, and a description of the principal business activity of a person from whom income in cash or in-kind exceeding five thousand dollars ($5,000) in amount or value was received by the filer and the type of income received. <u>If the filer is a member of the Legislature and the source of any income otherwise reportable is related to politics, public relations,</u>

communications, consulting or any level or type of government, the filer shall further disclose the total amount of such income, the related number of hours worked and the general nature and subject matter of the work performed; provided, this provision shall not require the disclosure of information which is specifically required by law to be kept confidential, in which case the filer shall cite the specific legal provision, nor shall it require disclosure of information if the member is a licensed attorney and disclosure of the information is protected under principles of client confidentiality, in which case the member shall so note. If income results from employment by, operation of, or participation in a proprietorship or partnership or professional corporation or business or nonprofit corporation or other person, the filer may list the proprietorship or partnership or professional corporation or business or nonprofit corporation or other person as the source and not each patron, customer, patient, client, or each oil or gas well of the proprietorship or partnership or professional corporation or business or nonprofit corporation or other person. For purposes of this section, "type of income" shall include, but not be limited to, dividends, profit sharing, proceeds from sales, rent, royalty, salary, stock splits, and wages;

(5) the name of any registered lobbyist or lobbyist principal with whom the filer has engaged in business from which income

exceeding five thousand dollars ($5,000) in amount or value was received, provided that the following shall not be required:

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

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

(6) the name of any entity from which an honorarium or honoraria, valued at more than two hundred dollars ($200) over and above actual expenses paid to the filer, was received and the value of any such honorarium, which, for elective officers, shall be subject to the provisions of subsection (h) of Section 9 of Chapter 20 of the Rules of the Ethics Commission;

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

(8) the name and address of all clients represented by the filer or the filer's spouse before a regulatory state governmental agency, as listed in Section 3 of Chapter 23 of this title, for

compensation exceeding one thousand dollars ($1,000) in amount or value during the preceding calendar year;

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

(10) professional or occupational permits or licenses held by the filer.

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

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

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

(A) position title,

(B) governmental entity served,

(C) term of office, if applicable, and

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

(3) the name and mailing address of the entity and the type of income exceeding five thousand dollars ($5,000) in amount or value

received from a governmental entity by the filer or the filer's spouse or dependents;

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

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

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

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

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

(7) the principal business activity of every business or entity in which the filer held securities valued at five thousand dollars ($5,000) or more during the reporting period; provided, however,

mutual funds and similar securities need be identified only by the type of investments made by the mutual fund or similar security;

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

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

(c) Supplement. A supplement to the statement of financial interests required by Subsection (a) of this section shall be filed with the Commission within ten (10) days of a filer or a filer's spouse contracting with or receiving payments from new clients required to be reported under Paragraph (8) of Subsection (a) of this section.

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

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

SECTION 2. This act shall become effective November 1, 2012.

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