

1 ENGROSSED HOUSE
2 BILL NO. 1368

By: Dank of the House

3 and

4 Loveless of the Senate
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7 An Act relating to ethics; amending 51 O.S. 2011,
8 Sections 304 and 314, which relate to the Political
9 Subdivisions Ethics Act; modifying definitions;
10 modifying the filing of certain reports; amending
11 Rule 257:10-1-14 of the Rules of the Ethics
Commission (74 O.S. 2011, Chapter 62, App.), which
relates to contents of report; modifying amount of
campaign expenditure required to report; providing an
effective date; and declaring an emergency.

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

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SECTION 1. AMENDATORY 51 O.S. 2011, Section 304, is

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amended to read as follows:

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Section 304. As used in the Political Subdivisions Ethics Act:

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1. "Business" means any corporation, partnership, sole

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proprietorship, firm, enterprise, franchise, association,

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organization, self-employed individual, holding company, joint stock

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company, receivership, trust, or any legal entity through which

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business is conducted for profit;

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1 2. "Calendar quarter" means each three-month period of a
2 calendar year, beginning on January 1, April 1, July 1 and October 1
3 of each year;

4 3. "Campaign" means and includes all activities for or against
5 the election of a candidate to a specific local office for a
6 specific term from the date of the first contribution, the making of
7 the first expenditure, the filing of a declaration of candidacy or a
8 public announcement of intent to seek such election, whichever is
9 first;

10 4. "Candidate" means a person who has filed a notification and
11 declaration of candidacy for any public office with the secretary of
12 any county election board. The term "candidate" shall include a
13 person whose candidacy is unopposed, but shall not include any
14 person who has withdrawn such notification and declaration of
15 candidacy;

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

21 6. "Committee" means a candidate committee, political action
22 committee, political party, or organization;

23 7. "Compensation" means money, service, facility or thing of
24 value or financial benefit which is received or is to be received in

1 return for or in connection with services rendered or to be
2 rendered;

3 8. "Complainant" means a person filing a complaint pursuant to
4 the provisions of Section ~~21~~ 307 of this ~~act~~ title;

5 9. "Contributor" means and includes every person or committee
6 who makes a contribution;

7 10. "Contribution" means and includes any money, property, or
8 in-kind services, including but not limited to, printing or
9 engraving, radio or television time, billboards, advertising,
10 subscription, forgiveness of indebtedness, personal or professional
11 services or any other thing of value whatsoever which is given or
12 loaned to be used in a campaign. The term "contribution" shall not
13 include:

- 14 a. money loaned to a candidate in connection with his own
15 campaign by a bank, savings and loan association or
16 credit union which is to be repaid with interest at a
17 rate comparable to that of loans for equivalent
18 amounts for other purposes,
- 19 b. the value of services provided without compensation by
20 individuals volunteering a portion or all of their
21 time on behalf of a candidate, organization, political
22 action committee or political party,
- 23 c. for purposes of the contribution limits set forth in
24 Section ~~2~~ 187.1 of ~~this act~~ Title 21 of the Oklahoma

1 Statutes, the transfer of any funds by a political
2 action committee to another political action
3 committee, provided the committee has been established
4 as provided by law if the transferring committee and
5 the receiving committee have been established,
6 directly or indirectly, and are administered or
7 financially supported, directly or indirectly, by a
8 common organization, or

9 d. any payment or obligation incurred by a corporation,
10 labor organization, membership organization,
11 cooperative or corporation without capital stock for
12 the establishment, administration, and solicitation of
13 contributions to a separate segregated fund or
14 political action committee to be utilized for
15 political purposes;

16 11. "Commission" means the Ethics Commission;

17 12. "Election" means a Primary, ~~Run-off~~ Runoff Primary,
18 General, or Special Election in which a candidate is on the ballot;

19 13. "Election board" means the appropriate county election
20 board in reference to candidates who file a declaration of candidacy
21 with the county election board;

22 14. "Electioneering communication":

23 a. means any communication or series of communications
24 that is sent by handbill or direct mail; broadcast by

1 radio, television, cable or satellite; or appears in a
2 newspaper, magazine or on a billboard which:

3 (1) refers to one candidate or one or more of the
4 same clearly identified candidates or one ballot
5 measure or one or more of the same ballot
6 measures,

7 (2) is made within:

8 (a) sixty (60) days before a general or special
9 election for the office sought by the
10 candidate or candidates or the ballot
11 measure or ballot measures, or

12 (b) thirty (30) days before a Primary or Runoff
13 Primary election for the office sought by
14 the candidate or candidates, and

15 (3) is targeted to the relevant electorate, and

16 b. does not mean:

17 (1) a communication or series of communications
18 appearing in a news story, commentary, or
19 editorial distributed through the facilities of
20 any broadcasting station, newspaper, magazine, or
21 other periodical publication, unless such
22 facilities are owned or controlled by any
23 political party, political action committee,
24

1 candidate, candidate committee or ballot measure
2 committee,

3 (2) a communication or series of communications which
4 constitute an expenditure or an independent
5 expenditure under this act, or

6 (3) a communication or series of communications which
7 constitute a candidate debate or forum or which
8 solely promotes such a debate or forum and is
9 made by or on behalf of the person sponsoring the
10 debate or forum.

11 For purposes of this definition, a communication or series of
12 communications which refer to one or more clearly identified
13 candidates or one or more ballot measures is "targeted to the
14 relevant electorate" if the communication or series of
15 communications has been or can be received by two thousand five
16 hundred or more persons in the municipality, district, or county the
17 candidate seeks to represent;

18 15. "Expenditure" means a payment, distribution, contribution,
19 loan, advance, compensation, reimbursement, fee deposit or gift of
20 money securement, or any other thing of value, or services including
21 but not limited to postage, telephone, telegraph, printing,
22 advertising, travel, lodging, meals or entertainment for which
23 payment is made with private or public funds, and includes a
24

1 contract, promise or agreement to make an expenditure, whether or
2 not legally enforceable;

3 ~~15.~~ 16. "Family" means an individual, his or her spouse, if
4 any, and all children under the age of eighteen (18) years residing
5 in the same household;

6 ~~16.~~ 17. "Governmental entity" means any department, commission,
7 authority, council, board, bureau, committee, legislative body,
8 agency, public trust, or other establishment of a political
9 subdivision of this state;

10 ~~17.~~ 18. "Income" means any money or thing of value received, or
11 to be received as a claim on future services, whether in the form of
12 a fee, salary, gift, expense, allowance, forbearance, forgiveness,
13 interest, dividend, royalty, rent, capital gain, or any other form
14 of recompense or any combination thereof; provided, the term
15 "income" shall not include campaign contributions;

16 ~~18.~~ 19. "Independent expenditure" means an expenditure made by
17 a person to advocate the election or defeat of a clearly identified
18 candidate or candidates or a ballot measure or ballot measures, but
19 which is not made to, controlled by, coordinated with, requested by,
20 or made upon consultation with a candidate, committee, treasurer,
21 deputy treasurer or agent of a candidate committee or a ballot
22 measure committee;

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1 20. "Local office" means all elective offices for which
2 declarations of candidacy are filed with the secretary of any county
3 election board;

4 ~~19.~~ 21. "Ministerial action" means an action that a person
5 performs in a prescribed manner which involves no discretionary
6 judgment;

7 ~~20.~~ 22. "Organization" includes a corporation, government or
8 governmental subdivision or agency, business trust, estate, trust,
9 partnership or association, union, education or action group or
10 committee or entity with two or more persons having a joint or
11 common political interest;

12 ~~21.~~ 23. "Person" means an individual, corporation, association,
13 firm, partnership, labor union or labor organization, committee,
14 club or other organization, or a group of persons who are
15 voluntarily acting in concert;

16 ~~22.~~ 24. "Political action committee" means a combination of at
17 least two individuals, or a person other than an individual:

18 a. with the primary or incidental purpose of supporting
19 or opposing a candidate or political party, except
20 those required to file with the Federal Election
21 Commission or the Ethics Commission, and

22 b. which accepts contributions or makes expenditures
23 aggregating at least Two Hundred Dollars (\$200.00)
24 during a calendar year;

1 ~~23.~~ 25. "Political party" means any political party so
2 recognized for the purpose of having candidates appear on the
3 ballot;

4 ~~24.~~ 26. "Public employee" means any person who is employed by
5 and receives compensation from any governmental entity, but shall
6 not mean independent contractors or public officials;

7 ~~25.~~ 27. "Public official" means an elected or appointed
8 official in the executive or legislative branch of a political
9 subdivision of the state;

10 ~~26.~~ 28. "Represent" or "representation" means any formal or
11 informal attendance before, or any written or oral communication
12 with, or the filing of documents with any governmental entity on
13 behalf of a person or organization;

14 ~~27.~~ 29. "Respondent" means a person named in a complaint filed
15 pursuant to the provisions of Section ~~21~~ 307 of this ~~act~~ title;

16 ~~28.~~ 30. "Source" means the name, address, and description of
17 the principal business activity of a person or organization; and

18 ~~29.~~ 31. "Substantial financial interest" means an interest that
19 could result in directly or indirectly receiving a substantial
20 pecuniary gain or sustaining a substantial pecuniary loss as a
21 result of ownership or interest in a business entity, or as a result
22 of salary, gratuity or other compensation or remuneration from any
23 person, partnership, organization or association.

24

1 SECTION 2. AMENDATORY 51 O.S. 2011, Section 314, is
2 amended to read as follows:

3 Section 314. A. Except as provided by subsection F of this
4 section, the campaign contributions and expenditures reports shall
5 disclose:

6 1. The carryover from a previous campaign or cumulative period.
7 For purposes of this act, a cumulative period shall begin on the
8 first day of an even-numbered year and end on the last day of an
9 odd-numbered year;

10 2. The grand total of contributions from the last campaign
11 contributions and expenditures report unless beginning a new
12 campaign or cumulative period;

13 3. The specific identification of each contributor who gives a
14 contribution which exceeds Two Hundred Dollars (\$200.00), including:
15 a. the date the contribution is accepted,
16 b. the contributor's address, and
17 c. a specific description of the contribution;

18 4. The aggregate value of all contributions received from each
19 such contributor during the campaign for candidates and candidate
20 committees or during the current calendar year for other committees;

21 5. The aggregate total of all contributions in the amount of
22 Two Hundred Dollars (\$200.00) or less;

23 6. The total sum of all contributions during the current
24 reporting period;

1 7. The grand total of all contributions for the campaign or
2 cumulative period to date;

3 8. The grand total of expenditures from the last campaign
4 contributions and expenditures report, unless beginning a new
5 campaign or cumulative period;

6 9. All campaign expenditures in detail by categories or objects
7 of expenditure;

8 10. The total of all expenditures during the current reporting
9 period; and

10 11. The grand total of all expenditures for the campaign or
11 cumulative period to date.

12 B. Such reports shall be certified by the candidate, the
13 principal officer of the committee, or the designated agent. No
14 fictitious names shall be used on the reports. The reports shall
15 show the correct name of the person actually making the
16 contribution.

17 C. The form of the campaign contributions and expenditures
18 reports shall be as follows:

19 CAMPAIGN CONTRIBUTIONS AND EXPENDITURES REPORT

20 DATE OF REPORT _____, 20____

21 Name of Candidate or Committee

22 _____

23 Address of Candidate or Committee

24 _____

1 reporting period \$ _____

2 Grand Total - All contributions

3 for campaign or

4 cumulative period \$ _____

5 EXPENDITURES

6 Amount

7 Previous Grand Total of Expenditures from Last Report

8 _____ \$ _____

9 Personal Services

10 _____ \$ _____

11 Printing

12 _____ \$ _____

13 Radio and Television

14 _____ \$ _____

15 Billboards

16 _____ \$ _____

17 Advertising - general

18 _____ \$ _____

19 Contributions to Other Campaigns

20 _____ \$ _____

21 All committees, except for candidate committees, must identify
22 recipients of contributions to other campaigns following
23 verification of acceptance of amounts aggregating in excess of
24

1 \$200.00 by name, address, amount of contribution and total amount of
2 contributions during the campaign or calendar year:

3	Name and Address	Amount	Total amount
4			contributed
5			during campaign
6			or calendar year
7	_____	\$ _____	\$ _____
8	_____	\$ _____	\$ _____
9	_____	\$ _____	\$ _____
10	_____	\$ _____	\$ _____

11	Total		
12	Miscellaneous	\$ _____	
13	Total expenditures		
14	this reporting period	\$ _____	
15	Grand Total - All expenditures		
16	for campaign or		
17	cumulative period	\$ _____	

18 BALLOT INFORMATION: candidates or candidate committees, please
19 indicate whether the candidate's name appeared on the ballots for
20 the following elections.

21	PRIMARY	RUNOFF	GENERAL
22		PRIMARY	
23	() Yes	() Yes	() Yes
24	() No	() No	() No

1 To the best of my knowledge and belief, the above is a true and
2 correct compilation.

3 _____

4 Candidate's, Chairperson's, or Designated Agent's Signature

5 Subscribed and sworn to before me this ____ day of _____, 20____.

6 My commission expires _____

7 _____

8 Notary Public

9 D. A statement of inactivity must include:

10 1. The candidate or candidate committee, political party or
11 organization's name and address; and

12 2. A statement by the designated agent verifying that a
13 contribution was not received and an expenditure was not made during
14 the reporting period.

15 Interest earned shall not be considered to be a contribution,
16 and a filing fee paid by the candidate shall not be considered to be
17 an expenditure.

18 E. Dissolution Procedures

19 1. A candidate may not file a "final" report or a candidate
20 committee may not dissolve until:

21 a. after a Primary Election or a ~~Run-off~~ Runoff Primary
22 Election in which the candidate is elected or
23 defeated,

24

- b. after the General Election in which the candidate's name appears on the ballot,
- c. after the last day for filing a declaration of candidacy for a candidate who is unopposed in the Primary, ~~Run-off~~ Runoff Primary and General Election,
- d. after a candidate's name has been stricken from the ballot pursuant to Section 5-127 of Title 26 of the Oklahoma Statutes, or
- e. after withdrawal of the candidate's candidacy pursuant to Sections 5-115 or 5-116 of Title 26 of the Oklahoma Statutes.

2. A political party committee may dissolve only after the political party itself dissolves.

3. A political action committee or an organization may dissolve only after it determines that it will not accept contributions or make expenditures.

4. A final campaign contributions and expenditures report may be filed at the time or before a scheduled filing is due. The form must:

- a. be marked "final", and
- b. include a list of the material assets worth Fifty Dollars (\$50.00) or more, and detail their disposition.

1 5. If a committee owes or is owed money, the committee may
2 dissolve, but must report the status of the debts on the same dates
3 as campaign contributions and expenditures reports would be due
4 until all debts are resolved. Methods of resolution must also be
5 detailed.

6 6. Unused contributions and campaign assets must be disposed of
7 by candidates or candidate committees according to Section 316 of
8 this title.

9 ~~F. All candidates allowed to receive the maximum contribution~~
10 ~~of Five Thousand Dollars (\$5,000.00), pursuant to paragraph 2 of~~
11 ~~subsection A of Section 187.1 of Title 21 of the Oklahoma Statutes~~
12 ~~shall file a campaign contributions and expenditures report~~
13 ~~electronically with the Ethics Commission. The campaign~~
14 ~~contributions and expenditures report shall include the same~~
15 ~~information required by Ethics Commission Rule 257:10-1-14(a) A~~
16 ~~candidate for local office in a municipality or county with a~~
17 ~~population of over two hundred fifty thousand (250,000) persons,~~
18 ~~according to the most recent Federal Decennial Census, or a person~~
19 ~~or committee supporting or opposing any such candidate shall file~~
20 ~~electronically with the Ethics Commission reports of contributions~~
21 ~~and expenditures, statements of inactivity, last-minute~~
22 ~~contributions, independent expenditures or electioneering~~
23 ~~communications in the same manner and time prescribed in Rules~~

24

1 257:10-1-13, 257:10-1-14, 257:10-1-15 and 257:10-1-16 of the Rules
2 of the Ethics Commission.

3 SECTION 3. AMENDATORY Rule 257:10-1-14 of the Rules of
4 the Ethics Commission (74 O.S. 2011, Chapter 62, App.), is amended
5 to read as follows:

6 Rule 257:10-1-14. (a) Basic reporting form. The campaign
7 contributions and expenditures report shall include:

8 (1) the following administrative information:

9 (A) committee name and address;

10 (B) candidate's name, if a candidate committee; or title
11 or number of ballot measure if supporting or opposing
12 a ballot measure;

13 (C) type(s) of report (pre-election, monthly, quarterly,
14 or annual and whether it is amended or final);

15 (D) period covered by the report; and

16 (E) the office sought and the year of the general election
17 or special general election for the candidate that is
18 supported or opposed by the committee; or the date of
19 the election for the ballot measure, if known, that is
20 supported or opposed by the committee;

21 (2) the information reported pursuant to Paragraph (16) of this
22 subsection on the last campaign contributions and expenditures
23 report.

24

1 (A) For purposes of this paragraph, the beginning of the
2 reporting period for the initial report of a candidate
3 committee shall be the date the first contribution was
4 accepted or expenditure was made or declaration of
5 candidacy was filed, whichever is earlier; the
6 beginning of the reporting period for subsequent
7 reports shall be the day following the last day of the
8 previous reporting period.

9 (B) For purposes of this paragraph, the beginning of the
10 reporting period for the initial report of a
11 committee, other than a candidate committee, shall be
12 the date the first contribution was accepted or
13 expenditure was made for a new reporting committee;
14 the beginning of the reporting period for subsequent
15 reports shall be the day following the last day of the
16 previous reporting period;

17 (3) the following information about monetary contributions,
18 including loans, accepted from a person other than a committee:

19 (A) the total sum of all contributions accepted during the
20 current reporting period less contributions from the
21 lender, guarantor or endorser of a loan reported under
22 Paragraph (4) of this subsection;

23 (B) the total of contributions accepted for the campaign-
24 to-date or calendar year-to-date less contributions

1 from the lender, guarantor or endorser of a loan
2 reported under Paragraph (4) of this subsection;

3 (C) for other than out-of-state or federal committees, the
4 number of contributors making contributions of fifty
5 dollars (\$50) or less accepted and the total amount of
6 contributions in the amount of fifty dollars (\$50) or
7 less in the aggregate accepted during the campaign, if
8 a candidate committee, or calendar year, if other than
9 a candidate committee, less contributions from the
10 lender, guarantor or endorser of a loan reported under
11 Paragraph (4) of this subsection;

12 (D) for other than out-of-state or federal committees, the
13 name and address, occupation and employer, or
14 principal business activity, of each contributor
15 contributing in excess of fifty dollars (\$50) in the
16 aggregate during the reporting period; the date
17 accepted, amount and nature (cash or written
18 instrument) of each contribution by the contributor
19 during the reporting period; and the total
20 contributions of the contributor to the campaign-to-
21 date for candidate committees and year-to-date for
22 other committees;

23 (E) for out-of-state and federal committees, the number of
24 contributors making contributions of two hundred

1 dollars (\$200.00) or less accepted and the total
2 amount of contributions in the amount of two hundred
3 dollars (\$200.00) or less in the aggregate accepted
4 during the campaign, if a candidate committee, or
5 calendar year, if other than a candidate committee,
6 less contributions from the lender, guarantor or
7 endorser of a loan reported under paragraph (4) of
8 this subsection; and

9 (F) for out-of-state and federal committees, the name and
10 address, occupation and employer, or principal
11 business activity, of each contributor contributing in
12 excess of two hundred dollars (\$200.00) in the
13 aggregate during the reporting period; the date
14 accepted, amount and nature (cash or written
15 instrument) of each contribution by the contributor
16 during the reporting period; and the total
17 contributions of the contributor to the campaign-to-
18 date for candidate committees and year-to-date for
19 other committees;

20 (4) the following information about monetary contributions
21 accepted from a committee;

22 (A) the total sum of all contributions accepted during the
23 current reporting period;

- 1 (B) the total of contributions accepted for the campaign-
2 to-date or calendar year-to-date;
- 3 (C) the number of committees making contributions of fifty
4 dollars (\$50) or less accepted and the total amount of
5 contributions in the amount of fifty dollars (\$50) or
6 less in the aggregate accepted during the reporting
7 period; and
- 8 (D) the name, address, Ethics Commission number, and the
9 principal interest or principal business activity of
10 each committee contributing in excess of fifty dollars
11 (\$50) in the aggregate during the reporting period;
12 the date accepted, amount of each contribution by the
13 committee during the reporting period; and the total
14 contributions of the committee to the campaign-to-date
15 for candidate committees and year-to-date for other
16 committees;

17 (5) the following information about loans, promissory notes, or
18 security agreements the proceeds of which are to be used by or for
19 the benefit of the candidate's campaign or the committee:

- 20 (A) the total amount of all loans, promissory notes, or
21 security agreements received during the reporting
22 period, and the total amount of loans, promissory
23 notes, or security agreements for the campaign-to-date
24

1 for candidate committees and year-to-date for other
2 committees;

3 (B) the amount of each loan, promissory note, or security
4 agreement during the reporting period, and

5 (i) the date and amount of each loan, promissory
6 note, or security agreement,

7 (ii) the name and address of the lending institution,

8 (iii) the name and address of each lender, guarantor or
9 endorser,

10 (iv) the year-to-date or campaign-to-date total, and

11 (v) the terms of the loan, promissory note, or
12 security agreement including the interest rate
13 and repayment schedule;

14 (6) the following information about other receipts:

15 (A) the total of other receipts, including refunds, sale
16 of assets, rebates (other than those that qualify as
17 contributions), interest from an interest bearing
18 account with the campaign depository or depositories,
19 or other receipts, not previously identified during
20 the reporting period received of fifty dollars
21 (\$50.00) or less; and

22 (B) the date and amount of each refund, rebate, interest,
23 or other receipt not previously identified of more
24 than fifty dollars (\$50.00) in the aggregate from one

1 source, the name of each source, and the campaign-to-
2 date total for candidate committees and year-to-date
3 total for other committees;

4 (7) the aggregate total of monetary receipts for the reporting
5 period and for the campaign-to-date for candidate committees or
6 year-to-date for other committees;

7 (8) the same information for in-kind contributions, including
8 guarantors and endorsers of loans, as for monetary contributions,
9 together with the Ethics Commission number for committees, and shall
10 also include a description of the in-kind contribution;

11 (9) the amount of funds loaned or donated by a corporation,
12 labor organization, or other person to its political action
13 committee for the establishment and for solicitation costs of the
14 committee;

15 (10) written agreements, written promises or written pledges to
16 make a dated, undated or postdated contribution to be reported
17 separately and in the same manner as other monetary contributions;

18 (11) the aggregate total of contributions, loans, and other
19 receipts, both monetary and in-kind, including payment of costs
20 described in Paragraph (9) of this subsection, during the reporting
21 period, and the campaign-to-date aggregate total for candidate
22 committees and year-to-date aggregate total for other committees;

23 (12) the following information about expenditures:
24

- 1 (A) the total of expenditures made during the reporting
2 period and the year-to-date or campaign-to-date total;
- 3 (B) the amount, date, a brief description of the
4 consideration, and an explanation of the purpose –
5 which must permit a reasonable person to determine the
6 reason for the purchase – for which each campaign
7 expenditure was made in excess of ~~one thousand dollars~~
8 ~~(\$1,000.00)~~ fifty dollars (\$50.00) in the aggregate to
9 one (1) entity during the reporting period, the name
10 and address of the person to which the expenditure was
11 made, the beneficiary of the expenditure, and the year
12 to date total. Disbursements to consultants,
13 advertising agencies, and similar firms; credit card
14 expenses; and candidate reimbursements must be
15 itemized to permit a reasonable person to determine
16 the ultimate intended recipient of the expenditure and
17 its purpose;
- 18 (C) the total amount of all campaign expenditures not
19 required to be reported in Subparagraph (B); and
- 20 (D) Committees may file all expenditures in lieu of the
21 additional bookkeeping requirement of grouping
22 together all expenditures aggregating \$50 or less to
23 one entity and all expenditures aggregating more than
24 \$50 to one entity;

1 Provided, a committee shall not divide expenditures which would
2 otherwise be made individually for the purpose of evading the
3 reporting requirements of this paragraph;

4 (13) the following information about independent expenditures:

5 (A) the total of independent expenditures made during the
6 reporting period and the year-to-date or campaign-to-
7 date total;

8 (B) the amount, the date and a brief description of what
9 was purchased for each individual independent
10 expenditure in excess of fifty dollars (\$50) in the
11 aggregate made during the reporting period, and the
12 purpose of the expenditure; and

13 (C) the total of independent expenditures not required to
14 be reported in Subparagraph (B).

15 (D) Committees may file all independent expenditures in
16 lieu of the additional bookkeeping requirement of
17 grouping together all independent expenditures
18 aggregating \$50 or less to one entity and all
19 independent expenditures aggregating more than \$50 to
20 one entity;

21 Provided, a committee shall not divide independent expenditures
22 which would otherwise be made individually for the purpose of
23 evading the reporting requirements of this paragraph;

1 (14) the following information about monetary transfers to
2 other committees, subject to the restrictions in Subsection (e) of
3 ~~Section 2 of this chapter~~ Rule 257:10-1-2 and Subsection (a) of
4 ~~Section 20 of this chapter~~ Rule 257:10-1-20:

5 (A) the total amount of monetary transfers to other
6 committees for the reporting period;

7 (B) the total amount of all monetary transfers to other
8 committees for the campaign-to-date for candidate
9 committees and the year-to-date for other committees;

10 (C) the amount of each monetary transfer during the
11 reporting period, the name and address of each
12 recipient, the date tendered, and the total monetary
13 transfers to the recipient for the campaign-to-date
14 for candidate committees and year-to-date for other
15 committees;

16 (15) the total of all monetary expenditures and monetary
17 transfers;

18 (16) the following information about in-kind transfers:

19 (A) the total amount of in-kind transfers to other
20 committees for the reporting period;

21 (B) the total amount of all in-kind transfers to other
22 committees for the campaign-to-date for candidate
23 committees and the year-to-date for other committees;

1 (C) the fair market value of each in-kind transfer during
2 the reporting period, the name and address of each
3 recipient, the date tendered, a description of the
4 goods or services transferred, and the total value of
5 in-kind transfers to the recipient for the campaign-
6 to-date for candidate committees and year-to-date for
7 other committees;

8 (17) the following information about expenditures incurred:

9 (A) the total amount of all expenditures incurred; and

10 (B) the amount of each expenditure incurred if the amount
11 is in excess of fifty dollars (\$50) in the aggregate
12 to one entity, a brief description of what was
13 purchased, the purpose of the purchase, and the date
14 the goods or services were delivered; and

15 (C) the total amount of expenditures incurred not required
16 to be reported in Subparagraph (B).

17 (D) Committees may file all expenditures incurred in lieu
18 of the additional bookkeeping requirement of grouping
19 together all expenditures incurred aggregating \$50 or
20 less to one entity and all expenditures incurred
21 aggregating more than \$50 to one entity.

22 An expenditure incurred shall be reported on each report filed
23 after the date of receipt of goods or services until payment is made
24 to the vendor. A payment shall be listed as an expenditure when the

1 payment is made; provided, a committee shall not divide expenditures
2 incurred which would otherwise be made individually for the purpose
3 of evading the reporting requirements of this paragraph;

4 (18) the following information about unpaid loans, promissory
5 notes, or security agreements the proceeds of which were used by or
6 for the benefit of the candidate's campaign or the committee:

7 (A) the total balance of loans, promissory notes, and
8 security agreements owed by the committee during the
9 reporting period;

10 (B) each loan, promissory note, or security agreement owed
11 by the committee, itemized by name and address of
12 lending institution or any other lender, and the date
13 of the loan, promissory note and/or security
14 agreement;

15 (19) the difference between total monetary receipts and total
16 monetary expenditures, as of the end of the reporting period; and

17 (20) the signature, or typed signature on electronically filed
18 forms of the treasurer or, in the treasurer's absence, the deputy
19 treasurer, who shall certify that during this campaign-to-date for
20 candidate committees or calendar year-to-date for other committees,
21 the treasurer, or deputy treasurer in the treasurer's absence,
22 received contributor statements or made three separate good-faith
23 requests to obtain contributor statements as required by this
24 chapter. The signature, or typed signature on electronically filed

1 forms, shall certify that the report filed is a true and correct
2 record of the committee's contribution and expenditure transactions.

3 (b) Statement of inactivity. A statement of inactivity must
4 include the same information as required by Subsection (a),
5 Paragraphs (1) and (19) of this section; and a statement that a
6 contribution was not accepted and an expenditure was not made during
7 the reporting period.

8 SECTION 4. This act shall become effective July 1, 2013.

9 SECTION 5. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13 Passed the House of Representatives the 13th day of March, 2014.

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Presiding Officer of the House
of Representatives

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18 Passed the Senate the ___ day of _____, 2014.

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Presiding Officer of the Senate

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