

**INFORMAL OPINION IO-1994-015  
ISSUED SEPTEMBER 27, 1994**

In your letter of August 4, 1994, you called to our attention the existence of the law on anonymous campaign literature. I am familiar with the provision. In fact, it was at my urging that, in 1991, the Legislature recodified this statute to take it out of the jurisdiction of the Ethics Commission.

Our position statement, written in 1991, is attached. All Ethics Commission employees are familiar with the position and either provide it orally or give copies of the statement to those with questions. Since we have no jurisdiction over its enforcement and the Office of the Attorney General, our General Counsel and I have grave concerns about its enforceability, we will continue to communicate this position.

For your information, disclaimers on independent expenditures have been upheld as having sufficient state interests to warrant regulation. That type disclosure is now part of the Constitutional Ethics Rules [257:10-1-7(b) of the Rules of the Ethics Commission, 74 O.S. Supp.1994, Ch. 62, App.]. It requires the name of who paid for the expenditure to be disclosed when paid for independent of the committee of the candidate supported or opposed by it.

Please be aware that informal opinions are not official pronouncements of the Commission. Hence, this letter carries no greater weight than the views of any other citizen. The Commission is available to issue interpretations on matters arising from the Ethics Commission Act and the Constitutional Ethics Rules. These are known as Ethics Interpretations. They are official and bind the future action of the Commission.