

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 3715

By: O'Donnell

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7 COMMITTEE SUBSTITUTE

8 An Act relating to the Rules of the Ethics
9 Commission; amending Rule 2.48 of the Rules of the
10 Ethics Commission, which relates to candidate
committee surplus funds; adding use for surplus
11 funds; and providing an effective date.

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

14 SECTION 1. AMENDATORY Rule 2.48 of the Rules of the

15 Ethics Commission, is amended to read as follows:

16 Rule 2.48. Candidate Committee Surplus Funds.

17 Surplus funds of a candidate committee are those funds not
18 otherwise obligated following the election at which the office for
19 which the candidate committee was formed has been determined which,
20 in the candidate's discretion, are not required to be used for
21 campaign expenses or officeholder expenses. Such surplus funds may
22 be:

23 (A) Retained in any amount for use in a future campaign for the
24 next succeeding term for the same office;

1 (B) Retained for a future campaign for a different state
2 elective office, excluding a judicial office;

3 (C) Donated to a charitable organization as described in
4 Section 501(c)(3) of Title 26 of the United States Code as it
5 currently exists or as it may be amended;

6 (D) Returned to any contributor, as long as the amount returned
7 does not exceed the contributor's aggregate contribution during the
8 immediately preceding primary, runoff primary and general elections;

9 (E) Contributed to a political party committee in any amount
10 not to exceed Twenty-five Thousand Dollars (\$25,000.00) in the
11 aggregate;

12 (F) Used to purchase item(s) for donation to a charitable
13 organization as described in Section 501(c)(3) of Title 26 of the
14 United States Code as it currently exists or as it may be amended;
15 provided:

16 (1) the donated item(s) are sold by the charitable organization
17 for fundraising purposes;

18 (2) the purchase of the item(s) for donation is reported on a
19 Contributions and Expenditures Report which includes a description
20 and cost of the item(s) purchased;

21 (3) the donation of the item(s) is reported on a Contributions
22 and Expenditures Report as an in-kind expenditure to the charitable
23 organization which includes a description and the value of the
24 item(s) donated; and

1 (4) the donated item(s) may not be purchased or used by the
2 candidate whose committee is donating the item, any other candidate,
3 a committee, or officer, board member or employee of the charitable
4 organization; ~~or~~

5 (G) Donated in accordance with the provisions of Section 381 et
6 seq. of Title 60 of the Oklahoma Statutes to the State of Oklahoma,
7 or, to any county, city, town or school district within the State of
8 Oklahoma; or

9 (H) Used to retain legal counsel for the successful defense of
10 an investigation or prosecution of the candidate's campaign,
11 campaign finances, or any other violation of the candidate's or
12 office holder's official duties.

13 Any surplus funds remaining in the candidate committee's
14 possession within ninety (90) days after the expiration of the term
15 to which the candidate was elected or, for candidates who were not
16 elected, within ninety (90) days after the second year following the
17 general election, shall be deposited in the general revenue fund of
18 the state.

19 SECTION 2. This act shall become effective January 1, 2026.

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21 59-2-10489 LRB 02/26/24

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