

**ETHICS INTERPRETATION EI-91-001
ISSUED JULY 17, 1991**

The Ethics Commission ["the Commission"] has received your request for an ethics interpretation asking, in effect:

Assuming that in order to be a voting delegate, an individual must be selected as a chair, co-chair, or secretary of a local precinct, does § 4242 of the Ethics Commission Act prohibit state classified employees from serving as voting delegates to local, county, district, or state political party conventions?

Title 74 O.S. 1991, § 4242 reads, in pertinent part:

A. No classified employee shall:

* * *

4. Serve as an officer of a political party at the national, state or local level;

The question includes the assumption that a delegate must be selected as a chair, co-chair or secretary of a local precinct; therefore, if a chair, co-chair or secretary of a local precinct is an officer of a political party at the local level, it is unnecessary to address whether a delegate is an officer of a political party.

Title 74 O.S. 1991, § 4202 (27) reads as follows:

"Political party" means any political party so recognized for the purpose of having candidates appear on the ballot;

In the case of *Todd v. Oklahoma State Democratic Central Committee*, 361 F. Supp. 493 (1973), the United States District Court, Western District of Oklahoma, the court states, in pertinent part:

The organization of the Democratic Party of Oklahoma is structured by the constitution of the party. The organizational structure is as follows:

1. A Precinct Committee consisting, among others, of a Precinct Chairman, Co-chairman, and Secretary-Treasurer, elected by the Democratic electors of the precinct.

The court goes on to say:

At the precinct level all duly qualified Democrats of the precinct are permitted to vote.

The word "local" is commonly defined as of or relating to a particular place; primarily serving the needs of a particular district. When used with the word "government", it applies to "the government of a specific local area constituting a subdivision of a major

political unit". When used with the word law, it applies to "a law which is special as to place".

A "precinct" is defined as "a small geographical unit of government. An election district created for convenient localization of polling places".

It is clear, then, that precincts are local units of political parties, and officers of such local units are officers of political parties at the local level.

It is clear, then, that a precinct chair, co-chair, or secretary is an officer of the party at the local level.

It is the ethics interpretation of the Ethics Commission, as voted on at its first meeting on July 17, 1991, that if an individual must be selected as a chair, co-chair, or secretary of a local precinct in order to be a voting delegate, then voting delegates are officers of political parties at the local level; therefore, Title 74 O.S. 1991, § 4242 of the Ethics Commission Act would prohibit a state classified employee from serving as such a voting delegate to local, county, district, or state political party conventions.