

1 ENGROSSED SENATE AMENDMENT  
2 TO  
3 ENGROSSED HOUSE  
4 BILL NO. 3056  
5 By: Sims of the House  
6  
7 and  
8 Paxton of the Senate  
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12 [ cities and towns - Municipal Campaign Finance and  
13 Financial Disclosure Act - setting penalty for  
14 violation - effective date ]  
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17 AMENDMENT NO. 1. Page 1, strike the enacting clause  
18 Passed the Senate the 27th day of April, 2022.  
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1 ENGROSSED HOUSE  
2 BILL NO. 3056

By: Sims of the House

3 and

4 Paxton of the Senate

5  
6 [ cities and towns - Municipal Campaign Finance and  
7 Financial Disclosure Act - setting penalty for  
8 violation - effective date ]  
9  
10

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

12 SECTION 1. AMENDATORY 11 O.S. 2021, Section 56-102, is  
13 amended to read as follows:

14 Section 56-102. A. Definitions of terms used in the Municipal  
15 Campaign Finance and Financial Disclosure Act shall be the same as  
16 those terms are defined in Rules of the Ethics Commission  
17 promulgated pursuant to Section 3 of Article XXIX of the Oklahoma  
18 Constitution, unless otherwise provided herein.

19 B. As used in the Municipal Campaign Finance and Financial  
20 Disclosure Act:

21 1. "Campaign committee" means a committee which may be composed  
22 of one or more persons the purpose of which is to support the  
23 election of a specific candidate to municipal office, whose name as  
24

1 it will appear on the ballot shall appear in the name of the  
2 committee;

3 2. "Municipal office" means any elective municipal office  
4 established under state or municipal law; and

5 3. "Municipal political committee" means any committee composed  
6 of one or more persons whose purpose includes the election or defeat  
7 of one or more candidates for municipal office or municipal  
8 questions but which is not required to register with the Ethics  
9 Commission or the Federal Election Commission for this purpose.

10 SECTION 2. AMENDATORY 11 O.S. 2021, Section 56-103, is  
11 amended to read as follows:

12 Section 56-103. A. The Municipal Campaign Finance and  
13 Financial Disclosure Act shall apply only to municipalities with a  
14 population of more than ten thousand (10,000) according to the most  
15 recent Federal Decennial Census and a general fund expenditure  
16 budget in excess of Ten Million Dollars (\$10,000,000.00) in the  
17 fiscal year in which the municipal elections are held.

18 Notwithstanding, the requirements provided in this act shall  
19 additionally apply to committees and candidates when the  
20 municipality is not covered by this act based on the population and  
21 budget requirements of this subsection, but the candidate or  
22 committee expends or receives more than One Thousand Dollars  
23 (\$1,000.00) in donations or in-kind expenditures.  
24

1       B. A municipality described in subsection A of this section may  
2 enact a comprehensive code of campaign finance and personal  
3 financial disclosure ordinances, including provisions for  
4 enforcement thereof, in which case the Municipal Campaign Finance  
5 and Financial Disclosure Act shall not apply to the municipality.  
6 Any municipality enacting such a code shall file a notice of its  
7 action with the Ethics Commission, which shall have no enforcement  
8 responsibilities under the code.

9       SECTION 3.       AMENDATORY       11 O.S. 2021, Section 56-110, is  
10 amended to read as follows:

11       Section 56-110. The Municipal Campaign Finance and Financial  
12 Disclosure Act shall be enforced by the Ethics Commission in the  
13 same manner as Rules of the Ethics Commission promulgated pursuant  
14 to Section 3 of Article XXIX of the Oklahoma Constitution are  
15 enforced, including but not limited to acceptance of complaints,  
16 civil prosecutions, settlement agreements and any other compliance  
17 practices or requirements. Complaints may be received by the Ethics  
18 Commission alleging filing of statements or reports required to be  
19 filed under the Municipal Campaign Finance and Financial Disclosure  
20 Act later than the prescribed time for filing. Such complaints  
21 shall be in the same form as other complaints. Upon receipt of such  
22 complaints of late filing, the Ethics Commission shall investigate  
23 whether the allegation or allegations are true and, if so, shall  
24 assess a late filing penalty of One Hundred Dollars (\$100.00) per

1 day, not to exceed a maximum of One Thousand Dollars (\$1,000.00) for  
2 the filing of any statement or report. If the Ethics Commission  
3 determines the allegation or allegations are not true, it shall take  
4 no further action. Persons assessed a late filing fee may protest  
5 the assessment subject to provisions of the Administrative  
6 Procedures Act. The Ethics Commission shall not have enforcement  
7 jurisdiction concerning candidates or committees that are covered by  
8 this act based on expenditures alone, as outlined in subsection A of  
9 Section 56-103 of this title. Any violation of this act may be  
10 prosecuted by the district attorney or a locally adopted policy. An  
11 omission or failure to report expenditures in compliance with this  
12 act shall constitute a misdemeanor with a fine of up to One Hundred  
13 Dollars (\$100.00) per day, not to exceed a maximum of One Thousand  
14 Dollars (\$1,000.00). The court shall have discretion as to the fine  
15 amount with the intent of the fine to obtain compliance with  
16 reporting requirements. Willful noncompliance with this act shall  
17 constitute a misdemeanor offense with a fine of One Thousand Dollars  
18 (\$1,000.00) with the intent of the fine to deter unlawful activity  
19 and punish willful offenders.

20 SECTION 4. This act shall become effective November 1, 2022.  
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1 Passed the House of Representatives the 8th day of March, 2022.

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3 \_\_\_\_\_  
4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2022.

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Presiding Officer of the Senate