



**OKLAHOMA ETHICS COMMISSION**  
**REVISED CONSTITUTIONAL ETHICS RULES**

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**2018 Rule Amendments**  
**Operative and Effective May 3, 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.

## 2018 Ethics Rules Amendments

1. AMENDATORY Ethics Rule 1.4.....	2
2. AMENDATORY Ethics Rule 2.17.....	2
3. AMENDATORY Ethics Rule 2.19.....	3
4. AMENDATORY Ethics Rule 2.20.....	3
5. AMENDATORY Ethics Rule 2.24.....	4
6. AMENDATORY Ethics Rule 2.25.....	5
7. AMENDATORY Ethics Rule 2.33.....	6
8. AMENDATORY Ethics Rule 2.34.....	8
9. AMENDATORY Ethics Rule 2.38.....	11
10. AMENDATORY Ethics Rule 2.56.....	12
11. AMENDATORY Ethics Rule 2.62.....	13
12. AMENDATORY Ethics Rule 2.67.....	14
13. AMENDATORY Ethics Rule 2.101.....	15
14. AMENDATORY Ethics Rule 2.106.....	17

## **Rule 1 Administration**

**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.

## **RULE 2 CAMPAIGN FINANCE**

**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.

**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.

**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).

**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.

**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.

**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.

**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.

**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.

**10. 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.

**11. 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 fund-raising 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.

**12. 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, 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.

**13. 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.

**14. 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.~~

**EFFECTIVE DATES.** All sections shall become effective upon Sine Die Adjournment of the 2018 regular legislative session.