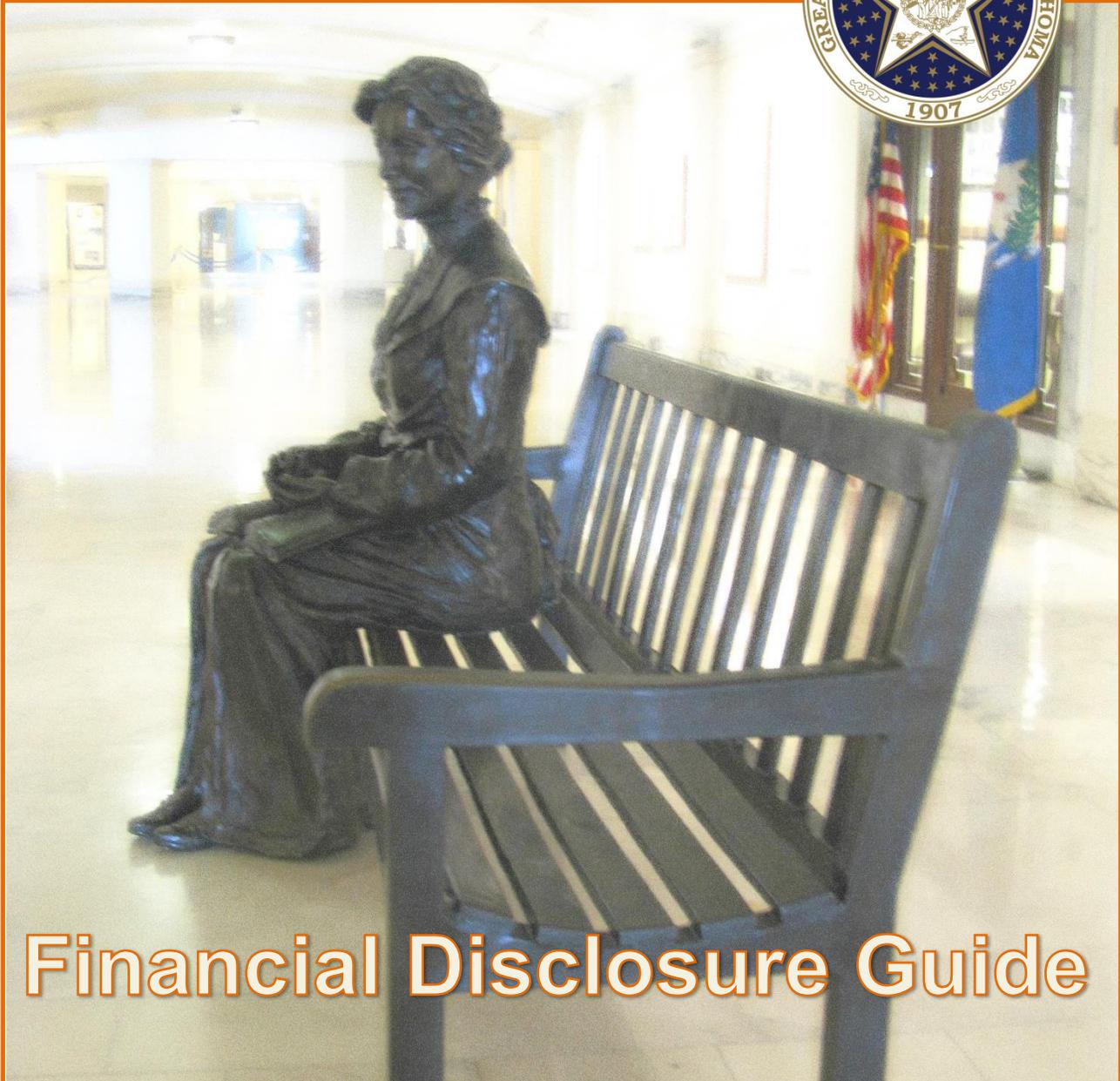


Oklahoma Ethics Commission

FAIR RULES. FIRM ENFORCEMENT.



Financial Disclosure Guide

2016-2017

“This publication is issued by the Oklahoma Ethics Commission as authorized by Executive Director, Ashley Kemp, pursuant to Ethics Rule 1.8, and is located at the following website: <http://www.ethics.ok.gov>. This publication has been submitted in compliance with Section 3-114 of Title 65 of the Oklahoma Statutes.” Guides are updated annually in July. This Guide was updated on July 1, 2016.

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Commissioners

- **Jo Pettigrew** – Chair, re-appointed by Governor Mary Fallin, term expires July 2017
- **John Hawkins** – Vice-Chair, appointed by Senate President Pro Tempore Brian Bingman, term expires July 2019
- **Karen Long** – re-appointed by Speaker of the House Jeff Hickman, term expires July 2019
- **Holly Easterling** – appointed by Chief Justice John Reif of the Oklahoma Supreme Court, term expires July 2021
- **Cathy Stocker** – appointed by Attorney General Scott Pruitt, term expires July 2017

I. Introduction

How to Use This Guide

This Guide summarizes the Oklahoma Ethics Commission Rules for financial disclosure for state elective officers, effective July 1, 2016. The Ethics Commission staff wrote this Guide to assist with compliance of the Ethics Rules, as authorized by [Rule 1.8](#). This Guide is not a substitute for the law. If there is a conflict between this Guide and the Constitution, statutes or Rules, then the Constitution, statutes or Rules prevail.

Limited Scope

This Guide is not intended to provide comprehensive information about all Ethics Rules and other relevant law concerning financial disclosure. Individuals who may be required to file financial disclosure statements should become familiar with the relevant Constitutional and statutory provisions as well as with the Ethics Rules.

Advisory Opinions

[Rule 1.7](#) authorizes the Commission to issue official advisory opinions interpreting its Rules. Such advisory opinions are binding on the Commission. Ordinarily, the Commission will consider an advisory opinion only as it applies to the person requesting the opinion, rather than third parties. Requests for advisory opinions may be sent to the Oklahoma Ethics Commission (see contact information below).

Compliance Fees

The Executive Director is authorized to issue compliance orders to obtain compliance with these Rules, including late filing fees. A person affected by a compliance order may request a hearing to be conducted by an administrative law judge. [Rule 6.19](#).

Training and Education Fees

The Executive Director is authorized to establish and collect fees for participation in training and educational seminars, classes, and similar programs and materials. [Rule 1.8](#).

The Guardian System

The Guardian System is the Ethics Commission filing system in which all reports are filed. The Guardian System may be accessed through the Ethics Commission homepage or at <https://guardian.ok.gov/>.

The Guardian System is accessible 24 hours a day, 7 days a week. All reports are due in The Guardian System on the specified filing date, **regardless of weekends and holidays**. The Ethics Commission staff is only available during operating hours. The Ethics staff is unavailable on weekends and official state holidays.

For more information on The Guardian System, please see the documents and the YouTube videos with step-by-step instructions on how to use The Guardian System. This information is accessible in The Guardian System by clicking on the “Resources” tab and then clicking on “Publications” from the drop-down menu.

Commission Website

Additional information on compliance with the Rules may be found on the Commission’s website at www.ethics.ok.gov.

Contacting the Commission

The Ethics Commission office is located in Room B-5 of the State Capitol. The Commission’s hours are Monday through Friday from 8:30 a.m. to 5 p.m.

The Ethics Commission contact information is as follows:

- Telephone number: (405) 521-3451
- Fax number: (405) 521-4905
- E-mail: ethics@ethics.ok.gov.
- Address: 2300 N. Lincoln Blvd., Rm B-5, Oklahoma City, OK 73105

Ethics Commission meetings are typically held on the second Friday of every month. Information regarding the Commission meeting agendas and minutes, the Commissioners, and the Ethics Commission staff are located on the Commission’s website at www.ethics.ok.gov under the “Agency Information and Continuing Education” tab.

II. Purpose of the Personal Financial Disclosure

Identify Conflicts of Interest

The purpose of the personal financial disclosure (PFD) statement is to identify and disclose potential conflicts of interests between public duties and private economic interests. [Rule 3.13](#).

No Amounts of Income or Assets Must Be Disclosed

Although there is a minimum threshold requirement for disclosing certain forms of income or financial holdings, no Rule requires the disclosure of the amount of a filer's income or the amount of a filer's financial holdings.

III. Who Is Required to File?

Individuals Required to File

Effective July 1, 2016, all state officers who are elected or subject to retention to judicial office are the only individuals required to file financial disclosure statements. [Rule 3.16](#).

IV. Filing Requirements

When Statements are Filed

For new filers, an initial financial disclosure statement must be filed within 30 days of assuming office for a full or partial term.

Otherwise, annual financial disclosure statements are filed between January 1 and May 15 of each year. No individual is required to file more than one financial disclosure statement for any calendar year. [Rule 3.15\(A\)-\(C\)](#).

Where Financial Disclosure Statements Are Filed

All financial disclosure statements are filed electronically in The Guardian System, unless otherwise ordered by the Commission or the Executive Director of the Commission. [Rule 3.10](#) and [3.15\(E\)](#).

Information Required on Financial Disclosure Statements

The information required is as follows:

- Name, mailing address, work place telephone number and electronic mail address of the filer;
- Name of state office held by the filer;
- Beginning date of term of office;
- Expiration date of term of office;
- Acknowledgment of the jurisdiction of the Commission, the Ethics Rules, and educational opportunities by the Commission;
- Acknowledgments of understanding of certain conflicts of interest Rules applicable to state officers; and
- Disclosure of all material financial interests.

Rule 3.16(B).

In addition, all filers must provide an email address that will be used by the filer to receive notifications regarding the electronic filing of financial disclosure statements. [Rule 3.15\(F\)](#).

Material Financial Interest

The term “Material financial interest” is defined in the Rules to include:

1. An ownership interest in a private business, including but not limited to, a closely held corporation, limited liability company, Subchapter S corporation or partnership for which the filer, the filer’s spouse or a dependent is a director, officer, owner, manager, employee, or agent or any private business, closely held corporation or limited liability company in which the filer, the filer’s spouse or a dependent owns or has owned stock, another form of equity interest, stock options, debt instruments, or has received dividends or income worth \$20,000 or more at any point during the preceding calendar year;
2. An ownership interest in 5% or more in a publicly traded corporation or other business entity by a filer, the filer’s spouse, or a dependent at any point during the preceding calendar year;
3. An ownership interest in a publicly traded corporation or other business entity from which dividends or income, not to include salary, of \$50,000 or more were derived during the preceding calendar year by the filer, the filer’s spouse, or a dependent;
4. An interest that arises as a result of the filer’s the filer’s spouse, or a dependent’s service as a director or officer of a publicly traded corporation or other business entity at any time during the preceding calendar year; or

5. Any sources of income derived from employment, other than compensation pertaining to the office for which the state officer is subject to election or retention, in the amount of \$20,000 or more by the filer, the filer's spouse or a dependent not otherwise disclosed herein.

"Material financial interest" does not mean (1) an interest in a mutual fund or other community investment vehicle in which the filer or the filer's spouse or a dependent exercises no control over the acquisition or sale of particular holdings, or (2) an interest in a pension plan, 401k, individual retirement account or other retirement investment vehicle that makes diversified investments over which the filer, the filer's spouse or a dependent exercises no control over the acquisition of particular holdings. [Rule 3.16\(C\) and \(D\)](#).

Amending a Statement

A filer may amend a financial disclosure statement at any time in The Guardian System for the purpose of correcting a bona fide oversight or error on the Statement previously filed. The filer must certify that the amendment is not made for the purpose of reporting information that was intentionally omitted or misstated on a prior filed statement. If the certification is true, the filer will not be deemed to have violated the Ethics Rules by having made an erroneous prior filing. [Rule 3.15\(D\)](#).

V. Step-by-Step Instructions on How to File a PFD

Annual Filer Required Filing and Credentials

The Ethics Rules addressing financial disclosure statements have changed as of July 1, 2016, requiring only elected officials or officials subject to retention to judicial office to file a financial disclosure statement.

Annual financial disclosure statements shall be filed between January 1 and May 15 of each year. Those who have previously filed in The Guardian System who need to file an annual financial disclosure statement will not receive new credentials. Please use the username and password previously provided. If the username is unknown, use the "Forgot your User Name?" option on The Guardian System under the "Filer Login" tab. Enter the filer's first name, last name and email address, and click on "Get User Name." The system will ask a security question. If the security question is answered correctly, the system will send an email with the username. Similarly, if the password is unknown, please use the "Forgot your password?" option on The Guardian System under the "Filer Login" tab. It will ask a security question. If the security question is answered correctly, the system will send an email with the password.

If the filer has trouble retrieving the username or password, the filer may send an email to ethics@ethics.ok.gov and list their full name, identify your agency, and request that the credential emails be resent.

New Filer Required Filing and Credentials

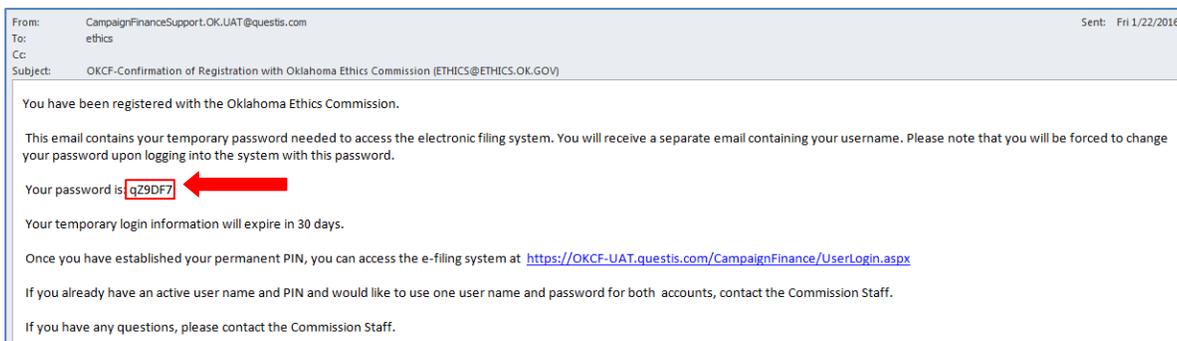
An initial financial disclosure statement must be filed within thirty (30) days of assuming office for a full or partial term or as otherwise provided in these Rules. New filers will be entered into the system by the State Ethics Commission and credentials will be sent to the filer by email.

New filers for 2016-2017 will receive two emails from The Guardian System with instructions on how to enter the system. The first email will include the username and the second email will include a temporary password for The Guardian System.

a. Example of the First Email with the Username



b. Example of the Second Email with the Temporary Password



Log-in to The Guardian System

All filers must log-in to The Guardian System to file the financial disclosure statement. Access The Guardian System from the Ethics Commission homepage at www.ethics.ok.gov or click in the address bar of your web browser and go to <https://guardian.ok.gov>. Once on The Guardian Public Site Homepage, the filer will click on the “Filer Login” tab to insert their credentials to log-in to the system.



Personal Financial Disclosure Workspace

Once logged into The Guardian System, the filer will be on the Personal Financial Disclosure Workspace. At this point, the filer needs to edit the profile, name, address, work phone and email address to ensure it is up-to-date. The “Pending Disclosures” will be queued for filing and the “Filed Disclosures” from previous years will be displayed on your screen.

1. Click the “Edit Profile” button to add or change profile information.

If the filer’s name has changed, for example due to a marriage, or if any other contact information has changed, the filer needs to update that information in the User Profile.

Tips to remember...

Remember, annual financial disclosure filers will always file a statement for the prior calendar year. When the “Date Due” column shows May 15, 2016, you are filing a report that covers January 1, 2015 through December 31, 2015.

Personal Financial Disclosure Workspace

PFD User ID:
7551

Name: JULIA HOFFMAN **Mailing Address:** 300 ARLINGTON AVENUE
ANYTOWN, OK 99999

Work Phone: (333) 333-3333 **Email Address:** JHOFFMAN@TEST.COM

Employee ID:

[Edit Profile](#)

Maintain Required Filers

Agency
TEST AGENCY [Edit Required Filers](#)

Pending Disclosures

Filing Year	Filing Type	Date Due	
2015	ANNUAL - New Filing	5/15/2016	Edit

Filed Disclosures

Filing Year	Filing Type	Date Due	Date Filed	Amended?	
2014	APPOINTMENT - New Filing	12/13/2015	1/23/2016	No	Amend View



2. Make any necessary changes and then click the “Update Profile” button.

Filer Details

First Name*

Middle Name

Last Name*

Suffix

Employee ID

Contact Information

Address Line 1*

Address Line 2

City*

State*

Zip*

Phone*

Email*

[Update Profile](#) [Cancel](#)



- In the Pending Disclosures data grid, click the “Edit” link to start the filing process.

Personal Financial Disclosure Workspace

PFD User ID:
7551

Name: JULIA HOFFMAN Mailing Address:
300 ARLINGTON AVENUE
ANYTOWN, OK 99999

Work Phone: (333) 333-3333 Email Address:
JHOFFMAN@TEST.COM

Employee ID:

[Edit Profile](#)

Maintain Required Filers

Agency
TEST AGENCY ▾

[Edit Required Filers](#)

Pending Disclosures

Filing Year	Filing Type	Date Due	
2015	ANNUAL - New Filing	5/15/2016	Edit

Filed Disclosures

Filing Year	Filing Type	Date Due	Date Filed	Amended?
2014	APPOINTMENT - New Filing	12/13/2015	1/23/2016	No

In the opening section you will affirm the following statements by clicking on each checkbox:

- I understand that as an elected state officer, as defined above, I am required to comply with the Rules of the Oklahoma Ethics Commission and that, according to the Oklahoma Supreme Court, those Rules have the “weight of statutes.”
- I have read and understand the Conflicts of Interest Rules in Rule 4 of the Ethics Rules.
- I understand the Ethics Commission rules are available in the Oklahoma Statutes at Title 74, Chapter 62, Appendix I, and on the Ethics Commission website at www.ethics.ok.gov.
- I understand the Ethics Commission provides training, educational materials and is available to answer questions and provide analysis regarding the application of Ethics rules to specific fact situations.

Statements 1 through 3 deal with the following statements to be affirmed:

- Private Gain.
- Solicitation of fund for civic, community or charitable organizations.
- Use of office, title or authority.

Statement 4 includes information on Material Financial Interest:

A material financial interest shall mean one or more of the interests identified below.

- an ownership interest in a private business, including but not limited to, a closely held corporation, limited liability company, Subchapter S corporation or partnership for which I, my spouse or my dependent(s) is a director, officer, owner, manager, employee, or agent or any private business, closely held corporation or limited liability company in which I, my spouse or my dependent(s) owns or has owned stock, another form of equity interest, stock options, debt instruments, or has received dividends or income worth \$20,000.00 or more;
- an ownership interest of 5% or more in a publicly traded corporation or other business entity;
- an ownership interest in a publicly traded corporation or other business entity from which dividends or income, not to include salary, of \$50,000.00 or more were derived during the preceding calendar year;
- an interest that arises as a result of service as a director or officer of a publicly traded corporation or other business entity;
- income derived from employment, other than compensation pertaining to the office subject to election or retention, in the amount of \$20,000.00 or more.

You will be required to disclose the name, address, and industry/occupation of all entities in which you, your spouse or your dependents had a material financial interest in the preceding calendar year.

4. Certify the Acknowledgement Statement and Submit the Financial Disclosure Statement

To finish and file the financial disclosure statement, the filer needs to certify that the information submitted in the report is complete, true, and accurate by clicking on the box next to the acknowledgement statement. Finally, to submit the report, click on the red “submit” button.

By signing, electronic or otherwise, my name below, I, acknowledge that the information submitted is complete, true, and accurate as of the date submitted. I understand the failure to provide such information is a violation of the Ethics Rules of Oklahoma. I understand that I can update the information above at any time by filing an amended Financial Disclosure Statement.

Submit **Cancel**

Once the form is filed, the filer should see a notice affirms the submission. The financial disclosure report will move from “Pending Disclosures” to “Filed Disclosures” in the Financial Disclosure Workspace.

Your Personal Financial Disclosure has been submitted.

Please use the "Click here" links below to print a copy of your Disclosure before leaving this page.

[Click here to view and print a copy of your Financial Disclosure](#)

Finished

Pending Disclosures
No Pending Disclosures.

Filed Disclosures

Filing Year	Filing Type	Date Due	Date Filed	Amended?	
2015	REGISTRATION - New Filing	7/13/2016	7/13/2016	No	Amend View

Verify the Personal Financial Disclosure Statement Is Filed Through Public Search

A filer may verify the submission of a personal financial disclosure statement by performing a public search in The Guardian System. The search will only reveal whether the report was filed. On The Guardian System homepage, click on the “Search” tab and then click on “Financial Disclosure” from the drop-down menu.



Next, the filer will enter in the relevant information in the appropriate boxes and click the red “Search” button.



The system will retrieve the information regarding the report, including the due date and whether the financial disclosure statement was filed (indicated by a “Yes” or “No”).

Amending a Filed Report

If the filer needs to make changes in a financial disclosure statement during the year, the filer will log-in to their account and select the “Amend” option and make the changes.

Filed Disclosures

Filing Year	Filing Type	Date Due	Date Filed	Amended?	
2015	ANNUAL - New Filing	5/15/2016	3/11/2016	No	Amend View
2014	ANNUAL - New Filing	5/15/2015	5/12/2015	No	Amend View

The filer will acknowledge the report and file it in the same way they filed their original report. Then, click the red “submit” button to submit the amended report.

Personal Financial Disclosure

Filing Date* 7/14/2016

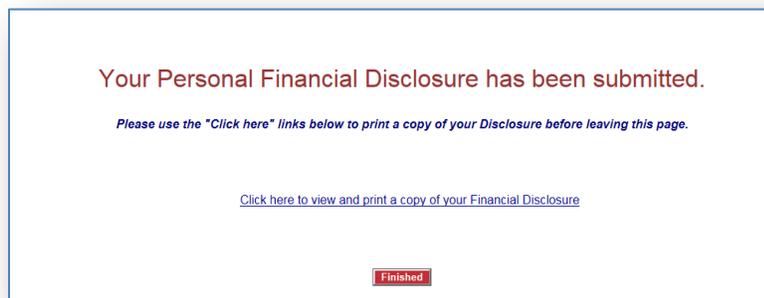
[Preview Unfiled Report](#)

Amended Financial Disclosure Statement Certification. I certify this amendment is not made for the purpose of reporting information that was intentionally omitted or misstated on the original or previously filed Financial Disclosure Statement.

By signing, electronic or otherwise, my name below, I, acknowledge that the information submitted is complete, true, and accurate as of the date submitted. I understand the failure to provide such information is a violation of the Ethics Rules of Oklahoma. I understand that I can update the information above at any time by filing an amended Financial Disclosure Statement.

[Submit](#) [Cancel](#)

Once the amended report is submitted, the filer will see a screen that indicates the financial disclosure statement has been filed. The filed amended report, along with the original report, will be viewable on the Personal Financial Disclosure Workspace.



Pending Disclosures

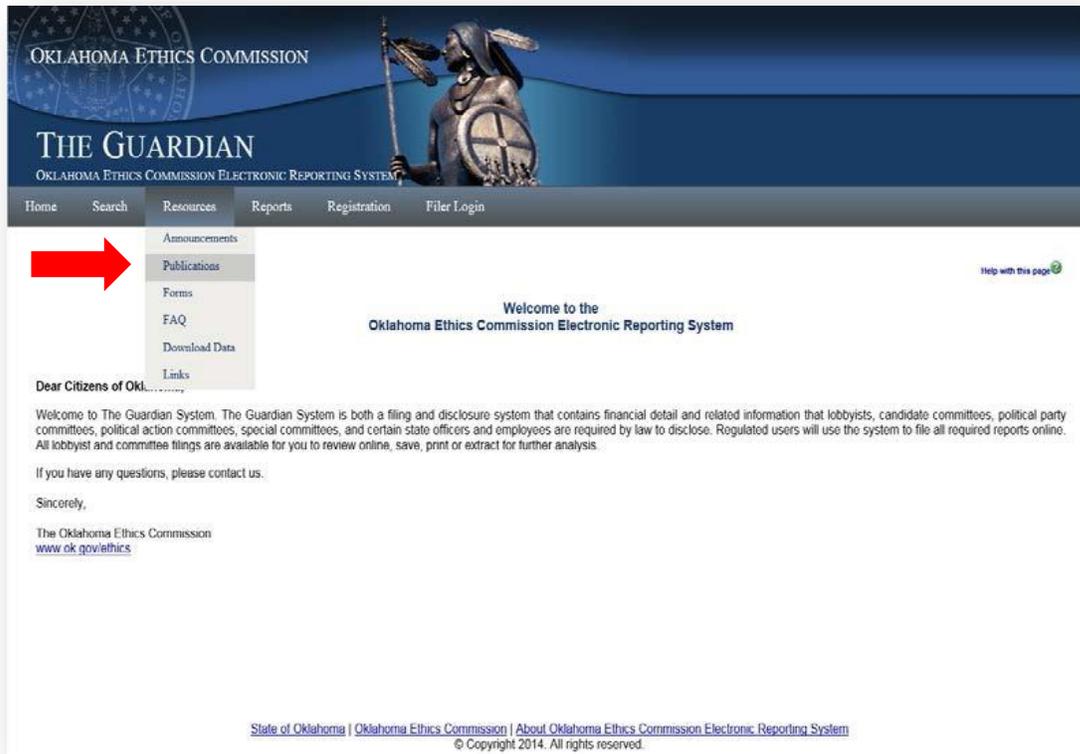
No Pending Disclosures.

Filed Disclosures

Filing Year	Filing Type	Date Due	Date Filed	Amended?	
2015	REGISTRATION - Amendment	7/13/2016	7/14/2016	No	Amend View
2015	REGISTRATION - New Filing	7/13/2016	7/13/2016	Yes	View

Additional Resources

For more assistance with filing a financial disclosure statement, YouTube videos that provide a walk-through in The Guardian System are accessible on The Guardian System Homepage. On The Guardian System Homepage, click the “Resources” tab and “Publications” from the drop-down menu to access the videos.



For additional help, contact the Oklahoma Ethics Commission at:

Phone: (405) 521-3451

OR

Email: ethics@ethics.ok.gov