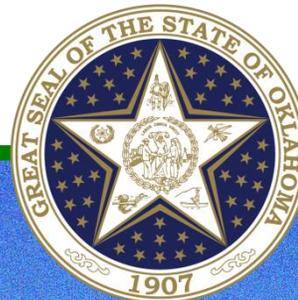


Oklahoma Ethics Commission

FAIR RULES. FIRM ENFORCEMENT.



Guide for Lobbyists

2016-2017

“This publication is issued by the Oklahoma Ethics Commission as authorized by the Executive Director, Ashley Kemp, pursuant to Ethics Rule 1.8, and is located at the following website(s): www.ethics.ok.gov. This publication has been submitted in compliance with Section 3-114 of Title 65 of the Oklahoma Statutes.” All 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 2016

I. Introduction

How to Use This Guide

This Guide summarizes Rules of the Oklahoma Ethics Commission as applied to legislative liaisons, legislative lobbyists, executive lobbyists and lobbyist principals, effective July 1, 2016. It is written by the Commission staff to assist in compliance with the 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 lobbying. Legislative liaisons, legislative lobbyists, executive lobbyists and lobbyist principals should become familiar with the relevant Constitutional and statutory provisions as well as with the Ethics Rules.

This Guide Is Limited to State Government Lobbying

This Guide only addresses Oklahoma law, especially Rules of the Oklahoma Ethics Commission, and is limited to lobbying at the state level. It does not address lobbying at the federal, county, municipal or school district levels.

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.

Registration and Compliance Fees

The Commission publishes the registration and administration fees for legislative lobbyists, executive lobbyists, legislative liaisons and lobbyist principals on its website at www.ethics.ok.gov.

The Executive Director is authorized to issue compliance orders to obtain compliance with these Rules, including late filing fees. An affected party will be afforded an opportunity for a hearing 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 Commission filing system in which all reports are filed. The Guardian System may be accessed on the Commission website at www.ethics.ok.gov or <http://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.

For more information on how to use The Guardian System, see the documents and the YouTube videos with step-by-step instructions on The Guardian System website. This information may be located in The Guardian System by clicking on the “Resources” tab and then clicking on “Publications” from the drop-down box.

Commission Website

Additional information on compliance with the Rules may be found on the Commission’s Internet website at <http://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

Information regarding the Commissioners, the Ethics Commission staff, and the Commission meeting agendas and minutes may be located on the Commission’s Internet website at www.ethics.ok.gov.

II. Ethics Commission Resources

Ethics Rules and Guides

The Ethics Commission provides the text of its Rules and relevant Guides on its website at www.ethics.ok.gov. The Guides provide an overview of the Rules to assist with compliance. The Ethics Laws and the Guides are available under the “Ethics Laws, Guides and Forms” tab on the Ethics website.

Ethics Continuing Education Programs

The Ethics Commission also holds several continuing education programs to assist with the understanding of and compliance with the Ethics Rules. More information on the continuing education dates, times, and fees is available on the Ethics website under the “Agency Information & Continuing Education” tab.

Ethics “Helpful Tips”

The Ethics Commission frequently posts “Helpful Tips” on its homepage. These tips provide answers to frequently asked questions.

III. Understanding Lobbying

What Lobbying Is

“Lobbying” generally means oral or written communications with regard to the passage, defeat, formulation, modification, interpretation, amendment, adoption, approval or veto of any legislation, rule, regulation, executive order or any other program, policy or position of state government. [Rule 5.2\(3\) and \(7\)](#). Lobbying must be on behalf of a lobbyist principal. [Rule 5.2\(3\) and \(7\)](#).

Lobbying does not mean testimony given before or submitted in writing to a committee or subcommittee of the Legislature, nor a speech, article, publication or other material that is widely distributed, published in newspapers, magazines or similar publications or broadcast on radio or television. [Rule 5.2\(3\) and \(7\)](#).

Legislative Lobbyists

Legislative lobbyists are not state officers or employees but may be employees of political subdivisions. Legislative lobbyists are individuals who represent lobbyist principals, lobby the Governor, the Legislature and their staffs, and are compensated.

Some legislative lobbyists represent only one lobbyist principal. Their business relationship with the lobbyist principal may be as an independent contractor, but these lobbyists are often full-time employees of the lobbyist principal. In instances where the lobbyist is an employee of the lobbyist principal, they sometimes are called “in house lobbyists.”

Other legislative lobbyists may lobby on behalf of numerous clients. These lobbyists often are called “contract lobbyists” because they typically are independent contractors who provide lobbying services under contract with different lobbyist principals.

Not all individuals who engage in lobbying activities on behalf of lobbyist principals are considered legislative lobbyists. Individuals who are employed by or contract with a lobbyist principal but whose lobbying activities are only incidental to and not a significant part of the services provided by the individual to the lobbyist principal are not considered legislative lobbyists. For example, the chief executive officer of a corporation that is a lobbyist principal may occasionally engage in lobbying activities, but those activities could be incidental to and not a significant part of the services he or she provides to the company.

Individuals who are not compensated for lobbying activities are not considered legislative lobbyists. Federal officials acting in their official capacity are not considered legislative lobbyists. Any person exercising his or her individual right to petition the government who receives nothing of value for lobbying is not considered a legislative lobbyist. [Rule 5.2\(8\)](#).

a. State Officers and Employees Prohibited from Being Legislative Lobbyists

No state officer or state employee may be a legislative lobbyist. In other words, a state employee may not lobby for a lobbyist principal, other than the agency that employs the state employee. [Rule 5.28](#).

Legislative Liaisons

Legislative liaisons are state officers and employees whose duties in fact include legislative lobbying, regardless of their job title or job description. A state officer or employee whose lobbying activities are only incidental to and not a significant part of the services provided by the individual to the agency is not necessarily a legislative liaison. For example, an agency director

may occasionally engage in lobbying activities, but those activities could be incidental to and not a significant part of the services he or she provides to the agency. Other agency directors may find that lobbying activities constitute a significant part of their responsibilities to their agencies and thus would be considered legislative liaisons. [Rule 5.2\(6\)](#).

a. Determining What State Agencies Have Legislative Liaisons

A state agency is not required to have a legislative liaison if that agency contracts with a private legislative lobbyist to provide lobbying services for the agency.

Otherwise, every agency must have at least one legislative liaison unless all officers and employees of the agency meet each of two conditions as follows:

1. They provide information to the Governor or a legislator only at the request of the Governor or the legislator or as required by law; and
2. They have requested no legislation or other legislative action other than an appropriation for the agency. [Rule 5.2\(6\)](#).

b. State Agencies That Contract with Legislative Lobbyists

A state agency that contracts with a legislative lobbyist, i.e., a private contractor, for its legislative lobbying services may or may not also have a legislative liaison.

If the contract legislative lobbyist performs all of the agency's lobbying activities, then the agency is not required to have a legislative liaison. However, if an officer or employee of the agency also engages in legislative lobbying, then that individual is a legislative liaison. An agency may have both a legislative liaison and a legislative lobbyist. [Rule 5.2\(6\)](#)

The Difference Between Legislative Liaisons and Legislative Lobbyists

Legislative liaisons are state officers and employees. Legislative lobbyists are not. Legislative liaisons lobby on behalf of the state agency that employs them. Legislative lobbyists may lobby on behalf of a state agency under a contract with that agency, but ordinarily they lobby on behalf of private sector lobbyist principals. [Rule 5.2\(6\) and \(8\)](#).

Executive Lobbyists

Executive lobbyists are individuals who are employed or retained by a lobbyist principal for compensation to perform executive lobbying.

Some executive lobbyists may lobby for only one lobbyist principal. These lobbyists sometimes are called "in house lobbyists" when they are employees of the lobbyist principal.

Other executive lobbyists may lobby on behalf of numerous clients. These lobbyists often are called "contract lobbyists" because they typically are independent contractors who provide lobbying services under contract with different lobbyist principals.

Not all individuals who engage in lobbying activities on behalf of lobbyist principals are considered executive lobbyists. Individuals who are employed by or contract with a lobbyist principal but whose lobbying activities are only incidental to and not a significant part of the services provided by the individual to the lobbyist principal are not considered executive lobbyists. For example, the chief executive officer of a corporation that is a lobbyist principal may occasionally engage in lobbying activities, but those activities could be incidental to and not a significant part of the services he or she provides to the company.

Individuals who are not compensated for lobbying activities are not considered executive lobbyists.

Federal officials acting in their official capacity are not considered executive lobbyists.

Any person exercising his or her individual right to petition the government who receives nothing of value for lobbying is not considered an executive lobbyist. [Rule 5.2\(4\)](#).

a. State Officers and Employees Prohibited from Being Executive Lobbyists

No state officer or state employee may be an executive lobbyist. [Rule 5.28](#).

Individuals May Be Both Legislative and Executive Lobbyists

An individual may be both a legislative lobbyist and an executive lobbyist if he or she meets the definitions.

The Difference Between Legislative Lobbying and Executive Lobbying

“Legislative lobbying” is directed toward the Governor and the Legislature and their staffs. [Rule 5.2\(7\)](#). “Executive lobbying” is not directed toward the Governor and the Legislature and their staffs, but toward officers and employees of a state executive agency. [Rule 5.2\(3\)](#).

Lobbyist Principals

Lobbyist principals are persons or entities, including state agencies and institutions that employ or retain another person for compensation to conduct executive or legislative lobbying on behalf of the lobbyist principal.

Private sector lobbyist principals often are associations or organizations that represent their members. Often members of these associations or organizations include both individuals and business entities such as corporations.

It is sometimes the case that a business organization will be represented through an association and will have its own legislative lobbyist as independent representation. For example, a widget manufacturer could contract with its own lobbyist and could be a member of a widget makers association, which also contracts with a different lobbyist.

Lobbyist principals may simultaneously employ or retain both legislative lobbyists and executive lobbyists.

The term “lobbyist principal” does not include individual members, partners, officers or shareholders of an agency, corporation, association, firm, joint venture, joint stock company, syndicate, business trust, estate, company, partnership, limited partnership, organization, committee or club, or a group of persons voluntarily acting in concert. For example, Jones is a member of a professional association that retains a legislative lobbyist to lobby for the association. So is the corporation that employs Jones. Neither Jones nor the corporation is a lobbyist principal; the association is a lobbyist principal. In other words, it is the organization itself—not an individual member of the organization—that is the lobbyist principal. [Rule 5.2\(9\)](#).

a. Agencies That May Be Lobbyist Principals

The generic term “agency” is all encompassing. State offices, departments, institutions, boards, bureaus, commissions, agencies, authorities and instrumentalities of the State of Oklahoma all are considered to be an “agency.”

An agency is an entity in the executive branch of state government (1) created by the Constitution or statutes and supported in whole or in part by state funds; (2) entrusted with the expending of state funds or administering state property; or (3) otherwise exercising the sovereign power of the State of Oklahoma.

There are two exceptions: (1) City, county, rural electric cooperative or tribal housing authorities created under the Oklahoma Housing Authorities Act; and (2) any state entity that performs only advisory functions and that cannot independently exercise the sovereign power of the State of Oklahoma.

Unless the agency is excluded by meeting one of the two exceptions described above, it is an agency that may have a legislative liaison or legislative lobbyist or both. [Rule 5.2\(1\) and \(9\)](#).

Disclosure Required

Any legislative liaison, legislative lobbyist or executive lobbyist is required, either orally or in writing, to identify the lobbyist principal or principals on whose behalf the lobbying activities are being conducted. Any state officer or state employee who is being lobbied may request such information. [Rule 5.27](#).

Contributions by Lobbyists and Lobbyist Principals

Lobbyists may make campaign contributions to political party committees, political action committees and candidate committees. A lobbyist principal that otherwise is eligible to make contributions also may do so. (Most lobbyist principals are incorporated and thus not eligible to contribute to political parties, political action committees or candidates.)

However, no lobbyist or lobbyist principal may make or promise to make a campaign contribution to, or solicit or promise to solicit a contribution for a member of the Legislature or a candidate for state legislative office during any regular legislative session, beginning the first Monday in February, through its adjournment and for five calendar days following sine die adjournment. A member of the Legislature or a candidate for state legislative office may not intentionally solicit or accept a contribution from a lobbyist or lobbyist principal during the same time period. [Title 21, Crimes and Punishments § 187.1](#) (This is in the Criminal Code, not the Ethics Rules). This provision does not prevent a political action committee affiliated with a lobbyist principal corporation or labor union from making a contribution.

IV. Registration Requirements

Annual Registration for Legislative Liaisons, Legislative Lobbyists and Executive Lobbyists

Every legislative liaison, legislative lobbyist and executive lobbyist must register with the Ethics Commission each year that the liaison or lobbyist engages in lobbying. Registration occurs in the month of December each year for the following calendar year. Liaisons and lobbyists are required to register or renew their registration in December each year.

If a legislative liaison, legislative lobbyist or executive lobbyist is designated after December 31 of one year but before December 1 of the following year, that liaison or lobbyist must register within five days of his or her appointment as a liaison or lobbyist.

Registration is required to be done electronically in The Guardian System unless ordered otherwise by the Ethics Commission or the Executive Director of the Commission. The Guardian System may be accessed from the Commission website at www.ethics.ok.gov.

Information required to register includes the following: the name of the legislative liaison, the legislative lobbyist or the executive lobbyist; business address, electronic mail address and business telephone numbers; the name and address of the agency for whom the liaison lobbies; and the date of the registration or the name, address, and contact information for the lobbyist principal or principals for whom the lobbyist lobbies. This information is necessary to permit the Commission to contact the legislative liaison, legislative lobbyist, executive lobbyist or the lobbyist principal quickly should the need arise.

Information must be accurate and specific. Acronyms and abbreviations cannot be used. For example, if the name of an agency is the Department of Social Welfare, that is the name that should be used, not “DSW” or “Dept. of Social Welfare.” [Rule 5.3](#) and [5.5](#).

a. Registration and Compliance Fees

Legislative liaisons, legislative lobbyists, executive lobbyists and lobbyist principals are required to pay a \$100.00 registration and administration fee. There is an additional fee for using a credit card. There will also be a \$100 registration and administration fee for each lobbyist principal. If a lobbyist principal has multiple lobbyists, only one of the lobbyists will pay the \$100 for that lobbyist principal.

This fee may be reimbursed by the agency for which the legislative liaison lobbies or by the lobbyist principal or principals for whom the legislative lobbyist lobbies. Registration is not complete until the fee is paid. An agency may request to be invoiced the fee by emailing ethics@ethics.ok.gov.

The Executive Director is authorized to issue compliance orders to obtain compliance with these Rules, including late filing fees. An affected party will be afforded an opportunity for a hearing conducted by an administrative law judge. [Rule 6.19](#).

From July 1, 2016 to June 30, 2017, the late filing fee schedule for legislative liaisons, legislative lobbyists and executive lobbyists is as follows:

- \$100.00 for the **first** day of late filing
- \$100.00 per day for each of the next **five days after the first day** of late filing
- \$400.00 on the **seventh** day of late filing

Lobbyist Principals

There is no registration requirement for lobbyist principals per se. However, every legislative liaison, legislative lobbyist and executive lobbyist must identify the lobbyist principal or principals on whose behalf they are lobbying.

V. Termination of Registration

Termination for Legislative Liaisons and Legislative Lobbyists

Often, the work performed by legislative liaisons and legislative lobbyists is permanent in nature and continues from year to year. However, it is necessary for liaisons and lobbyists to register each year to keep their registration current.

The registration of each legislative liaison or legislative lobbyist expires on December 31 of each year unless it has been renewed for the following year.

In addition, a legislative liaison or legislative lobbyist may terminate his or her registration earlier than December 31 in The Guardian System. After logging into The Guardian System, the filer will click on the “Filings” tab and then click on the “Terminate Registration” tab to terminate the legislative liaison or legislative lobbyist registration. [Rule 5.4](#).

Termination for Executive Lobbyists

Often, the work performed by executive lobbyists is ad hoc, rather than permanent, in nature. Nevertheless, executive lobbyists are required to continue filing Executive Lobbyist Reports as long as their registration is current. An executive lobbyist whose work ended in May, for example, would be required to file quarterly Reports until his or her registration was terminated.

Executive lobbyists, whose lobbying is permanent or whose work spans two or more calendar years, are required to register each year.

The registration of each executive lobbyist expires on December 31 of each year unless it has been renewed for the following year.

In addition, an executive lobbyist may terminate his or her registration earlier than December 31 in The Guardian System. After logging into The Guardian System, the filer will click on the “Filings” tab and then click on the “Terminate Registration” tab to terminate the executive lobbyist registration. [Rule 5.5](#).

VI. Gifts by Legislative Liaisons and Legislative Lobbyists

Gifts Prohibited Unless Specifically Permitted

Legislative liaisons, legislative lobbyists and lobbyist principals cannot provide a gift to the Governor, a legislator or any employee of the Governor or the Legislature unless the gift is specifically permitted by the Ethics Rules.

The prohibition applies to the lobbyist making the gift and the state officer or employee who receives it. [Rule 5.6](#).

a. Gifts to State Officers or Employees Through Family Members Prohibited

A legislative liaison, legislative lobbyist or lobbyist principal may not indirectly provide a gift to a state officer or employee by providing a thing of value to a family member of the state officer or employee. “Family members” include the spouse, children (including stepchildren), mother, father, sister or brother. [Rules 5.2\(5\)](#) and [5.6](#).

b. Limit on Meals

A legislative liaison or a legislative lobbyist may pay up to \$500 per calendar year for meals for the Governor, for any individual legislator or for any individual employee of the Governor or the Legislature. This limit applies regardless of the source of funds used for payment. This limit applies to the lobbyist, not to the lobbyist principal. [Rule 5.7](#).

c. Gifts for Special Occasions

A legislative liaison or a legislative lobbyist may make a gift to the Governor or any legislator or any employee of the Governor or the Legislature in recognition of infrequently occurring occasions of personal significance.

The Rules do not define “infrequently occurring occasions of personal significance” regarding gifts to the Governor, Legislature, or their staff. While the list is not explicitly a list of “infrequently occurring occasions of personal significance,” it indicates the type of events that might qualify. However, the Rules provide that such gifts may be made to a family member of the Governor or any legislator or to any employee of the Governor or the Legislature, provided the family member is “a party to a marriage, serious illness, birth or adoption of a child or retirement.” “Family members” include the spouse, children (including stepchildren), mother, father, sister or brother.

The limit for such gifts is \$200 for each individual recipient in any calendar year. Gifts to family members count against the limit for the state officer or employee.

[Rules 5.2\(5\)](#) and [5.8](#).

d. Meals and Gifts Are Aggregated

The aggregate total of all meals provided to an individual by a legislative liaison or legislative lobbyist and any gifts given on “infrequently occurring occasions of personal significance” are added together and may not exceed \$500 during a calendar year. [Rule 5.8](#).

e. Conference or Seminar Admissions

Agencies may provide two tickets to any conference, seminar, lecture or similar event held within Oklahoma and sponsored by the agency to the Governor, any legislator or any employee of the Governor or Legislature. The tickets must be used by the recipient or a family member of the recipient. [Rule 5.6](#).

f. Modest Items of Food and Refreshments

A legislative liaison, legislative lobbyist or lobbyist principal may provide modest items of food and refreshments to any state officer or employee when offered other than as part of a meal. This provision includes items such as soft drinks, coffee, doughnuts and similar items provided other than as part of a meal. These items do not include alcoholic beverages, including low-point beer, or items such as hors d'oeuvres and similar fare. This exclusion is intended to apply to occasional random events and not regular repeated events. [Rule 5.12](#).

g. \$10 Gifts

A legislative liaison, legislative lobbyist or lobbyist principal may provide a gift of any single item with a fair market value not exceeding \$10 to any state officer or employee one time during any calendar year without incurring any reporting obligations, if that is the only such gift provided to the state officer or state employee. [Rule 5.13](#).

VII. Permissible Activities by Lobbyist Principals of Legislative Liaisons and Legislative Lobbyists

Gifts Prohibited Unless Specifically Permitted

A lobbyist principal employing or retaining a legislative liaison or legislative lobbyist cannot provide a gift to the Governor, a legislator or any employee of the Governor or the Legislature unless the gift is specifically permitted by the Ethics Rules.

The prohibition applies to both the lobbyist principal making the gift and the state officer or employee who receives it. [Rule 5.6](#).

a. Plaques, Trophies or Similar Acknowledgement of Service

A lobbyist principal may give a plaque, trophy or similar item for display no more than once per year to a state officer or employee in acknowledgement of the officer or employee's public service. The item cannot exceed \$200 in value and must be reported in the Lobbyist or Liaison Expenditures Report.

b. Events to Which All Members of the Legislature Are Invited

A lobbyist principal employing or retaining a legislative liaison or legislative lobbyist may provide food and beverage for any event to which all members of the Legislature are invited no more than once per calendar year, provided the event is reported as required by the Ethics Rules. More than one lobbyist principal may provide food and beverage for such an event, but one lobbyist principal may not participate in more than one such event during a calendar year. [Rule 5.14](#).

c. Caucus Events

A lobbyist principal employing or retaining a legislative liaison or legislative lobbyist may provide food and beverage for a meeting of a political caucus of either House of the Legislature no more than once per calendar year, provided the event is reported as required by the Ethics Rules. More than one such lobbyist principal may provide food and beverage for such an event, but no lobbyist principal may participate in more than one such event per calendar year for any caucus.

"Political caucus" means a caucus of legislators of a political party recognized under state law. So the only caucuses that currently qualify are the Senate Republican caucus, the Senate Democrat caucus, the House Republican caucus and the House Democrat caucus. Other "caucuses" organized by members of the Legislature do not qualify.

A lobbyist principal may participate in one event per calendar year for each of the four caucuses. [Rule 5.15](#).

d. Legislative Committee and Subcommittee Events

A lobbyist principal employing or retaining a legislative liaison or legislative lobbyist may provide food and beverage for any event to which all members of a committee or subcommittee of the Senate or House of Representatives are invited, provided the event is reported as required by the Ethics Rules. This provision does not include legislators who are not members of the committee or subcommittee, nor legislative staff members who do not officially or regularly provide staff services for the committee or subcommittee. Food and beverage provided to these individuals must be reported individually.

The event must be held in the Capitol building, and it must be attended by a majority of the members of the committee or subcommittee.

To qualify, the committee or subcommittee must be identified in the Rules or Journal of the respective legislative body.

More than one lobbyist principal may provide food and beverage for such an event, but no lobbyist principal may participate in more than one such event per calendar year for any specific committee or subcommittee. [Rule 5.16](#).

e. Out of State Events

A lobbyist principal employing or retaining a legislative liaison or legislative lobbyist may provide food and beverage for any event at a professional conference, seminar or other similar meeting conducted outside the geographical boundaries of the State of Oklahoma, provided the event is reported as required by the Ethics Rules.

Only Oklahoma state officers and employees who are participating in the event may be invited. A minimum of five state officers and employees must participate. If fewer than five state officers or employees participate, then the lobbyist will report the expense as an expenditure from the lobbyist to each individual.

More than one lobbyist principal may provide food and beverage for such an event, but no lobbyist principal may participate in more than one such event per calendar year. [Rule 5.17](#)

f. Tickets or Sponsorships for Community, Civic and Charitable Events

A lobbyist principal employing or retaining a legislative liaison or legislative lobbyist may purchase tickets for or otherwise provide sponsorship for a bona fide community, civic or charitable reception, breakfast, luncheon or dinner attended by state officers and employees who are guests of the sponsoring organization.

Such activities must be customary for the lobbyist principal, and the lobbyist principal may not designate state officers or employees to be guests. [Rule 5.18](#).

Meals Provided by Non-Lobbyists

A non-lobbyist employee of a lobbyist principal employing or retaining a legislative liaison or legislative lobbyist or executive lobbyist may provide a meal no more than twice a year to a legislator at the expense of the lobbyist principal if the qualifying conditions are met.

The employee may not be acting at the direction of a legislative liaison, a legislative lobbyist or an executive lobbyist. The employee may not engage in lobbying activity of any kind.

The employee must be either a constituent of the legislator or must be engaged in providing goods or services for the lobbyist principal within the legislator's district.

Finally, the employee must typically engage in similar activities with other public officials in the geographical area within which the goods or services are provided. [Rule 5.9](#).

VIII. Gifts by Executive Lobbyists

Gifts Prohibited Unless Specifically Permitted

Executive lobbyists or the lobbyist principals who employ or retain executive lobbyists may not provide a gift to any officer or employee of the agency being lobbied unless the gift is specifically permitted by the Ethics Rules.

The prohibition applies to both the lobbyist making the gift and the state officer or employee who receives it. [Rule 5.6](#).

a. Gifts to State Officers or Employees Through Family Members Prohibited

An executive lobbyist or lobbyist principal may not indirectly provide a gift to a state officer or employee by providing a gift to a family member of the state officer or employee, other than as permitted in the Ethics Rules. "Family members" include the spouse, children (including stepchildren), mother, father, sister or brother. [Rules 5.2\(5\)](#) and [5.6](#).

b. Limit on Meals

An executive lobbyist may pay up to \$500 per calendar year for meals for any individual state officer or employee of the agency being lobbied. This limit applies regardless of the source of funds used for payment. [Rule 5.10](#).

c. Gifts for Special Occasions

A legislative liaison or a legislative lobbyist may make a gift to any officer or employee of the agency being lobbied in recognition of infrequently occurring occasions of personal significance.

The Rules do not define "infrequently occurring occasions of personal significance" regarding gifts to the Governor, Legislature, or their staff. However, the Rules provide that such gifts may be made to a family member of a state officer or employee of the agency being lobbied, provided the family member is "a party to a marriage, serious illness, birth or adoption of a child or retirement." While the list is not explicitly a list of "infrequently occurring occasions of personal significance," it indicates the type of events that might qualify. "Family members" include the spouse, children (including stepchildren), mother, father, sister or brother.

The limit for such gifts is \$200 for each individual recipient in any calendar year. Gifts to family members count against the \$500 limit for the state officer or employee. [Rules 5.2\(5\)](#) and [5.11](#).

d. Meals and Gifts Are Aggregated

The aggregate total of all meals provided to an individual by an executive lobbyist and any gifts given on "infrequently occurring occasions of personal significance" are added together and may not exceed \$500 during a calendar year. [Rule 5.11](#).

e. Modest Items of Food and Refreshments

An executive lobbyist or lobbyist principal may provide modest items of food and refreshments to any state officer or employee when offered other than as part of a meal. This provision includes items such as soft drinks, coffee, doughnuts and similar items provided other than as part of a meal. These items do not include alcoholic beverages, including low-point beer, or items such as hors d'oeuvres and similar fare. [Rule 5.12](#).

f. \$10 Gifts

An executive lobbyist or lobbyist principal may provide a gift of any single item with a fair market value not exceeding \$10 to any state officer or employee one time during any calendar year without incurring any reporting obligations, if that is the only such gift provided to the state officer or state employee. [Rule 5.13](#).

g. Plaques, Trophies or Similar Acknowledgement of Service

A lobbyist principal may give a plaque, trophy or similar item for display no more than once per year to a state officer or employee in acknowledgement of the officer or employee's public service. The item cannot exceed \$200 in value and must be reported in the Lobbyist or Liaison Expenditures Report.

IX. Permissible Activities by Lobbyist Principals of Executive Lobbyists**Tickets or Sponsorships for Community, Civic and Charitable Events**

A lobbyist principal employing or retaining an executive lobbyist may purchase tickets for or otherwise provide sponsorship for a bona fide community, civic or charitable reception, breakfast, luncheon or dinner attended by state officers and employees who are guests of the sponsoring organization.

Such activities must be customary for the lobbyist principal, and the lobbyist principal may not designate state officers or employees to be guests. [Rule 5.18](#).

Meals Provided by Non-Lobbyists

A non-lobbyist employee of a lobbyist principal employing or retaining a legislative liaison, legislative lobbyist or executive lobbyist may provide a meal no more than twice a year to a legislator at the expense of the lobbyist principal if the qualifying conditions are met.

The employee may not be acting at the direction of a legislative liaison, a legislative lobbyist or an executive lobbyist. The employee may not engage in lobbying activity of any kind.

The employee must be either a constituent of the legislator or must be engaged in providing goods or services for the lobbyist principal within the legislator's district.

Finally, the employee must typically engage in similar activities with other public officials in the geographical area within which the goods or services are provided. [Rule 5.9](#).

Plaques, Trophies or Similar Acknowledgement of Service

A lobbyist principal may give a plaque, trophy or similar item for display no more than once per year to a state officer or employee in acknowledgement of the officer or employee's public service. The item cannot exceed \$200 in value and must be reported in the Lobbyist or Liaison Expenditures Report.

X. Lobbyist Principals Who Are Vendors

Permissible Activities by Vendors

Vendors, who may also be lobbyist principals, are subject to additional restrictions that are not the subject of this Guide. For assistance in complying with the applicable Ethics Rules, relevant Guides and materials are available on the Commission's Internet website at www.ethics.ok.gov.

XI. Reporting of Expenditures by Legislative Liaisons and Legislative Lobbyists

Record Keeping Requirements

To make accurate reports of expenditures on the Lobbyist or Liaison Expenditure Reports as required by the Ethics Rules, legislative liaisons and legislative lobbyists must keep detailed receipts and other documentary evidence of those expenditures. Records must be retained for a period of four years. The Ethics Commission may ask to see these records at any time, and the Commission has the power to subpoena documents if necessary. [Okla. Const. art. XXIX, § 4; Rule 5.26.](#)

Reporting Dates and Periods Covered

Each legislative liaison and legislative lobbyist must file seven Legislative Lobbyist Reports every calendar year in The Guardian System.

For each calendar year, reports are filed monthly covering January through June. For the period of July 1 through December 31, a report must be filed no later than January 5.

A report must be filed according to the following schedule:

Filing Dates	Period Covered	Type of Report Due
<i>Dec. 1 – 31 Registration/Renewal Period</i>		
Feb. 1 – 5	Jan. 1 – 31	Lobbyist or Liaison Expenditures Report
March 1 – 5	Feb. 1 – 29	Lobbyist or Liaison Expenditures Report
April 1 – 5	March 1 – 31	Lobbyist or Liaison Expenditures Report
May 1 – 5	April 1 – 30	Lobbyist or Liaison Expenditures Report
June 1 – 5	May 1 – 31	Lobbyist or Liaison Expenditures Report
July 1 – 5	June 1 – 30	Lobbyist or Liaison Expenditures Report
Jan. 1 – 5	July 1 – Dec. 31	Lobbyist or Liaison Expenditures Report

**To view the current reporting calendar [click here](#) or access the reporting calendar under the "Lobbyists & Liaisons Reporting" tab on the Ethics website.*

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.** [Rule 5.19.](#) For the reports due in July and January, the Commission will not assess late filing fees provided the report is filed no later than July 15, 2016 or January 15, 2017.

When Intentional Violation of the Rules Is Presumed

Any legislative liaison or legislative lobbyist who files more than one Legislative Lobbyist Report late shall be deemed to have intentionally violated the Rules, except for good cause shown. [Rule 5.19.](#)

Contents of Legislative Lobbyist Report

Each Lobbyist or Liaison Expenditure Report includes information contained on the registration of the legislative liaison or legislative lobbyist and the following additional information.

- The cost of each meal provided during the reporting period for the Governor, for any legislator or for any employee of the Governor or the Legislature and the date on which the meal was provided. The cost includes the price, plus any applicable tax but does not include a gratuity. In calculating the price of the meal, items such as appetizers or hors d'oeuvre or beverages may be apportioned by dividing the total cost of the item equally by the number of participants, where the individual cost per participant is difficult or impossible to ascertain. But the individual price of other items, such as salads, entrees, or individual beverages shall be attributed to individual participants.
- The aggregate total number and cost of meals for each recipient for the calendar year.
- The cost of any food and beverages provided other than as part of a meal and valued at more than Ten Dollars (\$10.00) in the aggregate during a calendar year. When food and beverage are provided by legislative liaisons or legislative lobbyists but are not part of a meal, the Ethics Rules exempt reporting for the first \$10 in the aggregate during a calendar year. After the maximum of \$10 is exceeded, these items are reported.
- The aggregate total number of occasions and cost of food and beverages provided other than as part of a meal for each recipient.
- Gifts provided on "infrequently occurring occasions of personal significance." Gifts provided on "infrequently occurring occasions of personal significance" must be reported in sufficient detail that a reasonable person would understand (1) what was given and (2) the significance of the event to the recipient.

The legislative liaison or legislative lobbyist also reports on behalf of the lobbyist principal for events to which all members of the Legislature are invited, political caucus meetings, meetings of legislative committees or subcommittees and out-of-state events. In each of these situations, the total cost of food and beverage spent by the lobbyist principal is reported. Because more than one lobbyist principal may divide the total cost of food and beverage on these occasions, the Report includes not just the cost of food and beverage provided by the lobbyist principal, but the percentage of the total cost that the lobbyist principal assumed. Information on these events is reported as follows.

- The date, location and cost of food and beverage paid by a lobbyist principal for any event to which all members of the Legislature were invited. This information also must reflect the percentage of the total cost of food and beverage provided by the lobbyist principal for the event.
- The date, location and cost of food and beverage paid by a lobbyist principal for a meeting of a legislative political caucus. This information also must reflect the percentage of the total cost of food and beverage provided by the lobbyist principal for the event.
- The date, location and cost of food and beverage paid by a lobbyist principal for a meeting of a legislative committee or subcommittee. This information also must reflect

the percentage of the total cost of food and beverage provided by the lobbyist principal for the event.

- The date, location and cost of food and beverage paid by a lobbyist principal for a qualified event at a national or multistate regional professional conference, seminar or other similar meeting conducted outside the State of Oklahoma and a description of the event. This information also must reflect the percentage of the total cost of food and beverage provided by the lobbyist principal for the event.

Caucuses based on common interests other than the two recognized political parties with elected members of the Legislature are not eligible for the caucus event provision, so meals provided for members of a caucus other than the Republican or Democrat caucuses of either House are reported individually.

Committee and subcommittee meetings must be attended by a majority of members of the committee or subcommittee, so it is necessary that a lobbyist principal providing food and beverage for a meeting keep a list of committee members or subcommittee members who participate. All members of the committee or subcommittee must be invited to participate. These are the only events required to be held at the State Capitol.

For food and beverage provided for out-of-state national or regional professional conferences, seminars and similar meetings, a sponsoring lobbyist principal should be prepared to produce evidence that the event was a bona fide professional affair. Since at least five state officers or employees must participate, a record of participants should be maintained.

All of the “once per calendar year events” sponsored by lobbyist principals—events to which all members of the Legislature are invited, caucus meetings, meetings of committees and subcommittees, out-of-state conferences—must be scheduled in advance to be considered within the Rule. Each of these events must be supported by evidence indicating the basis for meeting the requirement, such as written invitations, electronic mail or other similar documentation.

The following examples illustrate appropriate reporting:

Example 1: Legislative lobbyist Zane pays for dinner for legislators Able, Baker and Charles. Appetizers are ordered for all four diners at a cost of \$40. Two bottles of wine are provided at a total cost of \$100. Able orders a steak at a cost of \$30. Baker orders chicken for \$20 and a dessert for \$7. Charles orders a salad for \$10, a steak for \$40 and a dessert for \$15. Zane’s food cost \$30. The tax was 8% for a total of \$23.36.

Zane may divide the cost of the appetizer and wine by four, the total number of participants.

The cost for Able’s meal should be reported as \$70.20, calculated as follows:

Cost of appetizers: $\$40.00/4=\10.00

Cost of wine: $\$100.00/4=\25.00

Cost of entrée: \$30.00

Total cost: $\$10.00+\$25.00+\$30.00=\$65.00+\$5.20$ tax

The cost for Baker’s meal should be reported as \$66.96, calculated as follows.

Cost of appetizers: $\$40.00/4=\10.00

Cost of wine: $\$100.00/4=\25.00
Cost of entrée: $\$20.00$
Cost of dessert: $\$7.00$
Total cost: $\$10.00+\$25.00+\$20.00+\$7.00= \$62.00+\$4.96 \text{ tax} = \$66.96$

The cost for Charles's meal should be reported as \$108.00, calculated as follows.

Cost of appetizers: $\$40.00/4=\10.00
Cost of wine: $\$100.00/4=\25.00
Cost of salad: $\$10.00$
Cost of entrée: $\$40.00$
Cost of dessert: $\$15.00$
Total cost: $\$10.00+\$25.00+\$10.00+\$40.00+\$15.00=\$100.00+\$8.00 \text{ tax}=\$108.00.$

For convenience, the total cost of an individual meal may be rounded to the next highest dollar amount. In that case, Able's meal would be reported at \$71.00, Baker's meal at \$67.00 and Charles's meal at \$108.00.

Example 2: Legislative lobbyist Yarnell buys five pizzas and soft drinks for himself and legislators Davis, Edwards, Finch, Grant and Hood to share. The total cost of the pizzas and soft drinks, tax included, is \$82.50. The cost of the meal for Davis, Edwards, Finch, Grant and Hood may be calculated as \$13.75, or, by rounding, \$14.00, since it would be difficult to ascertain the cost for each individual.

Example 3: Legislative liaison Woodward buys a box lunch for legislators Inkster, Jackson, Kent, Lemon and Marx. Each box lunch costs \$12.00. Total tax is \$4.80. Woodward does not order a box lunch for herself. The cost of the meal for Inkster, Jackson, Kent, Lemon and Marx may be calculated as \$12.96 per person, or, by rounding, \$13.00 per person.

Example 4: Legislative lobbyist Vickers buys legislator Nelson two beers during happy hour at a local bar one afternoon. The beers cost a total of \$4.00. Vickers did not buy any other such food or beverage for Nelson the balance of the calendar year. This expenditure does not need to be reported.

Example 5: Legislative lobbyist Unger treats legislator Olson to beer at happy hour at a local bar every Monday during the legislative session. The beer costs \$4.00. After the third week, the total expenditure by Unger is \$12.00, exceeding the \$10.00 threshold. Unger reports \$2.00 for that expenditure and reports every such expenditure thereafter.

Example 6: Ajax Corp., a lobbyist principal, and Allied Widgets, Inc., a lobbyist principal, jointly sponsor an event to which all members of the Legislature are invited. The total cost of food and beverage for the event is \$2,000.00. Ajax and Allied Widgets each pay half of the cost. The Reports filed by their lobbyists should show a cost of \$1,000.00 for food and beverage and that this amount represented 50% of the total cost. For this event, Ajax and Allied also provided entertainment, which cost an additional \$3,000.00 and rented a facility for \$500.00. Neither the cost of the entertainment nor the cost of rent is reported.

Example 7: Thompson, a legislative lobbyist, hosts a buffet dinner on behalf of his lobbyist principal, Ajax Corp., for eight members of the Agriculture Caucus, a group of legislators who meet periodically to discuss agricultural issues. The cost of the buffet,

with taxes, is \$15.00 per person. Thompson must report an individual meal for each of the eight legislators. The cost applies to Thompson's annual limit of \$500.00 for each legislator. [Rule 5.21](#).

a. Certain Transportation Costs Excluded

Nominal costs of transportation by private motor vehicle or similar public transportation such as a taxi provided by a legislative liaison or legislative lobbyist to and from the location of a meal or event within the State of Oklahoma or within the vicinity of the meal if outside the geographical boundaries of the State of Oklahoma are permitted but are not reported. [Rule 5.21](#).

Electronic Reporting Required

Reports by legislative liaisons or legislative lobbyists must be filed electronically, unless otherwise ordered by the Commission or the Executive Director of the Commission. Other means may be ordered in case of unexpected events, such as a power failure or natural disasters. [Rule 5.21](#).

Only One Report Needed for Lobbyist Principal Expenditures

Expenditures made by a lobbyist principal that is represented by more than one legislative liaison or legislative lobbyist are reported on only one Legislative Lobbyist Report by a legislative liaison or legislative lobbyist. All other legislative liaisons or legislative lobbyists representing the same lobbyist principal indicates on the Report the name of the legislative liaison or legislative lobbyist reporting the expenditure on behalf of the lobbyist principal. This is designed to prevent the same event from being replicated on reports and causing a distortion in the perceived amount of the expenditure. [Rule 5.21](#).

XII. Reporting of Expenditures by Executive Lobbyists

Record Keeping Requirements

To make accurate reports of expenditures on Lobbyist or Liaison Expenditure Reports as required by the Ethics Rules, executive lobbyists must keep detailed receipts and other documentary evidence of those expenditures. Records must be retained for a period of four years. The Ethics Commission may ask to see these records at any time, and the Commission has the power to subpoena documents if necessary. [Okla. Const. art. XXIX, § 4](#); [Rule 5.26](#).

Reporting Dates and Periods Covered

Each executive lobbyist must file four Executive Lobbyist Reports each year in The Guardian System. These Reports are due no later than April 5, July 5, October 5 and January 5.

Each is for expenditures made during the preceding calendar quarter, i.e.,

Filing Dates	Period Covered	Type of Report Due
<i>Dec. 1 – 31 Registration/Renewal Period</i>		
April 1 – 5	Jan. 1 – March 31	Lobbyist or Liaison Expenditures Report
July 1 – 5	April 1 – June 30	Lobbyist or Liaison Expenditures Report
Oct. 1 – 5	July 1 – Sept. 30	Lobbyist or Liaison Expenditures Report
Jan. 1 – 5	Oct. 1 – Dec. 31	Lobbyist or Liaison Expenditures Report

**To view the current reporting calendar [click here](#) or access the reporting calendar under the "Lobbyists & Liaisons Reporting" tab on the Ethics website.*

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**. [Rule 5.20](#).

When Intentional Violation of the Rules Is Presumed

Any executive lobbyist who files more than one Lobbyist or Liaison Expenditure Report late shall be deemed to have intentionally violated the Rules, except for good cause shown. [Rule 5.20](#).

Contents of Executive Lobbyist Report

Each Executive Lobbyist Report includes the following information:

- The cost of each meal provided during the reporting period for a state officer or employee of an agency that is the subject of the executive lobbyist's lobbying. The cost includes the price, plus any applicable tax but does not include a gratuity. In calculating the price of the meal, items such as appetizers or hors d'oeuvre or beverages may be apportioned by dividing the total cost of the item equally by the number of participants, where the individual cost per participant is difficult or impossible to ascertain. But the individual price of other items, such as salads, entrees, or individual beverages shall be attributed to individual participants.
- The aggregate total number and cost of meals for each recipient for the calendar year.
- The cost of any food and beverages provided other than as part of a meal and valued at more than \$10 in the aggregate during a calendar year. When food and beverage are provided by executive lobbyists but are not part of a meal, the Ethics Rules exempt reporting for the first \$10 in the aggregate during a calendar year. After the maximum of \$10 is exceeded, these items are reported.
- The aggregate number of occasions and cost of food and beverages provided other than as part of a meal for each recipient.
- Gifts provided on "infrequently occurring occasions of personal significance." Gifts provided on "infrequently occurring occasions of personal significance" must be reported in sufficient detail that a reasonable person would understand what was given and the significance of the event.

The following examples illustrate appropriate reporting:

Example 1: Executive lobbyist Zane pays for dinner for Able, Baker and Charles, members of the Good Policy Board, which is considering rules that are the subject of Zane's lobbying efforts. Appetizers are ordered for all four diners at a cost of \$40.00. Two bottles of wine are provided at a total cost of \$100.00. Able orders a steak at a cost of \$30.00. Baker orders chicken for \$20.00 and a dessert for \$7.00. Charles orders a salad for \$10.00, a steak for \$40.00 and a dessert for \$15.00. Zane's food cost \$30.00. The tax was 8% for a total of \$23.36.

Zane may divide the cost of the appetizer and wine by four, the total number of participants.

The cost for Able's meal should be reported as \$70.20, calculated as follows:

Cost of appetizers: $\$40.00/4=\10.00

Cost of wine: $\$100.00/4=\25.00

Cost of entrée: \$30.00

Total cost: $\$10.00+\$25.00+\$30.00=\$65.00+\$5.20$ tax

The cost for Baker's meal should be reported as \$66.96, calculated as follows.

Cost of appetizers: $\$40.00/4=\10.00

Cost of wine: $\$100.00/4=\25.00

Cost of entrée: \$20.00

Cost of dessert: \$7.00

Total cost: $\$10.00+\$25.00+\$20.00+\$7.00=\$62.00+\4.96 tax=\$66.96

The cost for Charles's meal should be reported as \$108.00, calculated as follows.

Cost of appetizers: $\$40.00/4=\10.00

Cost of wine: $\$100.00/4=\25.00

Cost of salad: \$10.00

Cost of entrée: \$40.00

Cost of dessert: \$15.00

Total cost: $\$10.00+\$25.00+\$10.00+\$40.00+\$15.00=\$100.00+\$8.00$ tax=\$108.00.

For convenience, the total cost of an individual meal may be rounded to the next highest dollar amount. In that case, Able's meal would be reported at \$71.00, Baker's meal at \$67.00 and Charles's meal at \$108.00.

Example 2: Executive lobbyist Yarnell, who lobbies the Good Policy Department, buys five pizzas and soft drinks for himself and Davis, Edwards, Finch, Grant and Hood, employees of the Good Policy Department, to share. The total cost of the pizzas and soft drinks, tax included, is \$82.50. The cost of the meal for Davis, Edwards, Finch, Grant and Hood may be calculated as \$13.75 per person, or, by rounding, \$14.00 per person, since it would be difficult to ascertain the cost for each individual.

Example 3: Executive lobbyist Woodward, who also lobbies the Good Policy Department, buys a box lunch for Inkster, Jackson, Kent, Lemon and Marx, officers and employees of the Good Policy Department. Each box lunch costs \$12.00. Total tax is \$4.80. Woodward does not order a box lunch for herself. The cost of the meal for Inkster, Jackson, Kent, Lemon and Marx may be calculated as \$12.96, or, by rounding, \$13.00.

Example 4: Executive lobbyist Vickers buys Good Policy Department director Nelson two beers during happy hour at a local bar one afternoon. The beers cost a total of \$4.00. Vickers did not buy any other such food or beverage for Nelson the balance of the calendar year. This expenditure does not need to be reported.

Example 5: Executive lobbyist Unger treats Good Policy Department general counsel Olson to beer at happy hour at a local bar every Monday one summer. The beer costs \$4.00. After the third week, the total expenditure by Unger is \$12.00, exceeding the \$10.00 threshold. Unger reports \$2.00 for that expenditure and reports every such expenditure thereafter. [Rule 5.22](#).

a. Certain Transportation Costs Excluded

Nominal costs of transportation by private motor vehicle or similar public transportation such as a taxi provided by an executive lobbyist to and from the location of a meal or event are permitted but are not reported. [Rule 5.22.](#)

Electronic Reporting Required

Reports by executive lobbyists shall be filed electronically using The Guardian System at <http://guardian.ok.gov>, unless otherwise ordered by the Commission or the Executive Director of the Commission. Other means may be ordered in case of unexpected events, such as a power failure or natural disasters. [Rule 5.22.](#)

Only One Report Needed for Lobbyist Principal Expenditures

Expenditures made by a lobbyist principal that is represented by more than one executive lobbyist are reported on only one Lobbyist or Liaison Expenditure Report by an executive lobbyist. All other executive lobbyists representing the same lobbyist principal indicates on the Report the name of the executive lobbyist reporting the expenditure on behalf of the lobbyist principal. This is designed to prevent the same event from being replicated on reports and causing a distortion in the perceived amount of the expenditure. [Rule 5.22.](#)

Amended Reports

Any legislative liaison, legislative lobbyist or executive lobbyist may file an Amended Lobbyist or Liaison Expenditure Report, and an executive lobbyist may file an Amended Executive Lobbyist Report at any time to correct a bona fide oversight or error.

The individual reporting must certify that the Amended Report is not filed for the purpose of reporting information that was intentionally omitted or misstated on the previously filed Report. If the Amended Report is in fact made to correct a genuine oversight or error, the liaison or lobbyist will not be deemed to have violated the Ethics Rules by filing the prior erroneous report. [Rule 5.23.](#)

Reporting Option for Individual Who Is Both an Executive Lobbyist and Legislative Lobbyist

An individual who is registered as both an executive lobbyist and a legislative lobbyist may choose to file reports as an executive lobbyist on the same dates that he or she files reports as a legislative lobbyist. In other words, the executive/legislative lobbyist would file reports on the following schedule for his or her activities in both capacities:

Filing Dates	Period Covered	Type of Report Due
Feb. 1 – 5	Jan. 1 – 31	Lobbyist or Liaison Expenditures Report
March 1 – 5	Feb. 1 – 29	Lobbyist or Liaison Expenditures Report
April 1 – 5	March 1 – 31	Lobbyist or Liaison Expenditures Report
May 1 – 5	April 1 – 30	Lobbyist or Liaison Expenditures Report
June 1 – 5	May 1 – 31	Lobbyist or Liaison Expenditures Report
July 1 – 5	June 1 – 30	Lobbyist or Liaison Expenditures Report
Jan. 1 – 5	July 1 – Dec. 31	Lobbyist or Liaison Expenditures Report
Dec. 1 – 31 Registration/Renewal Period		

**To view the current reporting calendar [click here](#) or access the reporting calendar under the “Lobbyists & Liaisons Reporting” tab on the Ethics website.*

[Rules 5.19](#) and [5.20](#).

For the reports due in July and January, the Commission will not assess late filing fees provided the report is filed no later than July 15, 2016 or January 15, 2017.

XIII. Waiver for Preexisting Relationship

A state officer or state employee may apply to the Commission for a waiver of any of these Rules based on a preexisting relationship between the state officer and employee and a legislative liaison, legislative lobbyist or executive lobbyist. The Commission has 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 purpose of these Rules will not be impeded or hindered by the waiver.

Such a waiver will be prospective in effect and will not be applied to situations that have already occurred. The Commission may request whatever information it deems appropriate from an applicant, which may include verified statements by the parties involved.

The restrictions between a state officer or employee and a legislative liaison, legislative lobbyist, or executive lobbyist will not apply when the two are family members. Family members are regarded as having a preexisting relationship.

A form to request a waiver is available on the Ethics Commission website at www.ethics.ok.gov. [Rule 5.25](#).