

**ETHICS INTERPRETATION EI-1993-001
ISSUED FEBRUARY 11, 1993**

The Ethics Commission, in its regular meeting on February 11, 1993, discussed your request for an Ethics Interpretation.

Is it a violation of 74 O.S. Supp. 1992 §4219.3 for a non-candidate committee, which makes contributions to various candidate committees, to hold a fund raising event in Oklahoma County during a regular legislative session?

ANALYSIS

You are correct in citing Oklahoma Statutes, Title 74, Section 4219.3, as the authority which controls this question. That statute provides:

Limitations on fundraisers in Oklahoma County

No fundraising event for a member of the Legislature shall be held in Oklahoma County during the regular session of the Legislature, beginning the first Monday in February throughout its adjournment or the last Friday in May, whichever is the earliest. Provided, the restrictions of this section shall not apply to:

1. Any member of the Legislature whose legislative district includes any portion of Oklahoma County; or
2. Any member of the Legislature for fundraising events in Oklahoma County in support of his candidacy for a statewide elected office or for election to the United States House of Representatives, United States Senate or other elective federal offices.

74 O.S. Supp. 1992 §4219.3

[emphasis added]

The statute forbids fundraising events in Oklahoma County during legislative sessions *for a member of the Legislature*. Exceptions are events for legislators whose districts include a portion of Oklahoma county or who are running for statewide or federal office. The clear, expressed intent of the statute is to prohibit funds from being raised in Oklahoma County for the benefit of most legislators during regular legislative sessions.

There is no distinction made between fundraisers by a legislator's candidate committee or by other committees for the legislator's benefit or support. Hence, to allow a fundraiser to be given by a non-candidate committee, for which a stated purpose is to raise money for one or more legislators, one or more of whom do not fit within the exceptions, would be to allow indirectly what the law forbids. It would circumvent the intent and is clearly prohibited by the statute.

CONCLUSION

It is, therefore, the ethics interpretation of the Ethics Commission, as voted on at its regular meeting held February 11, 1993, that under Title 74 O.S. Supp. 1992, Section

4219.3, a non-candidate committee may not hold a fundraiser in Oklahoma County FOR one or more legislators, one or more of whose districts do not contain a portion of Oklahoma County and who are not running for statewide or federal office, during regular legislative sessions. Funds collected at allowable fundraisers must be by written instrument made payable to the order of the non-candidate committee holding the fundraiser.

Please be aware that state law requires this agency to publish the Ethics Interpretations it issues. This will be done in such a way as to protect the name of the requesting party.