

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1766

By: Russ

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to state government; amending Rules
10 1.3, 2.73, 6.11 and 6.12 of the Rules of the Ethics
11 Commission (74 O.S. Supp. 2016, Chapter 62, App. 1),
12 which relate to the Oklahoma Ethics Commission;
13 requiring certain appointees to the Commission have
14 certain experience; modifying duration of maintenance
15 of certain documents; requiring certain hearing and
16 notice prior to transmittal of information to law
17 enforcement; modifying time limit for filing of
18 lawsuit; and providing an effective date.

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

21 SECTION 1. AMENDATORY Rule 1.3 of the Rules of the
22 Ethics Commission (74 O.S. Supp. 2016, Chapter 62, App. 1), is
23 amended to read as follows:

24 Rule 1.3 A. As used in Rule 1, "Commission" shall mean the
Oklahoma Ethics Commission.

B. Beginning November 1, 2017, any new member appointed to the
Commission by the President Pro Tempore of the Senate or the Speaker
of the House of Representatives shall have at least two (2) years of

1 experience in an elected position that required reporting to the
2 Commission.

3 SECTION 2. AMENDATORY Rule 2.73 of the Rules of the
4 Ethics Commission (74 O.S. Supp. 2016, Chapter 62, App. 1), is
5 amended to read as follows:

6 Rule 2.73 The Treasurer shall be responsible for keeping the
7 candidate committee's financial records and accounts, including but
8 not limited to all contributions accepted; all deposit slips or
9 other evidence of acceptance of contributions; all expenditures
10 made; all receipts, canceled checks or other evidence of payment of
11 expenditures and all other documents necessary to file Reports of
12 Contributions and Expenditures. All such documents shall be
13 maintained for at least ~~four (4)~~ three (3) years and shall be made
14 available to the Commission upon request of the Commission. The
15 Treasurer shall be responsible for timely and accurately filing all
16 Reports of Contributions and Expenditures for the committee.

17 SECTION 3. AMENDATORY Rule 6.11 of the Rules of the
18 Ethics Commission (74 O.S. Supp. 2016, Chapter 62, App. 1), is
19 amended to read as follows:

20 Rule 6.11 A. The Commission may at any time after a hearing by
21 an administrative law judge pursuant to subsection B of this section
22 and notice to the Governor, President Pro Tempore of the Senate and
23 Speaker of the House of Representatives transmit to appropriate
24 civil or criminal law enforcement authorities any information

1 received by the Commission or its employees as the result of a
2 complaint or a formal investigation.

3 B. Any person adversely affected by a decision of the
4 Commission shall be afforded an opportunity for a hearing by an
5 administrative law judge pursuant to the provisions of Article II of
6 the Administrative Procedures Act after such person has been
7 notified of the adverse decision of the Commission.

8 SECTION 4. AMENDATORY Rule 6.12 of the Rules of the
9 Ethics Commission (74 O.S. Supp. 2016, Chapter 62, App. 1), is
10 amended to read as follows:

11 Rule 6.12 If authorized by the Commission as provided in Rule
12 6.10(2) of these Rules, a civil lawsuit shall be filed in the
13 District Court no more than ~~four (4)~~ three (3) years after the date
14 the violation of these Rules is alleged to have occurred. Provided,
15 however, that a civil lawsuit shall be filed in the District Court
16 no more than ~~four (4)~~ three (3) years from the date any document
17 required to be filed with the Commission was required or the date
18 the document was in fact filed, whichever period expires later.
19 Provided further, there shall be no time limitation if fraud or
20 concealment prevents discovery of the alleged violation.

21 SECTION 5. This act shall become effective November 1, 2017.

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23 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
24 02/22/2017 - DO PASS, As Amended.