

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 3056

By: Sims of the House

and

Paxton of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to cities and towns; amending 11 O.S. 2021, Section 56-103, which relates to municipalities subject to the Municipal Campaign Finance and Financial Disclosure Act; providing for municipalities to contract with an Interlocal Entity; authorizing municipalities not subject to the Municipal Campaign Finance and Financial Disclosure Act to enact a comprehensive code; clarifying that the Ethics Commission shall have no enforcement responsibilities; enabling municipal governments to provide for hearings, enforcement, and civil fines; granting for appeals of municipal court orders to district court; enabling municipal governments to adopt necessary ordinances; authorizing municipal governments enacting a comprehensive code to contract with an interlocal entity for administration and enforcement; providing powers of interlocal entities; providing for codification; and providing an effective date.

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

1 SECTION 1. AMENDATORY 11 O.S. 2021, Section 56-103, is
2 amended to read as follows:

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

9 B. A municipality described in subsection A of this section may
10 enact a comprehensive code of campaign finance and personal
11 financial disclosure ordinances, including provisions for
12 enforcement thereof, in which case the Municipal Campaign Finance
13 and Financial Disclosure Act shall not apply to the municipality. A
14 municipality described in subsection A of this section may contract
15 with an Interlocal Entity operating under the Municipal Campaign
16 Finance Disclosure for Exempted Municipalities Act and the
17 municipality may alternatively follow the provisions of the
18 Municipal Campaign Finance Disclosure for Exempted Municipalities
19 Act when they have adopted their own comprehensive code of campaign
20 finance and personal disclosure ordinances as authorized under this
21 act. Any municipality enacting such a code shall file a notice of
22 its action with the Ethics Commission, which shall have no
23 enforcement responsibilities under the code.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 56-103a of Title 11, unless there is created a duplication in numbering, reads as follows:

1. Any municipality not subject to the Municipal Campaign Finance and Financial Disclosure Act, or any entity authorized under subsection B of Section 56-103 of Title 11 of the Oklahoma Statutes, may enact a comprehensive code of campaign finance and personal financial disclosure ordinances including policies and provisions for the administration and enforcement thereof. The Ethics Commission shall have no enforcement responsibilities under the Municipal Campaign Finance Disclosure for Exempted Municipalities Act. Municipal governments may provide for hearings, enforcement, and civil fines not to exceed Five Hundred Dollars (\$500.00). Hearings shall be conducted through the municipal court to adjudicate violations of the comprehensive code of campaign finance and personal financial disclosure ordinances as authorized in this act. Any judicial order from a municipal court under this section may be appealed to the district court having jurisdiction over the alleged or adjudicated violator. All appeals shall be de novo. Any civil fine issued under the provisions of the act may be converted to a civil judgment by the municipal government in the appropriate district court. Municipal governments have the authority to adopt ordinances necessary and proper for the administration and enforcement of this act.

1 2. Municipal governments enacting a comprehensive code of
2 campaign finance and personal financial disclosure ordinances may
3 contract with an interlocal entity created in accordance with the
4 Interlocal Cooperation Act for the administration and enforcement of
5 this act. The interlocal entity may assign adjudication of any
6 potential violations of a municipality's campaign finance and
7 personal financial disclosure ordinances to any municipal court that
8 has joined the interlocal entity in accordance with policies adopted
9 by the interlocal entity. The assigned municipal court shall have
10 jurisdiction to conduct the hearing, issue subpoenas, adjudicate the
11 matter and issue judgment for civil fines for violations of
12 municipal campaign finance and personal financial disclosure
13 ordinances of any member of the interlocal entity. Any civil fine
14 issued under the provisions of this act may be converted to a civil
15 judgment by the interlocal entity in the appropriate district court.
16 The interlocal entity shall have the authority to adopt policies and
17 procedures necessary and proper for the administration and
18 enforcement of this act.

19 SECTION 3. This act shall become effective November 1, 2022.
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