



OKLAHOMA ETHICS COMMISSION

STAFF MEMORANDUM 2022-01

Local Government Campaign Finance and Financial Disclosure Act Deadlines – Office Closures – Next Business Day Filing

The Local Government Campaign Finance and Financial Disclosure Act¹ (hereafter “Act”) controls campaign filings at the county, municipal, independent school district, and technology center districts. In large part, the Act incorporates by reference the Ethics Rules of Oklahoma² which include laws for campaigns for elective State Office.

A significant discrepancy in filing campaign documents at the state level versus the local government, otherwise known as the political subdivision level, is the method of filing. State campaign documents are filed online using The Guardian System which is available 24 hours a day, 7 days a week. Political subdivision documents are filed using paper reports delivered to the appropriate government filing office.³ The issue has arisen as to the filing requirements for political subdivision reports due on a day when the designated government office is closed. This particular issue has arisen at this time due to the new federally recognized holiday of Juneteenth which falls on the Monday deadline for pre-primary election reports.

The Act requires, among other things, that the filing of campaign documents follow the Ethics Rules “including but not limited to time for filing and contents.”⁴ Ethics Rule 1.4 provides the following requirements for documents that are *not required* to be filed electronically under the Ethics Rules.

(B) All other documents [records not *required* to be filed electronically] 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.

Conclusion: Ethics Rule 1.4 is specific to records filed with the Ethics Commission. However, the last day to file such documents depends on the required filing process—online filing or manual filing. As the Ethics Rules utilize a next business day requirement for non-electronically filed records that same requirement applies to political subdivision filings under the Act. Any document required under the Act where the due date is on a weekend, holiday, or other day the filing office is closed, shall be timely filed if filed no later than the first business day following the due date.

Issued: June 17, 2022

¹ SB 1745 (2014) codified at Title 11 for County Campaigns; Title 19 for Municipal Campaigns; and Title 70 for Technology Center and Independent School District Campaigns.

² Title 74 O.S. Chapter 62, Appendix 1, Rule 2

³ County campaign records are filed at the County Election Board; Municipal campaign records are filed with the municipal clerk; and Technology Center and Independent School District reports are filed with the School District Clerk.

⁴ Title 19 O.S. §§ 138.13 and 138.14; Title 11 O.S. §§ 56-105 and 56-106; and Title 70 O.S. §§2-114 and 2-115