



OKLAHOMA ETHICS COMMISSION

DISSOLVING A CANDIDATE COMMITTEE CHECKLIST

Read through the entire checklist before completing any items and use it with the Candidate Guide and Ethics Rules.

ITEM	DESCRIPTION
<input type="checkbox"/> New Campaign	<p>Is the candidate running for another state-level office (not federal, county, municipal, or school district)?</p> <p>YES: Use the checklist for “Transitioning to a New Candidate Committee” available at www.ethics.ok.gov</p> <p>NO: Use this “Dissolution Checklist”.</p>
<input type="checkbox"/> Office Holders	<p>Was the candidate elected to the office for which the committee was formed?</p> <p>YES: The candidate may keep the committee open and use the funds for officeholder expenses or surplus funds, until its mandatory dissolution date. See the <i>Mandatory Dissolution</i> section below.</p> <p>NO: Is the candidate currently completing a term for elective office?</p> <ul style="list-style-type: none"> • YES. The candidate may use up to the amount of funds transferred from the committee used to elect the candidate for officeholder expenses until the current term of office is completed. • NO. The candidate committee has two years after the election for which the committee was formed to dissolve and file a final report with the Ethics Commission. Continue with the dissolution checklist.
<input type="checkbox"/> Calendar Mandatory Dissolution Date	<p>Determine the mandatory dissolution date and calendar it to ensure the committee is dissolved timely.</p> <ul style="list-style-type: none"> • Not elected: Dissolve no later than 2 years after the general election. • Elected: The dissolution date is tied to the term of office for which the candidate was elected and will be either 2, 4, or 6 years after the general election. For example, a candidate elected during the 2020 elections to a 4-year term of office will be required to dissolve no later than November 3, 2024. <p>Funds remaining in a committee 90 days after the mandatory dissolution date will be forfeited to the general revenue fund.</p>
<input type="checkbox"/> Sell Committee Assets	<p>Does the committee have any of the following items?</p> <ul style="list-style-type: none"> • Office furniture or equipment (desk, copiers, etc.) • Appliances (coffee maker, refrigerator, etc.) • Electronics (iPad, cell phones, cameras, etc.) • Any other tangible asset(s) <p>YES: The committee may contribute assets to another state candidate committee up to the contribution limits or may:</p> <ul style="list-style-type: none"> • Sell the Assets. Sell assets for Fair Market Value (FMV), even to officers, candidates, and family members. <ul style="list-style-type: none"> ○ Deposit funds into Committee Depository. Report funds received as “other funds” not contributions. ○ Keep records of the sale. Keep all records of the sale and how FMV was determined for at least 4 yrs. <p>NO: Move on to the next step.</p>
<input type="checkbox"/> Pay Debts, Otherwise Resolve Debts, & Report Debts as required	<p>Does the committee have any of the following? If “yes,” continue below or if “no,” move to next section:</p> <ul style="list-style-type: none"> • Outstanding invoices for services • Outstanding invoices for goods • Loans • Any other debts or outstanding payments <p>YES: The candidate committee must do the following to resolve debt:</p> <ul style="list-style-type: none"> • Sell assets. Pay off the debt through funds raised through sale of assets. See “Sell Committee Assets” section. • Loan Forgiveness. A candidate or other 3rd party can “forgive” a loan to the committee that is unable to be repaid. <ul style="list-style-type: none"> ○ The forgiven amount is a contribution to the candidate committee and subject to contribution limits. ○ Forgiveness is reported using the “Loans” tab in The Guardian System.

Resolve Debt continued

- **Commercially Reasonable Manner.** Resolve debt in a commercially reasonable manner.
 - Generally, this would be the way the vendor would resolve any other outstanding debt by any other entity in the normal course of business.
 - Report the resolution of debt using The Guardian System on the Final Report accessed by clicking on “Dissolve”, check the box for “Debt” on the filing page and add each debt to be resolved.
- **Not Resolved in a Commercially Reasonable Manner.**
 - If not resolved in a commercially reasonable manner, the amount of the debt is a contribution to the committee and must be reported as a contribution.

CAUTION: Resolving debt in a non-commercially reasonable way when the vendor is a corporation is a prohibited corporate contribution.

Contribute to Another Candidate

Candidate to Candidate Contribution. A state candidate committee may contribute to another state candidate committee. A state candidate committee must not contribute to a county, municipal, or school board candidate committee. For contributions between committees formed for different years, the lower limit applies.

Candidate Committee Contribution Limits by Election					
2015	2016	2017	2018	2020	2022
\$2,700	\$2,700	\$2,700	\$2,700	\$2,800	\$2,900

Dispose of Surplus Funds

1) Does the committee have funds in excess of what is needed to pay any officeholder expenses or campaign expenses?
 2) Has the office for which the committee was formed been decided?
NO: A committee that answers “no” to **either** question does not have surplus funds. Go to the next step.
YES: A committee that answers “yes” to **BOTH** questions has surplus funds that can be used as listed below.

- **Transfer to New Committee.** Transfer the funds for use in a future campaign for state office (not federal, county, school district, or judicial office). Current officeholders may use up to the amount of funds transferred to a new committee for officeholder expenses of the current term.
- **Donate to a 501(c)(3).** Donate surplus funds to a charitable organization that is registered as a 501(c)(3) organization **NOTE: Not all “non-profit” organizations are 501(c)(3) organizations.**
- **Return to Contributors.** Return funds to the contributor(s) of the current committee by any method; so long as a contributor does not receive more money than contributed in the most recent election.
- **Contribute to a Party Committee.** Up to \$25,000 in total may be contributed to political party committees.
- **Give Item(s) to a 501(c)(3) Fund-raiser Auction.** Surplus funds may be used to purchase items for a 501(c)(3) charitable organization following the provisions in Ethics Rule 2.48(F).
- **Donated to the State or Local Government.** Surplus funds may be donated to the State of Oklahoma, an agency, or to any county, city, town or school district following provisions of Title 60 O.S. §381 *et seq.*

Save online records

Print off and/or save all online documents including bank documents and/or statements before closing accounts. At least 2 bank statements will be requested by the Commission after filing a final report.

File a Final Report

A final report is required but may only be filed **after** filing any currently due or outstanding reports, all assets have been sold or transferred, all debts have been resolved, and there is an ending balance of “0” in the depository and Guardian.

Final Reports include information not reported on other reports: whether the committee is closing with “debt,” how the debt (if any) was resolved.

Click on the “Dissolve Committee” button above the required filings grid to begin the “final report”.

Maintain Financial Records

The committee must retain all receipts, bank statements, and other documentation supporting the Contributions and Expenditures Reports or committee activity for at least **FOUR (4) years**. The committee is required to provide these documents to the Ethics Commission upon request.

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