

1 Rule 2.2. Definitions.

2 As used in Rule 2:

3 1. "Campaign" means all activities for or against the election of a candidate for elective  
4 state office or for or against a state question;

5 2. "Candidate" means an individual who has filed or should have filed a statement of  
6 organization for a candidate committee for state office with the Commission as required by these  
7 Rules. A candidate committee shall include committees for candidates for partisan elective  
8 offices, for nonpartisan judicial offices and for judicial retention offices;

9 3. "Candidate committee" means the only committee authorized by a candidate to accept  
10 contributions or make expenditures on behalf of the candidate's campaign, including the  
11 campaign of a judicial retention candidate;

12 4. "Clearly identified candidate" means a candidate whose name, nickname, photograph or  
13 drawing appears, or whose identity is otherwise apparent by unambiguous reference;

14 5. "Commission" means the Oklahoma Ethics Commission;

15 6. "Contribution" means any gift, subscription, loan, guarantee or forgiveness of a loan,  
16 conveyance, advance, payment, distribution or deposit of money made to, or anything of value  
17 given to, or an expenditure other than an independent expenditure made on behalf of, a political  
18 party, political action committee or candidate committee, but shall not include the value of  
19 services provided without compensation by an individual who volunteers those services;

20 7. "Electioneering communication" means any communication or series of communications  
21 that is sent by Internet advertising, direct mail, broadcast by radio, television, cable or satellite,  
22 or appears in a newspaper or magazine that (a) refers to a clearly identified candidate for state  
23 office, (b) is made within sixty (60) days before a general election (including a special general

1 election) or thirty (30) days before a primary or runoff primary election (including a special  
2 primary or runoff primary election) for the office sought by the candidate, (c) that is targeted to  
3 the relevant electorate and (d) does not explicitly advocate the election or defeat of any  
4 candidate. “Relevant electorate” shall mean twenty-five thousand (25,000) or more persons in  
5 the State of Oklahoma in the case of a candidate for statewide elective office, two thousand five  
6 hundred (2,500) or more persons in the district the candidate seeks to represent in the case of a  
7 candidate for the Oklahoma State House of Representatives or judge of the District Court, and  
8 five thousand (5,000) or more persons in the district the candidate seeks to represent in the case  
9 of all other elective state offices;

10 8. “Expenditure” means a purchase, payment, distribution, loan, advance, compensation,  
11 reimbursement, fee, deposit or gift made by a political party, political action committee,  
12 candidate committee or other individual or entity that is used to expressly advocate the election,  
13 retention or defeat of one or more clearly identified candidates or for or against one or more state  
14 questions;

15 9. “Family member” shall include spouse, children (including stepchildren), mother, father,  
16 sister or brother;

17 10. “Independent expenditure” means an expenditure made by a person for a communication  
18 expressly advocating the election or defeat of a clearly identified candidate or a vote for or  
19 against the retention of a judicial retention candidate that is not made in coordination with,  
20 cooperation with, consultation with, or concert with, or at the request or suggestion of, a  
21 candidate, a candidate committee, or their agents, or a political party committee or its agents. An  
22 independent expenditure shall not include the display of a noncommercial yard sign, lapel pin,

1 button, bumper sticker or similar de minimis display of support or opposition to a political party  
2 or a candidate;

3 11. “Independent judicial retention committee” means a political action committee organized  
4 exclusively for the purpose of making independent expenditures or electioneering  
5 communications supporting or opposing the retention of a candidate for judicial retention;

6 12. “Labor union” means an organization of workers formed for the purpose of advancing its  
7 members’ interests in respect to wages, benefits and working conditions;

8 13. “Limited committee” means a political action committee organized to make contributions  
9 to candidates. A limited committee may make independent expenditures or electioneering  
10 communications, but may not accept contributions in excess of the limits prescribed for limited  
11 committees;

12 14. “Officeholder expenses” means ordinary and necessary  
13 expenses incurred in connection with a candidate’s duties as the holder of a state elective office,  
14 provided that the expenses are not otherwise reimbursed or paid for by the state. “Ordinary and  
15 necessary expenses” are those that would not exist but for the fact that the candidate was elected  
16 to and holds a state elective office;

17 15. “Political action committee” means a limited or unlimited committee that has filed or  
18 should have filed a statement of organization with the Commission as required by these Rules;

19 16. “Political party” means a political party recognized under laws of this state;

20 17. “Political party committee” means a committee authorized by the political party to accept  
21 contributions or make expenditures on behalf of the political party. A political party committee  
22 may include a state committee, a Congressional District committee, a county committee, a

1 precinct committee or any other committee or entity of the party officially recognized in the  
2 party's bylaws or similar governing document;

3 18. "State question communication" means an expenditure made by a person for a  
4 communication or series of communications that is sent by internet advertising, direct mail,  
5 broadcast by radio television, cable or satellite, or appears in a newspaper, magazine, or other  
6 printed medium supporting or opposing a state question that is made within sixty (60) days  
7 before the election deciding the state question. A state question communication shall not include  
8 the display of a noncommercial yard sign, lapel pin, button, bumper sticker or similar de minimis  
9 display of support or opposition to a state question;

10 19. "State question" means an initiative or referendum petition for which the Governor has  
11 issued a proclamation setting the date on which an election shall be held or a legislative  
12 referendum referred by the Legislature for a vote of the people; and

13 1920. "Unlimited committee" means an independent judicial retention committee, a political  
14 action committee organized exclusively for the purpose of making independent expenditures or  
15 electioneering communications or a political action committee organized exclusively for the  
16 purpose of advocating the approval or defeat of a state question.

17 Rule 2.57. Independent Expenditure and Electioneering Communication Electronic

18 Advertisement Disclosure Requirements.

19 A. Whenever an independent expenditure or electioneering communication is made for the  
20 purpose of communication through any Internet advertising, or video, radio, television, cable or  
21 satellite broadcast, the communication shall state, either orally or in writing of sufficient size and  
22 contrast to be clearly readable by the recipient of the communication: "Not authorized by any  
23 candidate or candidate committee. Authorized and paid for by" to be followed by the name of the

1 person who paid for the communication, the person's permanent street address and telephone  
2 number.

3 B. Whenever a state question communication is made for the purpose of communication through  
4 any Internet advertising, or video, radio, television, cable or satellite broadcast, the  
5 communication shall state, either orally or in writing of sufficient size and contrast to be clearly  
6 readable by the recipient of the communication: "Authorized and paid for by" to be followed by  
7 the name of the person who paid for the communication, the person's permanent street address  
8 and telephone number.

9 Rule 2.58. Independent Expenditures Electioneering Communications Printed Advertisement  
10 Disclosure Requirements.

11 A. Whenever an independent expenditure or electioneering communication is made for the  
12 purpose of a communication through Internet advertising, direct mail, magazine advertisement,  
13 newspaper advertisement or any other printed medium, the communication shall state in writing  
14 of sufficient size and contrast to be clearly readable by the recipient of the communication: "Not  
15 authorized by any candidate or candidate committee. Authorized and paid for by" to be followed  
16 by the name of the person who paid for the communication, the person's permanent street  
17 address and telephone number. This provision shall not apply to bumper stickers, campaign  
18 buttons, t-shirts, aerial advertising or similar advertisements of such a nature that inclusion of a  
19 disclaimer would be impractical.

20 B. Whenever a state question communication is made for the purpose of a communication  
21 through Internet advertising, direct mail, magazine advertisement, newspaper advertisement or  
22 any other printed medium, the communication shall state in writing of sufficient size and contrast  
23 to be clearly readable by the recipient of the communication: "Authorized and paid for by" to be

1 followed by the name of the person who paid for the communication, the person's permanent  
2 street address and telephone number. This provision shall not apply to bumper stickers,  
3 campaign buttons, t-shirts, aerial advertising or similar advertisements of such a nature that  
4 inclusion of a disclaimer would be impractical.

5 Rule 2.85. Political Action Committee Statement of Organization Requirements.

6 The Statement of Organization for a political action committee shall include, but shall not  
7 be limited to, the following information: (1) The names of the Chair, Treasurer and, if  
8 applicable, Deputy Treasurer of the committee; (2) the full name of the committee, which shall  
9 not be an acronym and which shall not be the same as any other political action committee or  
10 sufficiently similar to the name of any other political action committee so that the two could be  
11 easily confused and which shall include the identifying state question number assigned by the  
12 State of Oklahoma for a committee formed to support or oppose a state question; (3) the name  
13 and address of any affiliated corporation or labor union; (4) the purpose or purposes of the  
14 committee, including but not limited to an indication of whether the committee is a limited  
15 committee or unlimited committee; (5) the mailing address and, if applicable, residence address,  
16 electronic mailing address, telephone numbers and Internet website, if applicable, of the  
17 committee, the Chair, Treasurer and, if applicable, Deputy Treasurer and (6) the full name and  
18 address of each depository in which the committee will maintain an account. The committee  
19 may also list an acronym, which shall not be the same as any other political action committee or  
20 sufficiently similar to the name of any other political action committee so that the two could be  
21 easily confused. The Treasurer shall be responsible for notifying the Commission of any change  
22 in information provided on the Statement of Organization by filing an Amended Statement of

1 Organization within ten (10) days of a change being made. An Amended Statement of  
2 Organization shall contain the same information as the Statement of Organization.

3 **NEW RULE. Time and Requirements for State Question Communications.**

4 (A) Any person other than an individual, including a political action committee, that makes a  
5 state question communication of Five Thousand Dollars (\$5,000.00) or more in the aggregate at  
6 least fifteen (15) days prior to an election shall be required to file a report with the Commission  
7 at the same time that candidate committees are required to file pre-election reports for the  
8 applicable election.

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

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

17 (D) Each report filed shall include the name of the political action committee or the person  
18 making the state question communication; the amount, date and a brief description or statement  
19 of the state question communication; and identification of the specific state question supported or  
20 opposed, indicating whether the state question was supported or opposed.

21 (E) If the person making the state question communication, other than a political action  
22 committee, received funds from any other person for the purpose of making state question  
23 communications, the report shall include the name, address and principal business activity of

1 each person contributing funds in excess of Fifty Dollars (\$50.00) in the aggregate and the  
2 amount of any such contribution or contributions that have not been previously reported, together  
3 with a cumulative total of all contributions made by each person since the first report was filed  
4 for the election for which the state question communication was made. As used in this section,  
5 “for the purpose of” means that the funds are either (1) received by an organization or  
6 corporation in response to a solicitation specifically requesting funds to pay for a state question  
7 communication; or (2) specifically designated for expenditures supporting or opposing a state  
8 question by the donor.

9 (F) If the person making the state question communication is a non-profit corporation that has  
10 not been officially approved by the United States Internal Revenue Service for tax exempt status  
11 under Section 501(c) of Title 26 of the United States Code as it currently exists or as it may be  
12 amended, the report shall include the name, address and principal business activity of each  
13 person contributing funds in excess of Fifty Dollars (\$50.00) in the aggregate to the corporation  
14 during the current calendar year and the preceding calendar year and the amount of any such  
15 contribution or contributions that have not been previously reported, together with a cumulative  
16 total of all contributions made by each person since the first report was filed for the election for  
17 which the state question communication is made.

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