



# OKLAHOMA ETHICS COMMISSION

## Pre-2015 CANDIDATE COMMITTEE CHECKLIST

**Read the entire checklist and review relevant Ethics Rules before completing checklist.**

ITEM	DESCRIPTION
<input type="checkbox"/> Pre-2015 Candidate Committee	<p>Is the committee a state candidate committee that was formed prior to January 1, 2015?</p> <p><b>YES:</b> The candidate committee follows pre-2015 Ethics Rules.</p> <p><b>NO:</b> This checklist does not apply to you.</p>
<input type="checkbox"/> Required Transfer or Dissolution	<p>Has this committee been open for at least 6 years after the general election for which the committee was formed?</p> <p><b>YES:</b> Your committee needs to either (1) dissolve the committee; or (2) transfer the funds to a new committee for a future campaign and dissolve the current committee.</p> <p><b>NO:</b> Quarterly Reports must continue to be filed until you dissolve your committee and file a final report in The Guardian System. Committees formed prior to January 1, 2015 have up to 6 years following the general election for which the committee is formed to transfer funds to a new campaign or dissolve. If, at this time, you wish to transfer funds or dissolve the pre-2015 candidate committee prior to these mandatory dissolution periods, continue to the next step.</p>
<input type="checkbox"/> Dispose of Committee Assets	<p>Does the committee have any of the following items?</p> <ul style="list-style-type: none"> <li style="display: inline-block; width: 30%;">• Office equipment (laptops, copier, printer, etc.)</li> <li style="display: inline-block; width: 30%;">• Appliances (coffee makers, microwave, refrigerator, etc.)</li> <li style="display: inline-block; width: 30%;">• Electronics (iPad, cell phone, cameras, etc.)</li> <li style="display: inline-block; width: 30%;">• Furniture (desks, chairs, file cabinets, etc.)</li> <li style="display: inline-block; width: 30%;">• Any other tangible assets</li> </ul> <p><b>YES:</b></p> <ul style="list-style-type: none"> <li>• <b>Sell Assets.</b> Sell the asset(s) for Fair Market Value—including sales to the candidate, committee officer or family member of the candidate or officer.             <ul style="list-style-type: none"> <li>○ <b>Deposit funds from sale into the Committee Depository.</b> Report the funds received as “other funds.”</li> </ul> </li> <li>• <b>Transfer Asset(s).</b> Transfer the asset(s), if any, as an “in-kind expenditure” to the candidate’s new committee, and report the asset as an “in kind contribution” from the prior committee in the new committee’s report.</li> <li>• <b>Keep records.</b> Keep records of the sale including how the committee determined Fair Market Value.</li> </ul> <p><b>NO:</b> Move on to the next step.</p>
<input type="checkbox"/> Resolve Debt	<p>Does the candidate committee have any of the following:</p> <ul style="list-style-type: none"> <li style="display: inline-block; width: 45%;">• Outstanding invoices for services (consulting fees, payroll, etc.)</li> <li style="display: inline-block; width: 45%;">• Outstanding invoices for goods (signs, t-shirts, etc.)</li> <li style="display: inline-block; width: 45%;">• Loans</li> <li style="display: inline-block; width: 45%;">• Any other debts</li> </ul> <p><b>YES:</b> The committee must resolve any debt and detail the resolution of debt in the committee’s report.</p> <p>Options to resolve debt:</p> <ul style="list-style-type: none"> <li>• <b>Sell assets.</b> Pay off the debt through funds raised through sale of assets. See “Dispose of Committee Assets” section.</li> <li>• <b>Commercially Reasonable Manner.</b> Resolve debt in a commercially reasonable manner.             <ul style="list-style-type: none"> <li>○ Generally, this would be the way the vendor would resolve any other outstanding debt by any other entity in the normal course of business.</li> </ul> </li> <li>• <b>Transfer to new committee.</b> When a candidate committee is transitioning to a new candidate committee, the candidate may transfer debt to the future committee. If you are going to transfer debt to a new committee, contact the Ethics Commission staff for assistance.</li> </ul> <p><b>NO:</b> Move on to the next step.</p>

<input type="checkbox"/>	Dispose of Surplus Funds	<p>“Surplus funds” are funds that are not otherwise obligated to pay candidate committee debt. Does the committee have any surplus funds?</p> <p><b>YES:</b> The committee <u>must</u> dispose of its funds according to line 12 of your Statement of Organization (SO-1). The following is the entire list of ways in which a committee may dispose of surplus funds; however, a committee is limited to the use(s) indicated in its SO-1.</p> <p>Use of surplus:</p> <ol style="list-style-type: none"> <li>1. <b>Deposit the funds in the General Revenue Fund for the State of Oklahoma</b> (State Treasurer)</li> <li>2. <b>Return the funds to contributors</b> (may be done in any formula approved by the candidate as long as the contributor(s) do not receive more than they actually contributed to the campaign)</li> <li>3. Contribute to a <b>charitable organization</b></li> <li>4. Use in a <b>future election</b> (A candidate committee can only transfer funds for a future election up to 6 years after the candidate’s general election)</li> <li>5. Use to defend legal actions or proceedings arising out of the campaign, election, or the performance of the candidate’s official duties as a state officer (cannot be used in criminal defense)</li> <li>6. Used for community activity</li> <li>7. Used for political activity</li> <li>8. Transfer to the state, county or congressional district of a committee of a <b>political party</b></li> <li>9. Use for tickets to the <b>Speaker’s Ball</b></li> </ol> <p>Once you have disposed of any surplus funds, move on to the next step.</p> <p><b>NO:</b> Move on to the next step.</p>
<input type="checkbox"/>	Transfer Committee Funds	<p>Will the candidate run for a future state office?</p> <p><b>YES:</b> Follow these steps to transfer your funds and create a new candidate committee:</p> <ul style="list-style-type: none"> <li>• Register a new committee for the next campaign in The Guardian System at <a href="https://guardian.ok.gov">https://guardian.ok.gov</a> <ul style="list-style-type: none"> <li>○ Review the “Guide for Candidate Committees” and the “New Committee Checklist” available on the Ethics Commission website at <a href="http://www.ethics.ok.gov">www.ethics.ok.gov</a>.</li> <li>○ The Committee name must include the first, middle or last name of the candidate <b>and</b> the year of the election.</li> </ul> </li> <li>• Open a new depository account in the name of the new candidate committee</li> <li>• Once the Ethics Commission approves or conditionally approves the new committee, you will login to The Guardian System of the Pre-2015 Committee. Select the “Expenditures/Transfers Out” section under the “Financial” tab. Click on “Add Transfer-Out”. Under the “Type of Transfer” select “Transfer Out to New Candidate Committee”.</li> <li>• Move on to the next step in this checklist to dissolve the pre-2015 candidate committee and file a final report</li> </ul> <p><b>NO:</b> Move on to the next step.</p>
<input type="checkbox"/>	File a Final Report	<p>Candidate Committees must file a Final Report of Contributions and Expenditures in The Guardian System. First, file any reports available to be filed currently, and then click on the “Dissolve Committee” button above the filings grid.</p> <ul style="list-style-type: none"> <li>• Include any contributions or “other funds” accepted; and</li> <li>• Include any expenditures or transfers made by the committee up until the final report is filed. (e.g., sale of assets, disposition of debts, disposition of surplus funds, etc.)</li> </ul>
<input type="checkbox"/>	Maintain Records	<ul style="list-style-type: none"> <li>• Records supporting the campaign reports must be kept for four years.</li> <li>• Records include: receipts of purchases, contributor statements, bank statements, mileage logs, proof of fair market value, and any other documentation that supports the information on the campaign reports.</li> </ul>

**Need Assistance?** Contact the Ethics Commission staff by phone at (405) 521-3451 or email [ethics@ethics.ok.gov](mailto:ethics@ethics.ok.gov) if you have questions or would like to schedule a private appointment.