



OKLAHOMA ETHICS COMMISSION
REVISED CONSTITUTIONAL ETHICS RULES

AS PROMULGATED BY THE OKLAHOMA ETHICS COMMISSION
JANUARY 9, 2015

Submitted to the Legislature and the Governor
in accordance with Title 29 Okla. Const. § 3 this
2nd day of February, 2015.

Amendments to the Ethics Rules, codified in Title 74, Appendix I, as provided by Article 29, Section 3 of the Constitution of the State of Oklahoma.

RULE 1 ADMINISTRATION

SECTION 1. AMENDATORY Ethics Rule 1.8, codified in the Oklahoma Statutes as Rule 1.8 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

The Executive Director of the Commission shall prescribe forms, including software or other electronic forms, as required by these Rules and shall prescribe such other publications, including publications in an electronic format, as the Executive Director deems appropriate to facilitate implementation of and compliance with these Rules. The Executive Director is authorized to establish and collect fees to be charged to participants for training and educational seminars, classes and similar programs and for related materials. In establishing such registration fees, the Executive Director shall endeavor to recover costs to the Commission incurred in development and presentation of programs to assist in the implementation of and compliance with these Rules.

RULE 2 CAMPAIGN FINANCE

SECTION 2. AMENDATORY Ethics Rule 2.3 codified in the Oklahoma Statutes as Rule 2.3 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

No state officer or employee shall use or authorize the use of public funds, property or time to solicit, receive or accept funds for a political party, a political action committee, a candidate or a state question campaign, except as permitted by law or these Rules. Any unsolicited funds tendered in violation of this section shall not be accepted by the intended recipient and shall be returned to the sender as soon as possible. This prohibition shall apply to political fund raising activities for federal, state and political subdivision committees.

SECTION 3. AMENDATORY Ethics Rule 2.37 codified in the Oklahoma Statutes as Rule 2.37 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

(A) No person shall make a contribution in excess of Two Thousand Six Hundred Dollars (\$2,600.00) to any candidate committee prior to a primary election.

(B) No person shall make a contribution in excess of Two Thousand Six Hundred Dollars (\$2,600.00) prior to a runoff primary election to any candidate committee of a candidate

whose name will appear on the ballot for a runoff primary election. Provided, however, after the primary election a person who has made a contribution of Two Thousand Six Hundred Dollars (\$2,600.00) or less to the candidate committee prior to the primary election may make an additional contribution of no more than Two Thousand Six Hundred Dollars (\$2,600.00) to the candidate committee prior to the runoff primary election.

(C) No person shall make a contribution in excess of Two Thousand Six Hundred Dollars (\$2,600.00) to any candidate committee prior to a general election. Provided, however, after the primary election or runoff primary election, whichever is the last for determining a political party's nominee, a person who has made a contribution of Two Thousand Six Hundred Dollars (\$2,600.00) or less prior to the primary election or runoff primary election, or both, may make an additional contribution of no more than Two Thousand Six Hundred Dollars (\$2,600.00) to a candidate committee of a candidate whose name will appear on the general election ballot.

(D) After the general election, a person who has made no contribution or a contribution of less than Two Thousand Six Hundred Dollars (\$2,600.00) in the aggregate under the provisions of subsections (A), (B) or (C) may make an additional contribution or contributions to a candidate committee in an amount or amounts that, aggregated with any

prior contributions, do not exceed Two Thousand Six Hundred Dollars (\$2,600.00). ~~If a candidate committee, following the general election for which it was organized, accepts one or more contributions and the candidate thereafter files a statement of organization for the same office or another state office in a subsequent general election, any contributions accepted by the first candidate committee after the general election and within six (6) months prior to the filing of the second statement of organization shall be aggregated with contributions to the second candidate committee for purposes of maximum contribution limits for the second primary election.~~

(E) No person shall make a total contribution to a candidate committee in excess of the aggregate contribution limits of subsections (A), (B) and (C) or in excess of Two Thousand Six Hundred Dollars (\$2,600.00) to the candidate committee of a candidate who is unopposed for election.

(F) No candidate committee shall make to another candidate committee, and the receiving candidate committee shall not accept, a total contribution in excess of Two Thousand Six Hundred Dollars (\$2,600.00) in the aggregate for all three elections or for the benefit of a candidate who is unopposed for election.

(G) For purposes of this section, "contribution" shall include multiple contributions, the amounts of which shall be

aggregated.

(H) Beginning no earlier than January 1, 2015, and no later than July 1, 2015, and every two years thereafter, the limitations in subsections (A), (B), (C), (D), (E) and (F) of this section shall be increased by the percent difference between the price index for the twelve (12) months preceding the beginning of the calendar year during which the adjustment is made and the price index for 2014. If the adjusted limitation amount is not a multiple of One Hundred Dollars (\$100.00), the limitation shall be rounded to the nearest multiple of One Hundred Dollars (\$100.00). For purposes of this section, "price index" shall mean the average over a calendar year of the Consumer Price Index (all items - United States city average) published monthly by the Bureau of Labor Statistics. The adjusted limitations shall be published on the Commission's Internet website and shall be otherwise communicated as the Commission determines appropriate. The adjusted limitations shall apply to the primary, runoff primary and general elections in 2016 and every two (2) years thereafter as well as to any special primary, runoff primary or general elections that occur after the limitations are adjusted but before the regular primary, runoff primary or general elections.

(I) If a candidate files a statement of organization for a

candidate committee with the Commission for one state office and accepts one or more contributions for that candidate committee, then files a statement of organization for a candidate committee for a different state office prior to the filing period for that office, contributions to the two committees shall be aggregated for purposes of maximum contribution amounts for the second candidate committee.

SECTION 4. AMENDATORY Ethics Rule 2.69 codified in the Oklahoma Statutes as Rule 2.69 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A candidate may have no more than one (1) candidate committee for any state office at any time; provided, however, a candidate may maintain two (2) separate candidate committees for state offices for a period of sixty (60) days after filing a Statement of Organization for a second committee. ~~A candidate who dissolves one (1) candidate committee as provided in these Rules may contemporaneously file a Statement of Organization for a different candidate committee.~~ In such case, funds or debt, or both, may be transferred from the first committee to the second committee as permitted by law and these Rules.

SECTION 5. AMENDATORY Ethics Rule 2.80 codified in the Oklahoma Statutes as Rule 2.80 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as

follows:

A political action committee shall file a Statement of Organization with the Commission at any earlier time but no later than ten (10) days after the committee receives contributions in excess of One Thousand Dollars (\$1,000.00) or makes expenditures in excess of One Thousand Dollars (\$1,000.00). A political action committee that has filed a Statement of Organization and that has not dissolved as provided in these Rules shall renew its registration during the month of January of each year by filing a Statement of Organization. The renewal of a Statement of Organization filed by a political action committee shall not be accepted unless the political action committee has filed all Reports of Contributions and Expenditures and paid any fees required during the preceding calendar year. In the event a political action committee has not filed all Reports of Contributions and Expenditures and paid fees required during the preceding calendar year, the political action committee shall be prohibited from accepting contributions or making expenditures, except for paying fees, until it is current in filing Reports and fees.

SECTION 6. AMENDATORY Ethics Rule 2.93 codified in the Oklahoma Statutes as Rule 2.93 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as

follows:

The Executive Director shall be authorized to require additional information on the ~~Statements of Organization and Amended Statements of Organization~~ Reports of Contributions and Expenditures that is consistent with the intent and purposes of these Rules.

SECTION 7. AMENDATORY Ethics Rule 2.100 codified in the Oklahoma Statutes as Rule 2.100 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

Each state political party committee, political action committee and candidate committee shall file a quarterly Report of Contributions and Expenditures:

(1) no earlier than January 1 nor later than January 31 for the period beginning October 1 and ending December 31 of the immediately preceding year;

(2) no earlier than April 1 nor later than April 30 for the period beginning January 1 and ending March 31 of the same year;

(3) no earlier than July 1 nor later than July 31 for the period beginning April 1 and ending June 30 of the same year and

(4) no earlier than October 1 nor later than October 31 for the period beginning July 1 and ending September 30 of the

same year.

Except for good cause shown, any committee that files more than one quarterly Report of Contributions and Expenditures after the date it is due in any calendar year shall be deemed to have intentionally failed to file the report in violation of these Rules.

Candidates for election or retention to judicial offices who are prohibited from soliciting or accepting contributions more than sixty (60) days after the last election in which the candidate participated under the Code of Judicial Conduct shall not be required to file Reports of Contributions and Expenditures following the expiration of the sixty (60) day period until such time as they are permitted to solicit and accept contributions prior to the next filing period under the Code of Judicial Conduct.

SECTION 8. AMENDATORY Ethics Rule 2.101 codified in the Oklahoma Statutes as Rule 2.101 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

Each candidate committee for a candidate who has filed a declaration of candidacy with the State Election Board for an office to be filled at the general election shall not be required to file quarterly reports after April 30 of the year in which the declaration of candidacy is filed but shall file a

pre-election Report of Contributions and Expenditures:

(1) no earlier than fourteen (14) days nor later than eight (8) days before the primary election for the period beginning April 1 and ending fifteen (15) days before the primary election;

(2) no earlier than fourteen (14) days nor later than eight (8) days before the runoff primary election for the period beginning fifteen (15) days before the primary election and ending fifteen (15) days before the runoff primary election;

(3) no earlier than fourteen (14) days nor later than eight (8) days before the general election for the period beginning fifteen days before the runoff primary election and ending fifteen (15) days before the general election.

Such candidate committee shall file a Report of Contributions and Expenditures no earlier than January 1 nor later than January 31 of the year following the general election for the period beginning the day after the last day of the general election pre-election reporting period and ending December 31 of the immediately preceding year.

Each candidate committee for a candidate in a special primary, runoff primary or general election shall file a pre-election Report of Contributions and Expenditures for the special primary, runoff primary or general election on the same

dates and for the same periods as provided in this section. If there is no special runoff primary election scheduled, the period covered by the pre-election report for the general election shall begin fifteen (15) days before the primary election and end fifteen (15) days before the general election. Following the special general election, each candidate committee shall file a Report of Contributions and Expenditures required for the next quarterly report following the special general election. That quarterly report shall be for a period beginning the day after the last day of the general election pre-election reporting period and ending on the same day as the last day of the regular quarterly report. Thereafter, the committee shall file reports as otherwise required by these Rules.

Except for good cause shown, any candidate committee that files more than one Report of Contributions and Expenditures after the date it is due shall be deemed to have intentionally failed to file the report in violation of these Rules.

SECTION 9. AMENDATORY Ethics Rule 2.104 codified in the Oklahoma Statutes as Rule 2.104 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

State political party committees shall file a Statement of Organization in July of any odd-numbered year. The Statement of Organization shall include, but not be limited to, the

following information: (1) The names of the Chair, Treasurer and, if applicable, Deputy Treasurer of the committee; (2) the full name of the committee; (3) the mailing address and, if applicable, residence address, electronic mailing address, telephone numbers and Internet website , if applicable, of the committee, the Chair, Treasurer and, if applicable, Deputy Treasurer and (4) the full name and address of each depository in which the committee will maintain an account. The Treasurer shall be responsible for notifying the Commission of any change in information provided on the Statement of Organization by filing an Amended Statement of Organization within ten (10) days of a change being made. An Amended Statement of Organization shall contain the same information as the Statement of Organization. Congressional District, county and precinct political party committees and any other political party committee officially recognized by the party's bylaws or similar governing document, shall file a Statement of Organization containing the same information prior to filing a Report of Contributions and Expenditures as required hereafter. Congressional District, county and precinct political party committees and any other political party committee officially recognized by the party's bylaws or similar governing document, shall be required to file a Report of Contributions and Expenditures in any year the committee

makes an independent expenditure, an electioneering communication or a contribution to a candidate for state office. The Report of Contributions and Expenditures shall be made at the quarterly reporting period next following the making of the independent expenditure, electioneering communication or contribution to a candidate for state office. The Report shall cover the period beginning January 1 of the year in which the report is filed (or January 1 of the immediately preceding calendar year for a quarterly report filed in January) or the end of the last preceding reporting period filed by the committee during the same calendar year, if the committee has filed a prior report in the same calendar year, and ending on the last day of the month prior to the month in which the quarterly report is filed.

A Report of Contributions and Expenditures by a political party committee shall include, but not be limited to, the following information:

- A. (1) the name of the committee and the time period covered by the report;
- (2) the total of all monetary contributions accepted during the time period covered by the report, and the aggregate total of all monetary contributions accepted during the calendar year of the time period covered by the report;

(3) the total of all monetary contributions from political action committees accepted during the time period covered by the report, and the aggregate total of all monetary contributions from political action committees accepted during the calendar year of the time period covered by the report;

(4) the total of all other funds accepted during the time period covered by the report, including transfers from a federal, state, district, county or precinct party committee, and the aggregate total of all such other funds accepted during the calendar year of the time period covered by the report;

(5) the total of all monetary contributions or funds accepted from any source during the time period covered by the report, and the aggregate total of all monetary contributions or funds accepted during the calendar year of the time period covered by the report;

(6) the total value of all in-kind contributions accepted during the time period covered by the report, and the aggregate total value of all in-kind contributions accepted during the calendar year of the time period covered by the report;

(7) the total of all expenditures made during the time period covered by the report, and the aggregate total

of all expenditures made during the calendar year of the time period covered by the report;

(8) the total of all refunds made during the time period covered by the report, and the aggregate total of all refunds made during the calendar year of the time period covered by the report;

(9) the total of all transfers made to a federal, state, district, county or precinct party committee during the time period covered by the report and the date of each transfer, and the aggregate total of all such transfers made during the calendar year of the time period covered by the report;

(10) the beginning balance of the committee account for the reporting period, and the closing balance of the committee account at the end of the reporting period;

B. (1) The name, address, occupation and employer of any person other than a political action committee making a contribution or contributions exceeding Fifty Dollars (\$50.00) in value in the aggregate; the date and amount of any monetary or in-kind contributions made during the time period covered by the report; and the aggregate total of all contributions accepted from the person during the calendar year of the time period covered by

the report;

(2) the total of all contributions accepted during the time period covered by the report from contributors making contributions of no more than Fifty Dollars (\$50.00) in the aggregate, and the aggregate total of all such contributions during the calendar year of the time period covered by the report;

(3) the name and Commission identification number of a political action committee or candidate committee making a contribution or contributions, the date and amount of any monetary or in-kind contributions made during the time period covered by the report, and the aggregate total of all contributions accepted from the political action committee during the calendar year of the time period covered by the report;

(4) the name, address, occupation and employer, if applicable, of a contributor to whom a refund was made during the time period covered by the report; the date and amount of the refund; and the aggregate total of all contributions refunded to the contributor during the calendar year of the time period covered by the report;

(5) loans made to the committee during the time period covered by the report, including loans by commercial financial institutions; the name, address and, if

applicable, occupation and employer, of the person making the loan; the amount of the loan, the date the loan was made, the interest rate for the loan, the repayment terms for the loan and the total of all loans made to the committee; any payments on loans during the time period covered by the report, the amount of the payment, the date the payment was made and the remaining balance of the loan following the payment; and the total of all payments made on all loans to the committee and the remaining balance on all loans to the committee during the calendar year of the time period covered by the report;

(6) the name and address of any person or entity to whom an expenditure of more than Two Hundred Dollars (\$200.00) in the aggregate was made during the time period covered by the report, a description of the goods or services purchased with the expenditure, and the aggregate total of all expenditures made to the person or entity during the calendar year of the time period covered by the report. Split purchasing for the purpose of evading reporting an expenditure shall be prohibited. Expenditures made to compensate political consultants and similar consultants shall be reported by identifying the type of services provided to the campaign by the

consultants. Expenditures made by political consultants and other third parties on behalf of the committee shall be reported as if the expenditures were made by the committee. Expenditures made by using a credit card shall be reported by itemizing each individual expenditure of more than Two Hundred Dollars (\$200.00).

Contributions accepted from a limited liability company shall be reported as contributions from the individual members of the limited liability company in proportions equal to their ownership interest in the limited liability company.

Contributions accepted from a partnership shall be reported as contributions from the individual partners of the partnership in proportions equal to their ownership interest in the partnership. Transfers between a federal, state, district, county or precinct party committee shall not be considered as contributions or expenditures.

SECTION 10. AMENDATORY Ethics Rule 2.108 codified in the Oklahoma Statutes as Rule 2.108 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

(A) Any person other than an individual, including a political action committee, that makes an electioneering communication of Five Thousand Dollars (\$5,000.00) or more in the aggregate at least fifteen (15) days prior to any election

shall be required to file a report with the Commission at the same time that candidate committees are required to file pre-election reports for the applicable election.

(B) Any person other than an individual, including a political action committee, that makes an electioneering communication of Five Thousand Dollars (\$5,000.00) or more in the aggregate during the period beginning no more than fourteen (14) days prior to any election and ending on the day of the election shall make a report to the Commission no later than the business day following the day the electioneering communication is made.

(C) Each report filed by a person other than a political action committee shall include the name and address of the person making the electioneering communication and the name, street address, telephone number, and office or title of the individual filing the report.

(D) Each report filed shall include the name of the political action committee or the person making the electioneering communication; the amount, date and a brief description or statement of each electioneering communication, and the name and office of the candidate ~~supported or opposed~~ or candidates identified in the electioneering communication, ~~indicating whether the candidate was supported or opposed.~~

(E) If the person making the electioneering communication,

other than a political action committee, received funds from any other person for the purpose of making an electioneering communication or communications, the report shall include the name, address and principal business activity of each person contributing funds in excess of Fifty Dollars (\$50.00) in the aggregate and the amount of any such contribution or contributions that have not been previously reported, together with a cumulative total of all contributions made by each person since the first report was filed for the election for which the electioneering communication is being made. As used in this section, "for the purpose of" means that the funds are either: (1) received by an organization or corporation in response to a solicitation specifically requesting funds to pay for an electioneering communication or (2) specifically designated for electioneering communications by the donor.

(F) Reports required by this section shall not relieve the person making the report from filing other reports required by these Rules.

SECTION 11. AMENDATORY Ethics Rule 2.117 codified in the Oklahoma Statutes as Rule 2.117 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A Final Report of Contributions and Expenditures shall include, but not be limited to, the same information that is

included on a Report of Contributions and Expenditures and shall cover a period beginning after the last day of the immediately preceding reporting period and ending on the day before the Final Report of Contributions and Expenditures is filed. Provided, however, the Final Report of Contributions and Expenditures shall include information about the resolution of debt, if any, and the disposition of tangible assets, if any, by the committee. If tangible assets are purchased from a candidate committee by the candidate or a member of the candidate's family, or from a political action committee by an officer or family member of an officer of the political action committee, the purchase price must be fair market value.

SECTION 12. AMENDATORY Ethics Rule 2.118 codified in the Oklahoma Statutes as Rule 2.118 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A. When an elected state officer solicits or authorizes the solicitation of monetary or in-kind contributions for an event such as an inaugural event associated with the officer's office, the officer shall create a special committee for that purpose. The committee shall register and make one report of contributions received and expenditures made within one hundred eighty (180) days after the event is held. Any person not otherwise prohibited by law, including but not limited to

individuals, partnerships, limited liability companies, corporations and labor unions, may make contributions in any amount to such committees.

B. When a state officer or employee or a state agency sponsors in part or in whole a conference, seminar, meeting or other event for which a state officer or employee solicits funds, goods or services to assist with expenses associated with the event, the sponsoring officer or agency shall create a special committee for that purpose. The committee shall register and make one report of contributions received and expenditures made within one hundred eighty (180) days after the event is held. Any person not otherwise prohibited by law, including but not limited to individuals, partnerships, limited liability companies, corporations and labor unions, may make contributions in any amount to such committee. For purposes of this paragraph, "sponsors" means to permit the name of the state officer or employee or state agency to be used in promoting the event.

RULE 4 CONFLICTS OF INTEREST

SECTION 13. AMENDATORY Ethics Rule 4.15 codified in the Oklahoma Statutes as Rule 4.15 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A. A state officer or employee approved by the chief

administrative officer of the agency to participate as a speaker or panel participant or otherwise to present information on behalf of the agency at a conference or other event may accept free attendance at the event on the day of his or her presentation when the free attendance is provided by the sponsor of the event. Approval by the chief administrative officer shall not be required for elected officials to participate in such events subject to the terms of this subsection. Free attendance may include meals, refreshments, entertainment, instruction and materials made available to other participants. The sponsor of the event may also provide transportation and lodging to the state officer or employee if transportation and lodging are made available to others participating as speakers, panel participants or presenters. The state officer or employee's spouse may also accept free attendance and participation in the event. The state officer or employee's spouse may also accept lodging but not transportation. The state officer or employee or the state officer or employee's spouse may not accept meals, refreshments, entertainment, transportation or lodging that are collateral to the event or that are not paid for by the sponsor of the event that would otherwise be prohibited by these Rules. No vendor or vendor's agent may pay for, or reimburse the sponsor of the event for, any gifts to the state officer or

employee or the state officer or employee's spouse that are part of the free attendance and participation provided to the state officer or employee or the state officer or employee's spouse. However, membership dues or sponsorships customarily and historically paid by a vendor or vendor's agent to a sponsoring organization shall not be considered payment for, or reimbursement for, such costs.

B. A state officer or employee may accept a scholarship or similar grant or subsidy, including the costs of transportation, lodging, meals, refreshments, entertainment, instruction and materials made available to other participants, to participate in an educational or training event sponsored by a foreign government, the United States government, the government of another state or an organization to which the State of Oklahoma pays membership dues either for the State, a state agency or an individual state officer or employee.

C. A state officer or employee may accept a scholarship or similar grant or subsidy, including the costs of transportation, lodging, meals, refreshments, entertainment, instruction and materials made available to other participants, to participate in an educational or training event sponsored by a bona fide governmental, professional or business organization other than an organization described in Subsection (B), provided the state officer or employee files a report that includes the

date or dates and location of the event, the name of the sponsoring organization or organizations, the name and job title and description of the state officer or employee participating, the subject matter of the event, the approximate value of the scholarship, grant or subsidy and the name of the person providing the scholarship, grant or subsidy. For non-elected state officers, the report shall include a certification by the chief administrative officer of the agency that employs the state officer or employee that the educational or training event will significantly assist the state officer or employee in discharging his or her duties. Forms for the reports shall be prescribed by the Executive Director. Reports shall be filed within thirty (30) days following the last day of the event and shall be displayed on the Commission website.

SECTION 14. AMENDATORY Ethics Rule 4.22 codified in the Oklahoma Statutes as Rule 4.22 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A state officer or employee may apply to the Commission for a waiver of a Rule based on a preexisting relationship between the state officer or employee and a person whose status restricts or prohibits certain activities under these Rules.

The Commission shall have exclusive authority and discretion to grant a waiver on a case-by-case basis, based

upon the totality of circumstances and a finding that the purposes of these Rules will not be impeded or hindered by the waiver. A waiver shall have only prospective application.

The Commission may request whatever information it deems appropriate from an applicant, including but not limited to verified statements by the applicant and/or the person with whom a preexisting relationship is claimed. The restrictions between a state officer or employee and a person whose status restricts or prohibits certain activities under these Rules shall not apply when the two are family members.

RULE 5 LOBBYIST REGISTRATION AND REPORTING

SECTION 15. AMENDATORY Ethics Rule 5.6 codified in the Oklahoma Statutes as Rule 5.6 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

Except as provided in these Rules, a legislative liaison, a legislative lobbyist or a lobbyist principal by whom the legislative liaison or legislative lobbyist is employed or retained shall provide ~~nothing of value~~ no gift to the Governor, a legislator or any employee of the Governor or the Legislature. The Governor, a legislator or any employee of the Governor or the Legislature shall not knowingly accept anything of value from a legislative liaison, a legislative lobbyist or a lobbyist principal by whom the legislative liaison or

legislative lobbyist is employed or retained except as permitted by these Rules. Except as provided in these Rules, an executive lobbyist or a lobbyist principal by whom the executive lobbyist is employed or retained shall provide nothing of value to any officer or employee of an agency that is the subject of the executive lobbyist's lobbying activities. No officer or employee of an agency that is subject to an executive lobbyist's lobbying activities shall knowingly accept anything of value from an executive lobbyist or a lobbyist principal by whom an executive lobbyist is employed except as permitted by these Rules. In no event shall a legislative liaison, a legislative lobbyist, an executive lobbyist or a lobbyist principal indirectly provide anything of value to any state officer or employee by providing a thing of value to a family member of the state officer or employee, other than as permitted by these Rules. In no event shall the costs of a thing of value provided by a legislative liaison or legislative lobbyist to the Governor, a legislator or any employee of the Governor or the Legislature permitted by these Rules be divided or shared with other legislative liaisons or legislative lobbyists in filing a report required by these Rules unless otherwise provided by these Rules. Agencies may provide two (2) tickets or admissions to any conference, seminar, lecture or similar event held within the boundaries of the State of

Oklahoma and sponsored in whole or in part by the agency to the Governor, any legislator or any employee of the Governor or Legislature, provided the tickets or admissions are used by the recipient and a family member of the recipient.

SECTION 16. AMENDATORY Ethics Rule 5.16 codified in the Oklahoma Statutes as Rule 5.16 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A lobbyist principal that employs or retains a legislative liaison or legislative lobbyist may provide food and beverage for any event held within the Capitol building to which all members of a committee or subcommittee of either House of the Legislature identified in the Rules or Journal of the respective House are invited and which is attended by a majority of members of the committee or subcommittee no more than once per calendar year for any such committee or subcommittee, provided the event is reported as provided by these Rules. More than one lobbyist principal may provide food and beverage for such an event, but no lobbyist principal shall participate in more than one such event per calendar year for any committee or subcommittee. The reporting provision of this section shall not include legislators who are not members of the committee or subcommittee, nor shall it include legislative staff members who do not officially or regularly provide staff services for the

committee or subcommittee.

SECTION 17. AMENDATORY Ethics Rule 5.25 codified in the Oklahoma Statutes as Rule 5.25 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A state officer or employee may apply to the Commission for a waiver of a Rule based on a preexisting relationship between the state officer or employee and a legislative liaison, legislative lobbyist or executive lobbyist. The Commission shall have exclusive authority and discretion to grant a waiver on a case-by-case basis, based upon the totality of circumstances and a finding that the purposes of these Rules will not be impeded or hindered by the waiver. A waiver shall have only prospective application. The Commission may request whatever information it deems appropriate from an applicant, including but not limited to verified statements by the applicant and/or the legislative liaison, legislative lobbyist or executive lobbyist with whom a preexisting relationship is claimed. The restrictions between a state officer or employee and a legislative liaison, legislative lobbyist or executive lobbyist shall not apply when the two are family members.

RULE 6 INVESTIGATIONS, PROSECUTIONS AND PENALTIES

SECTION 18. AMENDATORY Ethics Rule 6.3 codified in the Oklahoma Statutes as Rule 6.3 of Title 74, Appendix I, unless

there is created a duplication in numbering, is amended as follows:

A. A member of the Commission or an employee of the Commission may accept a complaint from any source; provided, however, no complaint shall be accepted from an anonymous source.

B. Any person other than a member or an employee of the Commission who files a written complaint alleging a violation of any Rule shall (1) cite the Rule or Rules alleged to have been violated, (2) describe in detail the facts alleged to have caused a violation of a Rule to occur and the name of any individual involved in the alleged violation, (3) certify that he or she has personal knowledge of the facts alleged. It shall be a violation of these Rules for any person to willfully, knowingly and without probable cause make a false complaint alleging a violation of these Rules. A frivolous complaint shall be deemed to be a violation of these Rules by the person making the complaint. A frivolous complaint means the complaint was knowingly asserted in bad faith, was unsupported by any credible evidence, was not grounded in fact, or was unwarranted by existing law. Any person who files a written complaint shall, by doing so, submit to the jurisdiction of the Commission for purposes of this paragraph. It shall be a violation of these Rules for any state officer or employee to take

retaliatory action against any subordinate state officer or employee because the subordinate state officer or employee filed a complaint other than a false complaint or a frivolous complaint.

SECTION 19. AMENDATORY Ethics Rule 6.19 codified in the Oklahoma Statutes as Rule 6.19 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

Beginning July 1, 2015, and annually thereafter, the Commission shall publish on its website any registration and administration fees to be charged by the Commission for legislative liaisons, legislative lobbyists, executive lobbyists, lobbyist principals, political party committees, political action committees and candidate committees. In determining the fees to be charged, the Commission shall endeavor to partially recover costs incurred in processing and maintaining registrations and reports. The Executive Director is authorized to issue compliance orders for the purpose of obtaining compliance with these Rules. Compliance orders may include non-monetary orders and orders for compliance fees, including late filing fees, in order to partially recover costs to the Commission incurred in obtaining compliance with these Rules. No fee shall exceed One Thousand Dollars (\$1,000.00) per violation. Compliance orders shall be in writing. Before a

final order is issued, any affected party shall be afforded an opportunity for hearing after reasonable notice. The notice shall be in writing and shall advise the parties of the time for the hearing, their obligation to file an answer and appear and the effect of their failure to respond. The hearing shall be conducted by an administrative law judge under applicable provisions of the Oklahoma Administrative Procedures Act, Title 75 of the Oklahoma Statutes, Sections 250-323, or its successor statutes, and shall be open to the public. The administrative law judge may set aside or modify the Executive Director's order for good cause shown. In the absence of good cause shown, the administrative law judge shall affirm the order. After the hearing, the Executive Director shall issue a final order. A final order may be appealed to the District Court of Oklahoma County under applicable provisions of the Oklahoma Administrative Procedures Act, Title 75 of the Oklahoma Statutes, Sections 250-323, or its successor statutes. Late filing fees authorized by ~~statute~~ or these Rules shall not be a part of or affected by any monetary penalties, attorney fees, costs, other expenses of litigation or other ~~penalties~~ fees provided by these Rules.