



OKLAHOMA ETHICS COMMISSION

REVISED CONSTITUTIONAL ETHICS RULES

AS PROMULGATED BY THE OKLAHOMA ETHICS
COMMISSION

FEBRUARY 5, 2018

Submitted to the Legislature and the Governor
in accordance with Article 29 Okla. Const. § 3
this
6th day of February, 2018.

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

RULE 2 CAMPAIGN FINANCE

SECTION 1. AMENDATORY Ethics Rule 1.4, codified in the Oklahoma Statutes as Rule 1.4 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A. Documents required to be filed electronically with the Commission under these Rules shall be timely filed if filed at any time on the day specified, including weekends, holidays, or when the Commission offices are closed.

B. All other documents filed with the Commission under these Rules shall be timely filed if filed no later than 4:30 p.m. on the day specified. When the day that a document is required to be filed falls on a day other than a business day, that document shall be timely filed if filed on the next succeeding business day. As used in this section, "business day" shall mean any day on which the Commission is open to

conduct business, and "filed" means actually received by the Commission.

SECTION 2. AMENDATORY Ethics Rule 2.17, codified in the Oklahoma Statutes as Rule 2.17 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A. Unless otherwise prohibited or limited by law or these Rules, a contribution to a political party, a political action committee or a candidate committee may be made by any individual or other person or entity. A child under the age of eighteen (18) may make a contribution only if the contribution is attributed to his or her parent (or equally between two parents) or guardian.

B. The name, address, occupation and employer shall be required for any individual contributor regardless of amount or value of contribution unless the contribution is an anonymous contribution of less than Fifty Dollars (\$50.00) as provided for in Rule 2.20.

SECTION 3. AMENDATORY Ethics Rule 2.19, codified in the Oklahoma Statutes as Rule 2.19 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

No contribution of more than Fifty Dollars (\$50.00) in cash in the aggregate may be made to or accepted by a political party committee, a political action committee or a candidate committee.

SECTION 4. AMENDATORY Ethics Rule 2.20, codified in the Oklahoma Statutes as Rule 2.20 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

No anonymous contribution of more than Fifty Dollars (\$50.00) may be made to or accepted by a political party committee, a political action committee or a candidate committee. Any anonymous contribution of more than Fifty Dollars (\$50.00) received by a committee shall be deposited in the general revenue fund of the state to the extent that the contribution exceeds Fifty Dollars (\$50.00).

SECTION 5. AMENDATORY Ethics Rule 2.24, codified in the Oklahoma Statutes as Rule 2.24 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

No limited liability company that has one or more incorporated members may make a contribution to a political party committee, a political action committee, or a candidate committee, except as permitted by law or these Rules.

1. A political party committee, a limited committee, or a candidate committee, which receives a contribution from a limited liability company is required to report the contribution by attributing the contribution to the individual members of the limited liability company in proportions equal to the individual member's ownership interest in the limited liability company. This includes, but is not limited to, the individual member's name, address, occupation and employer.

2. An unlimited committee which receives a contribution from a limited liability company is

required to report the contribution by attributing the contribution to each member of the limited liability company in proportion to the member's interest in the limited liability company. For individual members, this includes, but is not limited to, the individual's name, address, occupation and employer. For corporate members, this includes the name, address, and principal business activity of the corporation.

SECTION 6. AMENDATORY Ethics Rule 2.25, codified in the Oklahoma Statutes as Rule 2.25 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

No partnership that has one or more incorporated partners may make a contribution to a political party committee, a political action committee, or a candidate committee, except as permitted by law or these Rules.

1. A political party committee, a limited committee, or a candidate committee, which receives a contribution from a partnership is required to report the contribution by attributing the contribution to

the individual partners of the partnership in proportions equal to the individual partner's ownership interest in the partnership. This includes, but is not limited to, the individual partner's name, address, occupation and employer.

2. An unlimited committee which receives a contribution from a partnership is required to report the contribution by attributing the contribution to each partner of the partnership in proportion to the partner's interest in the partnership. For individual partners, this includes, but is not limited to, the individual's name, address, occupation and employer. For corporate partners, this includes the name, address, and principal business activity of the corporation.

SECTION 7. AMENDATORY Ethics Rule 2.33, codified in the Oklahoma Statutes as Rule 2.33 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

(A) No person shall make, and no limited committee shall accept, a contribution to any limited committee

in excess of Five Thousand Dollars (\$5,000.00) in any calendar year, except as otherwise permitted by law or these Rules. A contribution to a limited committee that is designated directly or indirectly to be used for the benefit of a particular candidate or candidates shall be considered a contribution by the contributor to the candidate or candidates.

(B) No limited committee shall make, and no political party committee shall accept, a contribution to the political party committee in excess of Ten Thousand Dollars (\$10,000.00) in any calendar year.

(C) No limited committee shall make, and no other limited committee shall accept, a contribution to another limited committee in excess of Five Thousand Dollars (\$5,000.00) in any calendar year.

(D) No limited committee shall make, and no candidate committee shall accept, a contribution to any candidate committee in excess of Five Thousand Dollars (\$5,000.00) prior to a primary election.

(E) No limited committee shall make, and no candidate committee shall accept, a contribution to any

candidate committee of a candidate whose name will appear on the ballot for a runoff primary election in excess of Five Thousand Dollars (\$5,000.00) prior to a runoff primary election. Provided, however, after the primary election a limited committee that has made a contribution of Five Thousand Dollars (\$5,000.00) or less to the candidate committee prior to the primary election may make an additional contribution of no more than Five Thousand Dollars (\$5,000.00) to the candidate committee prior to the runoff primary election.

(F) No limited committee shall make, and no candidate committee shall accept, a contribution to any candidate committee prior to a general election in excess of Five Thousand Dollars (\$5,000.00). Provided, however, after the primary election or runoff primary election, whichever is the last for determining a political party's nominee, a limited committee that has made a contribution of Five Thousand Dollars (\$5,000.00) or less to the candidate committee prior to the primary election or runoff primary election, or

both, may make an additional contribution of no more than Five Thousand Dollars (\$5,000.00) to the candidate committee prior to the general election.

(G) After the general election, a limited committee that has made no contribution to a candidate or a contribution of less than Five Thousand Dollars (\$5,000.00) in the aggregate under the provisions of subsections (D), (E) or (F) may make an additional contribution or contributions in an amount or amounts that, aggregated with any prior contributions, do not exceed ~~of no more than~~ Five Thousand Dollars (\$5,000.00) to that candidate committee.

(H) No limited committee shall make a total contribution to a candidate in excess of the aggregate contribution limits of subsections (D), (E) and (F) or in excess of Five Thousand Dollars (\$5,000.00) to the candidate committee of a candidate who is unopposed for election.

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

(J) A limited committee may make contributions to candidates for county, municipal or school district office as permitted by law.

SECTION 8. AMENDATORY Ethics Rule 2.34, codified in the Oklahoma Statutes as Rule 2.34 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

(A) No limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors shall make, and no political party committee shall accept, a contribution to the political party committee in excess of Five Thousand Dollars (\$5,000.00) in any calendar year.

(B) No limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors shall make a contribution to another limited committee.

(C) No limited committee that has been registered with the Commission for less than a year prior to a primary

election or that has fewer than twenty-five (25) contributors shall make, and no candidate committee shall accept, a contribution to any candidate committee in excess of Two Thousand Five Hundred Dollars (\$2,500.00) prior to a primary election.

(D) No limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors shall make, and no candidate committee shall accept, a contribution to any candidate committee of a candidate whose name will appear on the ballot for a runoff primary election in excess of Two Thousand Five Hundred Dollars (\$2,500.00) prior to a runoff primary election. Provided, however, after the primary election a limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors that has made a contribution of Two Thousand Five Hundred Dollars (\$2,500.00) or less to the candidate committee prior to the primary election may make an additional

contribution of no more than Two Thousand Five Hundred Dollars (\$2,500.00) to the candidate committee prior to the runoff primary election.

(E) No limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors shall make, and no candidate committee shall accept, a contribution to any candidate committee prior to a general election in excess of Two Thousand Five Hundred Dollars (\$2,500.00). Provided, however, after the primary election or runoff primary election, whichever is the last for determining a political party's nominee, a limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors that has made a contribution of Two Thousand Five Hundred Dollars (\$2,500.00) or less to the candidate committee prior to the primary election or runoff primary election, or both, may make an additional contribution of no more

than Two Thousand Five Hundred Dollars (\$2,500.00) to the candidate committee prior to the general election.

(F) After the general election, a limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors that has made no contribution to a candidate committee or a contribution of less than Two Thousand Five Hundred Dollars (\$2,500.00) in the aggregate under the provisions of subsections (C), (D) or (E) may make an additional contribution or contributions in an amount or amounts that, aggregated with any prior contributions, do not exceed ~~of no more than~~ Two Thousand Five Hundred Dollars (\$2,500.00) to that candidate committee.

(G) No limited committee that has been registered with the Commission for less than a year prior to a primary election or that has fewer than twenty-five (25) contributors shall make a total contribution to a candidate in excess of the aggregate contribution limits of subsections (C), (D) and (E) or in excess of

Two Thousand Five Hundred Dollars (\$2,500.00) to the candidate committee of a candidate who is unopposed for election.

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

SECTION 9. AMENDATORY Ethics Rule 2.38, codified in the Oklahoma Statutes as Rule 2.38 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

No candidate or candidate committee shall receive contributions from a political party, political action committee or other person in excess of the limits provided in this Rule. Provided, however, a candidate may contribute an unlimited amount to his or her candidate committee from his or her personal funds or from joint funds of the candidate and the candidate's spouse. A gift or gifts to a candidate or a candidate's spouse that are nontaxable under the United States Internal Revenue Code shall be considered contributions to the candidate's candidate

committee to the extent that the gift or gifts exceeds gifts from the same donor in three (3) of the preceding five (5) calendar years. No candidate or candidate committee shall refund contributions of the candidate unless the contribution is a properly executed loan under Rule 2.67 between the candidate, and the candidate committee.

SECTION 10. AMENDATORY Ethics Rule 2.48, codified in the Oklahoma Statutes as Rule 2.48 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A. Surplus funds of a candidate committee are those funds not otherwise obligated following the election at which the office for which the candidate committee was formed has been determined as to that candidate, which, in the candidate's discretion, are not required to be used for campaign expenses or officeholder expenses. Any candidate committee meeting the requirements of subsections (C) and (D) of this Rule shall only expend surplus funds as provided in those subsections. All other ~~Such~~ surplus funds may be:

(A1) ~~Retained~~ Transferred in any amount for use in a future campaign of the candidate for the next succeeding term for the same office;

(B2) Retained for a future campaign of the candidate for a different state elective office, excluding a judicial office;

(C3) Donated to a charitable organization as described in 18 Section 501(c)(3) of Title 26 of the United States Code as it currently exists or as it may be amended;

(D4) Returned to any contributor, as long as the amount returned does not exceed the contributor's aggregate contribution during the immediately preceding primary, runoff primary and general elections; or

(E5) Contributed to a political party committee in any amount not to exceed Twenty-five Thousand Dollars (\$25,000.00) in the aggregate.;

(F6) Used to purchase item(s) for donation to a charitable organization as described in Section

501(c) (3) of Title 26 of the United States Code as it currently exists or as it may be amended; provided:

1a) the donated item(s) are sold by the charitable organization for fundraising purposes;

2b) the purchase of the item(s) for donation is reported on a Contributions and Expenditures Report which includes a description and cost of the item(s) purchased;

3c) the donation of the item(s) is reported on a Contributions and Expenditures Report as an in-kind expenditure to the charitable organization which includes a description and the value of the item(s) donated; and

4d) the donated item(s) may not be purchased or used by the candidate whose committee is donating the item, any other candidate, a committee, or officer, board member or employee of the charitable organization; or

(67) Donated in accordance with the provisions of Section 381 et seq. of Title 60 O.S. § 381, et seq. of the Oklahoma Statutes, to the State of Oklahoma, or,

to any county, city, town or school district within the State of Oklahoma.

B. Any surplus funds remaining in the candidate committee's possession within ninety (90) days after the expiration of the term to which the candidate was elected shall be deposited in the general revenue fund of the state. ~~or, f~~For candidates who were not elected, any surplus funds remaining in the candidate committee's possession within ninety (90) days after the second year following the general election, or one-hundred eighty (180) days after the special general election, whichever is earlier shall be deposited in the general revenue fund of the state.

C. A candidate committee of a candidate holding office subject to election or retention and whose office becomes vacant due to resignation, expulsion, impeachment or other removal from office, shall expend surplus funds to the State Election Board in an amount sufficient to offset the costs of a special election to fill such office. Any surplus funds which exceed the costs of such special election shall be deposited

in the general revenue fund of the state. For purposes of this subsection, when a candidate has filed a Statement of Organization for a different candidate committee prior to the expiration of the term for which he or she has been elected and has transferred funds from the first committee to the second committee pursuant to subsection (A) (1) or (A) (2) of this Rule, an amount equal to the amount so transferred shall be surplus funds of the new committee. This subsection shall not apply to an office vacated due to the death of the candidate.

D. A candidate committee of a candidate who does not file a declaration of candidacy with the state election board for an election during the year for which the committee was formed, and is not subject to subsection (C), shall be limited to use of committee funds as follows:

1. for contributions received for the election for which the committee was formed, those contributions are restricted to items (A) (4) and (A) (5) above;

2. for a candidate committee that received funds through a transfer as provided in (A) (1) or (A) (2) above, the committee may transfer an amount equal to the amount originally transferred to another committee as provided for in (A) (1) or (A) (2);

3. for a committee that received a loan from the candidate or financial institution, the committee may make payments towards the loan.

4. Any funds remaining in the candidate committee's account ninety (90) days after the last day of the declaration of candidacy filing period applicable to the election for which the committee was formed shall be deposited in the general revenue fund of Oklahoma.

SECTION 11. AMENDATORY Ethics Rule 2.56, codified in the Oklahoma Statutes as Rule 2.56 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

Whenever a candidate committee makes an expenditure for the purpose of a communication through Internet advertising, or direct mail, magazine advertisement, newspaper advertisement or any other

printed medium, the communication shall state in writing of sufficient size and contrast to be clearly readable by the recipient of the communication:

"Authorized and paid for by NAME OF COMMITTEE".

Provided that for campaign signs, banners and other campaign materials capable of re-use, the name of the committee for purposes of this Rule is the name of the committee as registered with the Ethics Commission but is not required to include the year of the election for which the committee is formed. This provision shall not apply to bumper stickers, campaign buttons, t-shirts, aerial advertising or similar advertisements of such a nature that inclusion of a disclaimer would be impractical.

SECTION 12. AMENDATORY Ethics Rule 2.62, codified in the Oklahoma Statutes as Rule 2.62 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

Any goods or services donated to a golfing fundraising event by a political party committee, political action committee or candidate committee

shall be considered as contributions based on the fair market value of the goods or services, regardless of how the goods or services are used. Any fee paid to participate in such a golfing fund-raising event shall be considered as a contribution, regardless of whether the person paying the fee receives value in exchange for the fee. No goods or services may be donated, nor a fee paid, by any corporation to a political party committee, limited committee, or candidate committee.

SECTION 13. AMENDATORY Ethics Rule 2.67, codified in the Oklahoma Statutes as Rule 2.67 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

(A) A loan by any person other than a commercial financial institution to a candidate committee shall be considered a contribution from the lender, guarantor or endorser in the amount of the balance of the loan that has not been repaid.

(B) ~~Provided, however,~~ a A candidate may make a loan to his or her candidate committee from his or her personal funds or from joint funds of the candidate

and the candidate's spouse. If a candidate makes such a loan to his or her candidate committee, the terms of the loan must be in writing in a document executed contemporaneously with the transfer of funds into the candidate committee's account. The document must be signed and dated by all parties involved. Such a loan may be repaid from contributions received by the candidate committee, but the candidate committee shall not be permitted to pay any interest on the loan.

(C) If a candidate transfers his or her personal funds or joint funds of the candidate and the candidate's spouse to the candidate committee without a written loan document, the candidate committee cannot repay the candidate for the transfer.

(D) A candidate who makes expenditures from personal funds or joint funds of the candidate and the candidate's spouse that are not transferred to the candidate committee's account shall not have made a loan to the committee. ~~Such expenditures that are not intended to be reimbursed, however,~~ Such expenditures that are not intended to be reimbursed, shall be reported as contributions to and expenditures by the

candidate committee, or as in-kind contribution to the candidate committee. Expenditures that are intended to be reimbursed must be reported as in-kind expenditures on the report covering the time period during which the expenditure was made and be reimbursed within ninety (90) days of the expenditure.

SECTION 14. AMENDATORY Ethics Rule 2.101, codified in the Oklahoma Statutes as Rule 2.101 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A. Regular Elections. Each candidate committee for a candidate who has filed a declaration of candidacy with the State Election Board for an office to be filled at the general election shall not be required to file quarterly reports after April 30 of the year in which the declaration of candidacy is filed but shall file a pre-election Report of Contributions and Expenditures:

(1) no earlier than fourteen (14) days nor later than eight (8) days before the primary election for the

period beginning April 1 and ending fifteen (15) days before the primary election;

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

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

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

B. Special Elections. Each candidate committee for a candidate in a special primary, runoff primary or

general election shall file a pre-election Report of Contributions and Expenditures for special primary, runoff primary or general election on the same dates and for the same periods as provided in ~~this~~ section A.

1. If there is no special runoff primary election scheduled, the period covered by the pre-election report for the general election shall begin ~~fifteen~~ ~~(15)~~ fourteen (14) days before the primary election and end fifteen (15) days before the general election.

2. Following the special general election, each candidate committee shall file a post-election Report of Contributions and Expenditures during the filing period required for the next quarterly report following the special general election. That post-election ~~quarterly~~ report shall be for a period beginning the day after the last day of the general election pre-election reporting period and ending on the same day as the last day of the regular quarterly report. Thereafter, the committee shall file reports as otherwise required by these Rules.

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

SECTION 15. AMENDATORY Ethics Rule 2.106, codified in the Oklahoma Statutes as Rule 2.106 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

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

- A. (1) the candidate's name, the name of the committee and the time period covered by the report;
- (2) the total of any surplus funds transferred from a candidate committee for a previous campaign of the same candidate;
- (3) the total of all monetary contributions accepted during the time period covered by the report, and the aggregate total of all monetary contributions accepted;

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

(5) the total of all other funds accepted during the time period covered by the report, and the aggregate total of all other funds accepted;

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

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

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

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

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

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

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

b. Contributions accepted from a partnership shall be reported as contributions from the individual partners of the partnership in proportions equal to their ownership interest in the partnership.

(2) any contributions received from individuals which do not exceed fifty dollars (\$50) in the aggregate from any one individual are not itemized and are shown on the report by the total of all contributions accepted during the time period covered by the report from contributors making contributions of no more than Fifty Dollars (\$50.00) in the aggregate, and the aggregate total of all such contributions;

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

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

(5) loans made to the committee during the time period covered by the report, including loans by the candidate and by commercial financial institutions; the name, address and, if applicable, occupation and employer, of the person making the loan; the amount of the loan, the date the loan was made, the interest rate for the loan, the repayment terms for the loan and the total of all loans made to the committee; any payments on loans during the time period covered by the report, the amount of the payment, the date the payment was made and the remaining balance of the loan following the payment, and the total of all payments made on all loans to the committee and the remaining balance on all loans to the committee;

(6) the name and address of any person or entity to whom an expenditure of more than Two Hundred Dollars

(\$200.00) in the aggregate was made during the time period covered by the report, a description of the goods or services purchased with the expenditure, and the aggregate total of all expenditures made to the person or entity, provided however:-

a. Split purchasing for the purpose of evading reporting an expenditure shall be prohibited;-

b. Expenditures made to compensate consultants and similar individuals or organizations shall be reported by identifying the type of services provided to the campaign by the consultants;-

c. Expenditures made by political consultants and other third parties on behalf of the committee shall be reported as if the expenditures were made by the committee;-

d. Expenditures made by using a credit card shall be reported by itemizing each individual expenditure of more than Two Hundred Dollars (\$200.00) ;-

e. All expenditures made to reimburse a candidate for personal expenditures made on behalf of the committee

shall be itemized in detail, regardless of their value.

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

SECTION 16. AMENDATORY Ethics Rule 4.18, codified in the Oklahoma Statutes as Rule 4.18 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A. No state officer or employee shall receive or agree to receive compensation to represent or assist another individual or other entity in any transaction involving the state or to represent another individual or other entity before any state agency, unless authorized by law. The prohibitions in this section shall not apply to the practice of law before any

court, nor shall they apply to members of boards, commissions, authorities and similar public bodies of state agencies for representation before state agencies other than the agency the member serves or an agency where the member has personally participated in the matter during his or her term of office.

B. 1. No individual who previously served as an elected state officer shall serve as a legislative lobbyist or legislative liaison until a period of Two (2) Years has passed since the individual's term of office ended. Nor shall such individual serve as an executive lobbyist, either at an agency under the elected state officer's official responsibility, or at an agency where the elected state officer personally participated in any matter during his or her term of office until a period of Two (2) Years has passed since the individual's term of office ended.

2. No individual who previously served as an elected state officer shall represent another entity for compensation on any matter involving the agency he or she previously served until a period of Two (2) Years

has passed since the individual's term of office ended. Nor shall such individual represent another entity for compensation at an agency that was within the elected state officer's official responsibility or at an agency where the elected state officer personally participated in any matter until a period of Two (2) Years has passed since the individual's term of office ended.

3. No individual who previously served as an elected state officer shall for compensation influence, or attempt to influence, actions involving the agency he or she previously served until a period of Two (2) Years has passed since the individual's term of office ended. Nor shall such individual for compensation influence, or attempt to influence, actions involving an agency that was within the elected state officer's official responsibility or at an agency where the elected state officer personally participated in any matter until a period of Two (2) Years has passed since the individual's term of office ended.

C.1. No individual who previously served as a chief administrative officer of an agency shall serve as a legislative lobbyist until a period of Two (2) Years has passed since the individual served as a chief administrative officer.

2. No individual identified in (C) (1) shall serve as an executive lobbyist at the agency where the individual served as a chief administrative officer until a period of Two (2) Years has passed since the individual left the service of the agency where he or she served as a chief administrative officer.

Nor shall such person serve as an executive lobbyist at an agency where the individual personally participated in a matter until a period of Two (2) years has passed since the individual participated in a matter involving the agency.

3. No individual who previously served as a chief administrative officer of an agency shall represent another entity for compensation on any matter at the agency where the individual previously served as a chief administrative officer until a period of Two (2)

Years has passed since the individual left the service of the agency where he or she served as a chief administrative officer. Nor shall such an individual represent another entity for compensation at any agency where the individual personally participated in a matter until a period of Two (2) years has passed since the individual participated in a matter involving the agency.

4. No individual who previously served as a chief administrative officer of an agency shall for compensation influence, or attempt to influence, actions of the agency the state officer or employee previously served until a period of Two (2) Years has passed since the individual left the service of the agency where he or she served as a chief administrative officer.

Nor shall such individual for compensation influence, or attempt to influence, actions of an agency where the individual personally participated in a matter until a period of Two (2) Years has passed since the individual served in such position.

D. Any individual identified in subsections (B) and (C) shall not lobby, or for compensation represent, influence or attempt to influence, actions of any agency regarding any matter in which that individual personally and substantially participated in during his or her term of office or while serving as a chief administrative officer of an agency.

E. Provided, however, the two (2) year period in subsections (B) and (C) will not begin for any state officer who is elected, retained, or appointed until the term of office for which he or she was elected, retained, or appointed has ended.

F. Subsections (B), (C), and (D) of this Rule shall not apply to an attorney representing a client in a legal, non-lobbying capacity in a court of law.

SECTION 17. AMENDATORY Ethics Rule 4.22, codified in the Oklahoma Statutes as Rule 4.22 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A. Pre-Existing Relationship. A state officer or employee may apply to the Commission for a waiver of a

Rule based on a preexisting relationship between the state officer or employee and a person whose status restricts or prohibits certain activities under these Rules.

B. Post-Service. A current or former state officer or employee who is impacted by the prohibitions in Rule 4.18 may request a waiver of the applicable provisions of Rule 4.18. Any waiver request pursuant to this provision by an individual who is at the time of the request a state officer or employee, and the Commission's decision on the request, will remain confidential until a waiver is granted by the Commission, or until the individual is no longer a state officer or employee. Provided, however, the Commission shall not publicly release either a waiver request or decision on the request until the Commission has taken reasonable steps to notify the requestor of the release of information.

C. The Commission shall have exclusive authority and discretion to grant a waiver on a case-by-case basis, based upon the totality of circumstances and a finding

that the purposes of these Rules will not be impeded or hindered by the waiver.

D. A waiver shall have only prospective application.

E. The Commission may request whatever information it deems appropriate from an applicant, including but not limited to verified statements by the applicant or ~~the person with whom a preexisting relationship is claimed~~ other persons impacted by the restriction.

F. The restrictions between a state officer or employee and a person whose status restricts or prohibits certain activities under these Rules shall not apply when the two are family members.

SECTION 18. AMENDATORY Ethics Rule 5.3, codified in the Oklahoma Statutes as Rule 5.3 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A. Each legislative liaison or legislative lobbyist shall be required to register with the Ethics Commission each year that the legislative liaison or legislative lobbyist engages in lobbying. Each legislative liaison or legislative lobbyist shall register or renew his or

her registration with the Commission and pay any applicable fees no earlier than December 1 of each year nor later than January 15 of the following year for the calendar year beginning January 1 or within five (5) days after engaging in lobbying on behalf of one or more lobbyist principals. Registration by legislative liaisons or legislative lobbyists shall be filed electronically, unless otherwise ordered by the Commission or the Executive Director of the Commission. Information on the registration shall include the legislative liaison or legislative lobbyist's name, business address, including electronic mail address and business telephone numbers, the name and address of each lobbyist principal by whom the liaison or lobbyist is employed or retained and the date of the registration.

B. No individual who previously served as an elected state officer shall register as a legislative lobbyist or legislative liaison until a period of Two (2) Years has passed since the individual's term of office ended.

C. No individual who previously served as a chief administrative officer of an agency shall serve as a legislative lobbyist until a period of Two (2) Years has passed since the individual served as a chief administrative officer.

D. The Two (2) Year period in subsections (B) and (C) will not begin for any state officer who is elected, retained, or appointed until the term of office for which he or she was elected, retained, or appointed has ended.

SECTION 19. AMENDATORY Ethics Rule 5.5, codified in the Oklahoma Statutes as Rule 5.5 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A. Each executive lobbyist shall be required to register with the Ethics Commission. An executive lobbyist may register and pay any applicable fees no earlier than December 1 of each year nor later than January 15 of the following year for the calendar year beginning January 1 or within five (5) days after engaging in lobbying on behalf of one or more lobbyist

principals. Registration by executive lobbyists shall be filed electronically, unless otherwise ordered by the Commission or the Executive Director of the Commission. Information on the registration shall include the executive lobbyist's name, business address, including electronic mail address and business telephone numbers, the name and address of each lobbyist principal by whom the lobbyist is employed or retained, the agency or agencies before which the lobbyist is lobbying and the date of the registration. The executive lobbyist may terminate his or her registration at any time by electronically filing a notice of termination on a form provided by the Commission and filing a final Executive Lobbyist Report. An executive lobbyist whose registration has not been terminated by November 30 of year shall be required to register as provided in this subsection for the calendar year beginning the following January 1. Until terminated, the registration shall remain effective, and the executive lobbyist shall be

required to file Executive Lobbyist Reports as provided by these Rules.

B. No individual who previously served as an elected state officer shall serve as an executive lobbyist at the agency previously served, at an agency within the elected state officer's official responsibility, or at an agency where the elected state officer personally participated in any matter during his or her term of office until a period of Two (2) Years has passed since the individual's term of office ended.

C. No individual who previously served as a chief administrative officer of an agency shall serve as an executive lobbyist at the agency previously served until a period of Two (2) Years has passed since the individual left the service of the agency where he or she served as a chief administrative officer.

Nor shall such individual serve as an executive lobbyist at any agency where he or she personally participated in a matter until a period of Two (2) Years has passed since the individual served in such position.

D. The Two (2) Year period in subsections (B) and (C) will not begin for any state officer who is elected, retained, or appointed until the term of office for which he or she was elected, retained, or appointed has ended.

SECTION 20. AMENDATORY Ethics Rule 5.25, codified in the Oklahoma Statutes as Rule 5.25 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

A. Pre-existing Relationship. A state officer or employee may apply to the Commission for a waiver of a Rule based on a preexisting relationship between the state officer or employee and a legislative liaison, legislative lobbyist or executive lobbyist.

B. Post-Service Waiver. A current or former state officer or employee, impacted by the restrictions in Rules 5.3 or 5.5 may request a waiver of the applicable rule(s). Any waiver request by an individual who is at the time of the request a state officer or employee, and the Commission's decision on the request, will remain confidential until a waiver

is granted by the Commission, or until the individual is no longer a state officer or employee. Provided, however, the Commission shall not publicly release either a waiver request or decision on the request until the Commission has taken reasonable steps to notify the requestor of the release of information.

C. The Commission shall have exclusive authority and discretion to grant a waiver on a case-by-case basis, based upon the totality of circumstances and a finding that the purposes of these Rules will not be impeded or hindered by the waiver.

D. A waiver shall have only prospective application.

E. The Commission may request whatever information it deems appropriate from an applicant, including but not limited to verified statements by the applicant and/or ~~the legislative liaison, legislative lobbyist or executive lobbyist with whom a preexisting relationship is claimed~~ other persons impacted by the restriction.

F. The restrictions between a state officer or employee and a legislative liaison, legislative

lobbyist or executive lobbyist shall not apply when the two are family members.

SECTION 21. AMENDATORY Ethics Rule 6.19, codified in the Oklahoma Statutes as Rule 6.19 of Title 74, Appendix I, unless there is created a duplication in numbering, is amended as follows:

~~(A) Beginning July 1, 2015, and annually thereafter,~~
No later than July 1 of each year, the Commission shall publish on its website any registration and administration fees to be charged by the Commission for legislative liaisons, legislative lobbyists, executive lobbyists, lobbyist principals, political party committees, political action committees and candidate committees. In determining the fees to be charged, the Commission shall endeavor to partially recover costs incurred in processing and maintaining registrations and reports.

(B) The Executive Director is authorized to issue compliance orders for the purpose of obtaining compliance with these Rules. Compliance orders may include non-monetary orders and orders for compliance

fees, including late filing fees, in order to partially recover costs to the Commission incurred in obtaining compliance with these Rules. No compliance fee shall exceed One Thousand Dollars (\$1,000.00) per violation.

(C) Compliance orders shall be in writing and shall be served electronically to the electronic mail address on record with the Commission.

(D) Before a final order is issued, any affected party shall be afforded an opportunity for hearing after reasonable notice. The notice shall be in writing and shall advise the parties of the time for the hearing, their obligation to file an answer and appear and the effect of their failure to respond. If no request for a hearing is timely received, the compliance order issued by the Executive Director shall be final.

(E) ~~The~~ In the event a hearing is requested by an affected party such hearing shall be conducted by an administrative law judge under applicable provisions of the Oklahoma Administrative Procedures Act, Title 75 of the Oklahoma Statutes, Sections 250-323, or its

successor statutes, and shall be open to the public. The administrative law judge may set aside or modify the Executive Director's order for good cause shown. In the absence of good cause shown, the administrative law judge shall affirm the order. After the hearing the Executive Director shall issue a final order. A final order issued by an Administrative Law Judge may be appealed to the District Court of Oklahoma County under applicable provisions of the Oklahoma Administrative Procedures Act, Title 75 of the Oklahoma Statutes, Sections 250-323, or its successor statutes. If an appeal is not made, such order shall constitute a judgment by operation of law.

(C) A final compliance order issued by the Executive Director shall constitute a judgment by operation of law.

(D) An order which constitutes a judgment by operation of law pursuant to this Rule shall: have the full force and effect of any other judgment of this state; have the ability to be enforced by any method available under the laws of this state to enforce and

collect money judgments; and, be entitled to full
faith and credit as a judgment in this state and any
other state.

(E) Late filing fees authorized by statute or these Rules shall not be a part of or affected by any monetary penalties, attorney fees, costs, other expenses of litigation or other fees provided by these Rules.

SECTION 22. EFFECTIVE DATES. All sections shall become effective upon Sine Die Adjournment of the 2018 regular legislative session. The amendments in Sections 16, 18, and 19, will not retroactively impact any individual who left state service prior to the effective date.