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

Sponsored by: Commissioner Hawkins
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.
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 and/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.

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.

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:

2019-03
As proposed.

Sponsored by: Commissioner Hawkins

SEPTMBER 14, 2018 PUBLIC HEARING MATERIALS PG 7
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.

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.

Approved this 14th day of September, 2018.

Ashley Kemp
Executive Director