

**COMMITTEE AMENDMENT**

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1664 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: David Dank

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

PROPOSED COMMITTEE  
SUBSTITUTE  
FOR  
HOUSE BILL NO. 1664

By: Dank

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to state government; amending Rules 2.35, 2.50, 2.52, 2.107 and 2.108 of the Rules of the Ethics Commission (74 O.S. 2014, Chapter 62, App. 1), which relate to various rules of the Oklahoma Ethics Commission; creating the Ethics Disclosure and Transparency Act of 2015; stating legislative intent; requiring filing of certain reports to the Oklahoma Ethics Commission; removing certain amounts of independent expenditures; removing certain amounts of electioneering communications; providing for noncodification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. This act shall be known and may be cited as the "Ethics Disclosure and Transparency Act of 2015".

B. The Legislature hereby finds that:

1. The rules of the Oklahoma Ethics Commission should require all entities spending money in state and local political races to

1 abide by the same donor and expenditure reporting rules as political  
2 action committees and individual candidates; and

3 2. The rules of the Oklahoma Ethics Commission should protect  
4 the voters of our state and the integrity of our electoral process.

5 SECTION 2. AMENDATORY Rule 2.35 of the Rules of the  
6 Ethics Commission (74 O.S. 2014, Chapter 62, App. 1), is amended to  
7 read as follows:

8 Rule 2.35 Contributions to and by Unlimited Committee.

9 Any person not otherwise prohibited by law, including but not  
10 limited to individuals, partnerships, limited liability companies,  
11 corporations and labor unions, may make contributions in any amount  
12 to an unlimited committee organized exclusively for the purpose of  
13 making independent expenditures or electioneering communications.  
14 An unlimited committee organized exclusively for the purpose of  
15 making independent expenditures or electioneering communications may  
16 make contributions in any amount to another unlimited committee  
17 organized exclusively for the purpose of making independent  
18 expenditures or electioneering communications. Any contribution  
19 made in accordance with this section shall be reported to the  
20 Oklahoma Ethics Commission. The report shall contain the name of  
21 each entity and the date and amount of each contribution received.

22 SECTION 3. AMENDATORY Rule 2.50 of the Rules of the  
23 Ethics Commission (74 O.S. 2014, Chapter 62, App. 1), is amended to  
24 read as follows:

1 Rule 2.50 Unlimited Independent Expenditures.

2 An independent expenditure may be made in any amount by a  
3 political party committee, by a political action committee or by any  
4 other entity not otherwise prohibited by law or these Rules from  
5 making an independent expenditure. Any entity making such  
6 independent expenditure shall file a report with the Oklahoma Ethics  
7 Commission listing the name of each entity and the date and amount  
8 of the independent expenditure.

9 SECTION 4. AMENDATORY Rule 2.52 of the Rules of the  
10 Ethics Commission (74 O.S. 2014, Chapter 62, App. 1), is amended to  
11 read as follows:

12 Rule 2.52 Unlimited Electioneering Communications.

13 An electioneering communication may be made in any amount by a  
14 political party committee, by a political action committee or by any  
15 other entity not otherwise prohibited by law or these Rules from  
16 making an electioneering communication. Any entity making such  
17 electioneering communication shall file a report with the Oklahoma  
18 Ethics Commission listing the name of each entity and the date and  
19 amount of the electioneering communication.

20 SECTION 5. AMENDATORY Rule 2.107 of the Rules of the  
21 Ethics Commission (74 O.S. 2014, Chapter 62, App. 1), is amended to  
22 read as follows:

23 Rule 2.107 Time and Requirements for Independent Expenditure  
24 Reports.

1 (A) Any person other than an individual, including a political  
2 action committee, that makes an independent expenditure ~~of Five~~  
3 ~~Thousand Dollars (\$5,000.00) or more in the aggregate~~ at least  
4 fifteen (15) days prior to any election shall be required to file a  
5 report with the Commission at the same time that candidate  
6 committees are required to file pre-election reports for the  
7 applicable election.

8 (B) Any person other than an individual, including a political  
9 action committee, that makes an independent expenditure ~~of Five~~  
10 ~~Thousand Dollars (\$5,000.00) or more in the aggregate~~ during the  
11 period beginning no more than fourteen (14) days prior to any  
12 election and ending on the day of the election shall make a report  
13 to the Commission no later than the business day following the day  
14 the expenditure is made.

15 (C) Each report filed by a person other than a political action  
16 committee shall include the name and address of the person making  
17 the independent expenditure and the name, street address, telephone  
18 number, and office or title of the individual filing the report.

19 (D) Each report filed shall include the name of the political  
20 action committee or the person making the independent expenditure;  
21 the amount, date and a brief description or statement of each  
22 independent expenditure; and the name and office of the candidate  
23 supported or opposed, indicating whether the candidate was supported  
24 or opposed.

1 (E) If the person making the independent expenditure, other  
2 than a political action committee, received funds from any other  
3 person for the purpose of making an independent expenditure or  
4 expenditures, the report shall include the name, address and  
5 principal business activity of each person contributing funds in  
6 excess of Fifty Dollars (\$50.00) in the aggregate and the amount of  
7 any such contribution or contributions that have not been previously  
8 reported, together with a cumulative total of all contributions made  
9 by each person since the first report was filed for the election for  
10 which the independent expenditure is being made. As used in this  
11 section, "for the purpose of" means that the funds are either (1)  
12 received by an organization or corporation in response to a  
13 solicitation specifically requesting funds to pay for an independent  
14 expenditure or (2) specifically designated for independent  
15 expenditures by the donor.

16 (F) Reports required by this section shall not relieve the  
17 person making the report from filing other reports required by these  
18 Rules.

19 SECTION 6. AMENDATORY Rule 2.108 of the Rules of the  
20 Ethics Commission (74 O.S. 2014, Chapter 62, App. 1), is amended to  
21 read as follows:

22 Rule 2.108 Time and Requirements for Electioneering  
23 Communication Report.  
24

1 (A) Any person other than an individual, including a political  
2 action committee, that makes an electioneering communication ~~of Five~~  
3 ~~Thousand Dollars (\$5,000.00) or more in the aggregate~~ at least  
4 fifteen (15) days prior to any election shall be required to file a  
5 report with the Commission at the same time that candidate  
6 committees are required to file pre-election reports for the  
7 applicable election.

8 (B) Any person other than an individual, including a political  
9 action committee, that makes an electioneering communication ~~of Five~~  
10 ~~Thousand Dollars (\$5,000.00) or more in the aggregate~~ during the  
11 period beginning no more than fourteen (14) days prior to any  
12 election and ending on the day of the election shall make a report  
13 to the Commission no later than the business day following the day  
14 the electioneering communication is made.

15 (C) Each report filed by a person other than a political action  
16 committee shall include the name and address of the person making  
17 the electioneering communication and the name, street address,  
18 telephone number, and office or title of the individual filing the  
19 report.

20 (D) Each report filed shall include the name of the political  
21 action committee or the person making the electioneering  
22 communication; the amount, date and a brief description or statement  
23 of each electioneering communication, and the name and office of the  
24

1 candidate supported or opposed, indicating whether the candidate was  
2 supported or opposed.

3 (E) If the person making the electioneering communication,  
4 other than a political action committee, received funds from any  
5 other person for the purpose of making an electioneering  
6 communication or communications, the report shall include the name,  
7 address and principal business activity of each person contributing  
8 funds in excess of Fifty Dollars (\$50.00) in the aggregate and the  
9 amount of any such contribution or contributions that have not been  
10 previously reported, together with a cumulative total of all  
11 contributions made by each person since the first report was filed  
12 for the election for which the electioneering communication is being  
13 made. As used in this section, "for the purpose of" means that the  
14 funds are either: (1) received by an organization or corporation in  
15 response to a solicitation specifically requesting funds to pay for  
16 an electioneering communication or (2) specifically designated for  
17 electioneering communications by the donor.

18 (F) Reports required by this section shall not relieve the  
19 person making the report from filing other reports required by these  
20 Rules.

21 SECTION 7. This act shall become effective November 1, 2015.

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23 55-1-6799 LRB 02/12/15  
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