

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3750

By: Harris

6 AS INTRODUCED

7 An Act relating to initiative and referendum;
8 providing definitions; requiring ballot measure
9 committees to certify no preliminary activity was
10 funded by foreign nationals; prohibiting ballot
11 measure committees from accepting any contributions
12 from foreign nationals; requiring the treasurer of a
13 ballot measure committee to obtain written
14 affirmation; requiring campaign finance reports
15 required by the Oklahoma Ethics Commission to affirm
16 the ballot measure committee did not receive
17 contributions from foreign nationals; requiring
18 periodic campaign finance reports to affirm certain
19 donors are not foreign nationals; clarifying existing
20 donor disclosure rights and duties remain the same;
prohibiting foreign nationals from participating in
decision-making process of any person regarding
activities related to ballot measure; prohibiting
foreign nationals from making certain solicitations;
permitting civil action by the Attorney General;
requiring refunding of prohibited contributions;
requiring the surrendering of certain prohibited
independent expenditure funds; establishing
punishments for violations by lobbyists; establishing
awards; permitting court to assess penalties;
clarifying privacy rights; prohibiting public
officials from disclosing certain information;
providing for codification; and providing an
effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 40 of Title 34, unless there is
3 created a duplication in numbering, reads as follows:

4 As used in this act:

5 1. "Ballot initiative or referendum" means a question, other
6 than the nomination or election of a candidate to a public office,
7 which has been:

8 a. approved by the Oklahoma State Legislature to be
9 placed before the voters by the Oklahoma Secretary of
10 State, or

11 b. initiated or referred by a citizen petition as
12 authorized by Article V of the Oklahoma Constitution
13 and placed before the voters by the Oklahoma Secretary
14 of State;

15 2. "Contribution" means a gift, subscription, loan, advance or
16 deposit of money or anything of value given to influence an
17 election, the payment by any person of compensation for the personal
18 services of another person if those services are rendered without
19 charge to a political committee or organization for any purpose, and
20 includes an agreement to make a contribution;

21 3. "Directly or indirectly" means acting either alone or
22 jointly with, through, or on behalf of any other ballot initiative
23 or referendum committee, political committee, organization, person,
24 or other entity;

1 4. "Expenditure" means a purchase, payment, distribution, loan,
2 advance, deposit, gift of money or anything of value, made by any
3 person for the purpose of influencing an election, and includes an
4 agreement to make an expenditure;

5 5. "Foreign national" means:

- 6 a. an individual who is not a citizen or lawful permanent
7 resident of the United States,
- 8 b. a government, or subdivision, of a foreign country or
9 municipality thereof,
- 10 c. a foreign political party,
- 11 d. any entity, such as a partnership, association,
12 corporation, organization, or other combination of
13 persons, that is organized under the laws of, or has
14 its principal place of business in, a foreign country,
15 or
- 16 e. any U.S. entity, such as a partnership, association,
17 corporation, or organization, which is wholly, or
18 majority owned by any foreign national, unless:
 - 19 (1) any contribution or expenditure it makes derives
20 entirely from funds generated by the U.S.
21 entity's U.S. operations, and
 - 22 (2) all decisions concerning the contribution or
23 expenditure are made by individuals who are U.S.

citizens or permanent residents, except for setting overall budget amounts;

6. "Preliminary activity" includes but is not limited to,

4 conducting a poll, drafting ballot measure language, focus group,
5 telephone calls, and travel; and

7. "Tax-exempt organization" means an organization which is

7 described in section 501(c) of the Internal Revenue Code of 1986 and
8 is exempt from taxation under section 501(a) of such Code. Nothing
9 in this subsection may be construed to treat a political
10 organization under section 527 of such code as a tax-exempt
11 organization for purposes of this act.

SECTION 2. NEW LAW A new section of law to be codified

13 in the Oklahoma Statutes as Section 41 of Title 34, unless there is
14 created a duplication in numbering, reads as follows:

15 A. In its statement of organization, the treasurer of a ballot
16 measure committee shall certify that no preliminary activity was
17 funded by one or more foreign nationals, whether directly or
18 indirectly.

19 B. A ballot measure committee shall not knowingly or willfully
20 receive, solicit, or accept contributions from one or more foreign
21 nationals, whether directly or indirectly.

22 SECTION 3. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 42 of Title 34, unless there is
24 created a duplication in numbering, reads as follows:

1 A. Upon receipt of a contribution, the treasurer of a ballot
2 measure committee shall obtain from the donor a written affirmation
3 that the donor is not a foreign national. These affirmations shall
4 be retained with the ballot measure committee's records for a period
5 of five (5) years.

6 B. The campaign finance reports required by the Oklahoma Ethics
7 Commission shall require the treasurer to affirm that the ballot
8 measure committee has not knowingly or willfully received,
9 solicited, or accepted contributions from a foreign national.

10 C. The periodic campaign finance report form for ballot measure
11 committee shall require the treasurer to affirm that, to the best of
12 their knowledge, the donor associated with each contribution is not
13 a foreign national.

14 D. Nothing in this act shall be deemed to create or eliminate
15 any existing donor disclosure rights or duties beyond those
16 specifically enumerated in this section.

17 SECTION 4. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 43 of Title 34, unless there is
19 created a duplication in numbering, reads as follows:

20 A. A foreign national may not direct, dictate, control, or
21 directly or indirectly participate in the decision-making process of
22 any person regarding that person's activities to influence a ballot
23 measure, such as decisions concerning the making of contributions or
24 expenditures to influence a ballot measure.

1 B. A foreign national may not solicit, directly or indirectly,
2 the making of a donation, contribution, or expenditure by another
3 person to influence a ballot measure.

4 SECTION 5. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 44 of Title 34, unless there is
6 created a duplication in numbering, reads as follows:

7 A. The Attorney General may bring a civil action to enforce
8 this act.

9 1. A committee or person alleged to have violated this act
10 shall be provided a full opportunity of notice, discovery, and an
11 opportunity to be heard before being found liable for a violation of
12 this act; and

13 2. In all actions brought pursuant to this act, the burden of
14 proof shall be on the Attorney General:

15 a. prior to discovery, the court shall set a hearing to
16 determine if there is probable cause to believe that a
17 committee or person has violated the act,

18 b. if, after the hearing, the court determines that no
19 probable cause exists to believe that a violation of
20 the act has occurred, the court shall enter an order
21 of dismissal with prejudice, and

22 c. if, after the hearing, the court determines that
23 probable cause does exist to believe that a violation
24 of the act has occurred, the court shall enter an

order to that effect and the case should proceed to trial on an expedited basis:

(1) subject to the provisions in Section 6 of this act, the entity alleged to have violated this provision may, at a time to be determined by the court prior to the scheduling of trial, present evidence sufficient to rebut the probable cause finding by making an *ex parte* presentation of records to the court for *in camera* review, and

(2) a losing party under this paragraph of this act has the right to:

- (a) an interlocutory expedited appeal, and
- (b) a stay of proceedings in the trial court.

B. Within thirty (30) days of a finding that a committee has

15 violated the act, the committee shall refund the contribution to the
16 original contributor. In the event of an appeal, the contribution
17 shall be placed in escrow, after which the funds shall be disbursed
18 in accordance with the final order. If the committee is unable to
19 return the funds, the directors, officers or executive members of
20 the committee shall be liable in their personal capacity, jointly
21 and severally, for the refund of said funds.

22 C. Within thirty (30) days of a finding that an independent
23 expenditure filer has violated the act, the person or committee
24 making the independent expenditure shall surrender to the state

1 general fund funds in an amount equal to the reported cost of the
2 independent expenditure. In the event of an appeal, the funds
3 subject to disgorgement shall be placed in escrow, after which they
4 shall be disbursed in accordance with the final order.

5 D. If any lobbyist violates any of the provisions of this act,
6 the lobbyist's registration may be revoked or suspended and the
7 lobbyist may be enjoined from receiving compensation or making
8 expenditures for lobbying.

9 E. If the Attorney General prevails in an action brought under
10 subsection A of section 5 of this act, the court shall award:

11 1. Injunctive relief sufficient to prevent the defendant from
12 violating this act or engaging in acts that aid or abet violations
13 of this act; and

14 2. Statutory damages up to twice the amount of the prohibited
15 contribution or expenditure.

16 F. In addition to any awarded penalties and any other remedies
17 provided by law, if the court finds a knowingly or willful violation
18 of this act, the court may assess a penalty of up to three times the
19 statutory damages.

20 SECTION 6. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 45 of Title 34, unless there is
22 created a duplication in numbering, reads as follows:

23 A. Lawful donors to a tax-exempt organization possess a right
24 of privacy in their donations. Any investigation of an alleged

1 violation of this act or a lawful court order in an action brought
2 under Subsection A of Section 5 of this act must occur in a manner
3 that shields the identity of lawful donors as much as possible. No
4 public official may collect or require the submission of information
5 on the identity of any donor to a tax-exempt organization other than
6 those directly related to an alleged violation of this act.

7 B. No public official may disclose to the public, or another
8 government official not directly involved in the investigation,
9 information revealing the identity of any donor to a tax-exempt
10 organization, unless the information is regarding the identity of a
11 donor that engaged in conduct prohibited by the act after a final
12 determination has been made that the donor violated the act.

13 SECTION 7. This act shall become effective November 1, 2026.

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