



Local Political Party Guide



Traveling Oklahoma Route 66

2019-2020

Oklahoma Ethics Commission
FAIR RULES. FIRM ENFORCEMENT.

“This publication is issued by the Oklahoma Ethics Commission as authorized by Executive Director, Ashley Kemp, pursuant to Ethics [Rule 1.8](#), and is located at the following website: <http://www.ethics.ok.gov>. This publication has been submitted in compliance with [Section 3-114](#) of Title 65 of the Oklahoma Statutes.” All guides are updated annually in July. This guide was updated on **August 30, 2019**.

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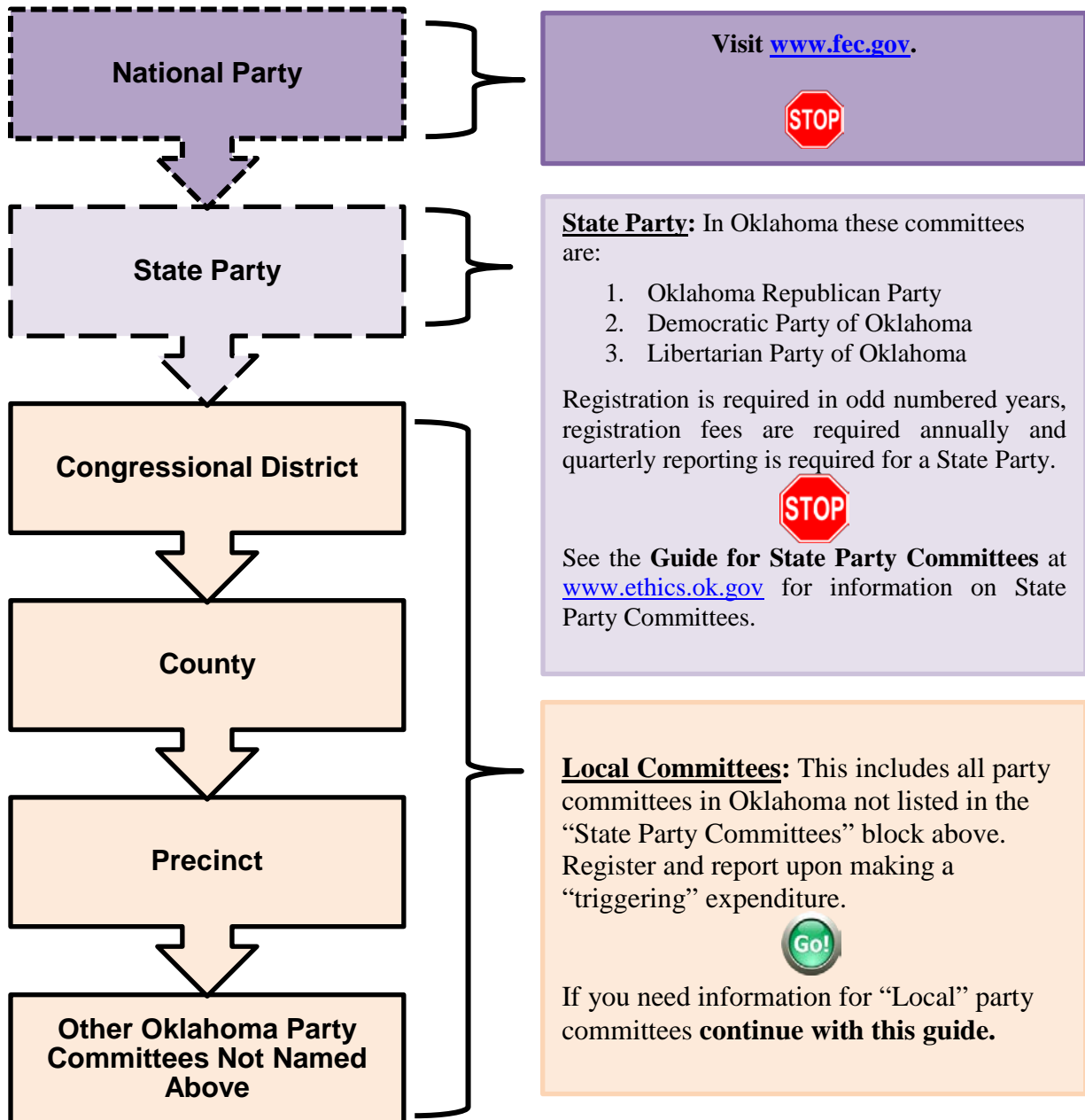
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Is This the Right Guide for You?

Party Committees are part of a national structure with “state” party committees being the governing body of the political party for each state or territory of the United States. Each “state” party structure includes party committees at various local levels within the state—congressional district, county, precinct and other committees, such as women’s clubs and “young” party committees. This guide is for those “local” Oklahoma party committees. See the chart below for a visual representation.



Commissioners

- **Holly Johnson** – appointed by Chief Justice John Reif of the Oklahoma Supreme Court, term expires July 2021
- **Charles Laster** – appointed by Governor Mary Fallin, term expires July 2022
- **Cathy Stocker** – reappointed by Attorney Mike Hunter, term expires July 2022
- **Gregg Engle** – appointed by Senate President Pro Tempore Greg Treat, term expires July 2024
- **Jarred Brejcha** – appointed by Speaker of the House Charles McCall, term expires July 2024

What's New to This Guide

- The registration and administration fee was lowered from \$250 to \$100 at the Commission meeting held June 14, 2019; this fee change became effective July 1, 2019.
- Two new Commissioners were appointed to the Commission in July of 2019.
- This guide also contains modifications to some examples and clerical errors. However, no Ethics rule amendments were passed that affected political party committees.

I. Introduction

What Is the Oklahoma Ethics Commission?

The Oklahoma Ethics Commission (“Commission”) is a state agency created by a vote of the people of Oklahoma in 1990 by adding Article 29 to the Oklahoma Constitution. The Constitution requires the Commission to promulgate rules of ethical conduct for campaigns for state office, campaigns for initiative and referenda, and state officers and employees. The Commission has limited statutory jurisdiction for campaigns at the local levels, such as counties, independent school and technology center districts, and certain municipalities with both a population over 10,000 in the 2010 census and a general revenue fund expenditure budget in excess of Ten Million Dollars.

How to Use This Guide

This guide summarizes the Rules of the Oklahoma Ethics Commission as applied to Congressional District, County, Precinct and other political party committees that are not the governing party committees for the State of Oklahoma. It is written by the Commission staff to provide assistance in compliance with the Ethics Rules, as authorized by [Rule 1.8](#). This guide is not a substitute for the law. If there is a conflict between this guide and the Constitution, statutes or Ethics Rules, then the Constitution, statutes or Ethics Rules prevail. This guide includes the law effective July 1, 2019.

Limited Scope

This guide is not intended to provide comprehensive information about all Ethics Rules and other relevant law concerning political party committees. Individuals in positions of responsibility with political party committees should become familiar with the relevant Constitutional and statutory provisions, as well as with the Ethics Rules.

This Guide Is Limited to Oklahoma Ethics Law

This guide only addresses Oklahoma Ethics Rules and is limited to local political party committee activity in campaigns for state office.

For information on state political party committees, see the guide for state political party committees on the Ethics Commission website at www.ethics.ok.gov.

Advisory Opinions

[Rule 1.7](#) authorizes the Commission to issue official advisory opinions interpreting its rules. Such advisory opinions are binding on the Commission. The Commission will consider an advisory opinion only as it applies to the person requesting the opinion, rather than third parties. Send requests for an advisory opinion to the Oklahoma Ethics Commission at 2300 N. Lincoln Blvd., Rm. G-27, Oklahoma City, OK 73105 or ethics@ethics.ok.gov.

Registration and Compliance Fees

The Commission publishes registration and administration fees for political party committees on its website. **The registration and administration fee for political party committees from July 1, 2019 to June 30, 2020 is \$100.00.** [Rule 6.19](#). See sections [IV](#) and [V](#) and for information on registration requirements.

The Executive Director is authorized to issue compliance orders to obtain compliance with these Rules, including late filing fees. [Rule 6.19](#).

Training and Education Fees

The Executive Director is authorized to establish and collect fees for participation in training and educational seminars, classes and similar programs and materials. [Rule 1.8](#).

The Guardian System

The Guardian System is the Commission's electronic filing system where all required registrations and reports are filed. Access The Guardian System directly at <https://guardian.ok.gov> or through the Ethics Commission website at www.ethics.ok.gov.

The Guardian System is accessible 24 hours a day, 7 days a week. All reports are due in The Guardian System on the specified filing date, **regardless of weekends and holidays**.

For more information on how to use The Guardian System, see the documents and the YouTube videos with step-by-step instructions on The Guardian System website. Locate this information in The Guardian System by clicking on the "Resources" tab and then clicking on "Publications" from the dropdown menu.

a. Guardian System Training

One-on-one Guardian System training is available upon request. Guardian system training is unavailable during the last five days of a filing period. Contact the Ethics Commission staff at (405) 521-3451 or ethics@ethics.ok.gov to make an appointment.

Commission Website

Additional information on compliance with the Ethics Rules is available on the Commission's website at www.ethics.ok.gov.

Contacting the Commission

The Ethics Commission office is located on the ground floor level of the State Capitol, Room G-27. The Commission's hours are **Monday through Friday from 8:30 a.m. to 5:00 p.m.**

- Address: 2300 N. Lincoln Blvd., **Rm G-27**
Oklahoma City, OK 73105
- Telephone number: (405) 521-3451
- Fax number: (405) 521-4905
- E-mail: ethics@ethics.ok.gov

Ethics Commission meetings are typically held on the second Friday of every month. Information regarding the Commissioners, the Ethics Commission staff, and the Commission meeting agendas and minutes are located on the Commission's website at www.ethics.ok.gov.

GovDelivery Notification System

Sign up on the Ethics Commission website (www.ethics.ok.gov) to receive Ethics Commission notifications via text message or email. Users may subscribe to receive information from the Commission on specific topics, such as political party committee news, rule updates, continuing education programs, commission meetings, etc.

Ethics Commission Is On Social Media

Follow the Ethics Commission on social media platforms to view updates on Ethics Commission news.

- Follow @EthicsOKgov on Twitter
- Like us on Facebook: <https://www.facebook.com/EthicsOKgov/>

II. Defining Political Party Committees

Political Party Must Be Recognized Under Oklahoma Law

A political party committee is a committee authorized by a political party, which is recognized under the laws of the State of Oklahoma, to accept contributions and make expenditures on behalf of the political party. [Rule 2.2\(16\) and \(17\)](#).

Political Party Committee Includes Different Levels

A political party committee may include a state committee (governing body of the party in Oklahoma) or local committees, such as congressional district, county, or precinct committees. It

may also include any other committee that is officially recognized in the party's bylaws or similar governing document, such as the Oklahoma Federation of Young Republicans or the Oklahoma Federation of Democratic Women's Clubs. [Rule 2.2\(17\)](#). View the chart in [Appendix I](#) for more information on the different levels of party committees.

Registration with the Commission and filing reports is determined by the level at which the party committee operates. State party committees register biannually, pay a registration and administration fee annually and file quarterly reports, regardless of activity. Whereas, local committees only register, pay a registration fee and file reports when engaged in certain activity. See [section IV](#) for more information on when local levels are required to register.

Partisan Organizations May Not Be Party Committees

Groups may organize to support political parties or their candidates that are not recognized as a part of the political party structure. These unofficial groups are not "political party committees" under the rules of the Ethics Commission and will not register as a political party committee. These committees may be considered political action committee ("PAC") in Oklahoma. If such organizations raise or spend more than \$1,000 to engage in political activity, then registration and reporting will be required with the Ethics Commission as a PAC. See the guide for Political Action Committees located on the Ethics Commission website.

Contact the Ethics Commission Staff with Questions About Your Organization's Status

If you are unsure as to whether your organization is required to register and file reports with the Ethics Commission, contact the Ethics Commission staff at (405) 521-3451 or ethics@ethics.ok.gov.

III. Political Party Committee Structure

Structure Requirements

Each political party committee is required to have a campaign depository, a Chair, and a Treasurer.

Campaign Depositories

A political party committee must establish at least one campaign depository in a financial institution that ordinarily conducts business in the State of Oklahoma. The bank account for the committee must be established solely for the benefit of the committee and must not commingle committee funds with funds of any other entity. [Rule 2.94](#).

The account must be maintained in the name of the committee, and if the committee registers with the Commission, the name of the depository account must match the committee name as it is registered with the Commission. All contributions to the committee, except in-kind contributions, must be deposited in the account. All expenditures made by the committee must be made by check or debit card signed by the Treasurer or Deputy Treasurer of the committee. [Rule 2.95](#).

Committee Officers

a. Required Officers: Chair and Treasurer

A political party committee is required to have a Chair and a Treasurer. [Rule 2.104](#).

b. Optional Officer: Deputy Treasurer

A Deputy Treasurer is not a required officer but is recommended. This officer is the person designated to fulfill the responsibilities of the Treasurer in the event the Treasurer is unavailable. The Deputy Treasurer performs similar duties to the Treasurer and may sign committee checks or debit cards upon making expenditures.

c. Other Officers

In addition to the Chair and Treasurer, a political party committee may have other officers to assist the committee with its activities and filing requirements. However, the additional officers do not relieve the Chair and Treasurer of their legal responsibilities under these rules.

Duties of the Officers

All officers must adhere to the Ethics Commission Rules.

The Treasurer is required to keep the committee's financial records and accounts, including all contributions accepted, all deposit slips or other evidence of acceptance of contributions, all expenditures made, all receipts, canceled checks or other evidence of payment of expenditures, bank statements, logs and all other documents necessary to file Reports of Contributions and Expenditures. When acting in place of the Treasurer, the Deputy Treasurer can perform similar duties. [Rule 2.104](#).

All records and documents should be maintained for a period of four years. These records should be made available to the Commission upon request. [Rule 6.12](#).

If the committee is registered with the Commission, the Treasurer is responsible for notifying the Commission of any changes with the committee. Also, if any committee information changes, such as a change in officers or a change in an officer's contact information, the Treasurer must amend the Statement of Organization within 10 days of the change. [Rule 2.104](#).

Section Summary

- All political party committees are required to have a depository (i.e., bank account) in the state of Oklahoma, a Chair and a Treasurer.
- The committee may have other officers, but these officers do not relieve the Chair or the Treasurer of their legal responsibilities.
- All officers must adhere to the Ethics Commission Rules. The Treasurer is primarily responsible for maintaining all records and documents, as well as filing documents, if required, with the Ethics Commission.

IV. Is Your Committee Required to Register with the Ethics Commission?

A local party committee—a congressional district, county, precinct or other associated party committee—is required to register with the Commission by filing a Statement of Organization in any year the committee performs at least one of the following “**triggering events**”:

The committee:

1. Makes an independent expenditure (“IE”);
2. Makes an electioneering communication (“EC”); or
3. Makes a contribution in **any amount** to a candidate for **any state office**.

A committee that performs one or more of these triggering events is required to register with the Commission, pay the registration fee and file one or more reports.

A committee that does not expend funds for any of the three triggering events is not required to register with the Commission or file reports.

For more information on what qualifies as an independent expenditure or electioneering communication, see the [Appendices IV - VI](#).

a. Local Committees That Perform Triggering Events Are Required to Register

Once a triggering event occurs, the committee is required to register with the Ethics Commission by filing a Statement of Organization electronically in The Guardian System and paying a registration and administration fee. [Rule 2.104](#). The registration and administration fee for political party committees from July 1, 2019 to June 30, 2020 is \$100.00. [Rule 6.19](#).

Once a committee has registered during a calendar year, the registration continues until the end of the calendar year. The committee will not be required to renew its registration in another calendar year unless it performs at least one of the three triggering events.

b. Local Committee Not Making Triggering Expenditures Is Not Required to Register

If a committee does not perform one of the triggering events listed above, then the committee is not required to register with the Ethics Commission, pay the registration and administration fee, or file reports.

A local political party committee is only required to file a Statement of Organization and reports detailing contributions and expenditures during any calendar year it performs at least one of the triggering events.

i. Local Committees May Use The Guardian System for Bookkeeping

Local political party committees that are not yet required to register may use The Guardian System for record keeping purposes (e.g., keep track of all contributions, expenditures, etc.). To do this, register in The Guardian System but do not pay the registration fee. The Ethics Commission will conditionally accept your registration. The committee may then enter committee contributions and expenditures into the system. When a “triggering”

expenditure is entered, The Guardian System will add a report to your filing schedule and indicate you have a report due. At that time, the committee may pay the registration fee to complete the registration. Once the registration fee is paid and the registration is fully accepted, the committee can then file the report in The Guardian System. This will assist local political party committees with recordkeeping and The Guardian System will notify the committee when or if other reports are required.

c. Transfers of Funds to State Political Party Committee Does Not Trigger Registration

A local political party committee may transfer funds to a state political party committee for the state political party committee to make the triggering event expenditures (i.e., make a contribution to a state candidate, independent expenditure or electioneering communication) and report these the expenditures. **This does not trigger registration and reporting requirements for local political party committees.** The movement of funds between political party committees are transfers between political party committees, not contributions or expenditures. The transfer of funds from the local committee and the expenditure by the state political party will show on the state party committee report. This alleviates the need for the local committee to register and file reports. See chart in [Appendix II. Rule 2.104](#).

Example: County X Party Committee meets once a month for lunch to conduct political party business, but the committee does not make independent expenditures, electioneering communications or contributions to any state candidates. In 2022, Sally Smith, a member of the County X Party Committee, is running for Governor and the committee wants to show its support. The committee transfers \$200 to the state political party committee to support Sally Smith. The state political party committee may issue the contribution to Sally Smith on behalf of County X Party Committee. County X Party Committee has **not** made a triggering “expenditure”; it has made a transfer to the state political party committee. County X Party Committee is **not** required to register or file a report. Instead, the state party committee will report both the transfer from County X Party Committee and the contribution to Sally Smith.

Section Summary

- A political party committee is a committee authorized by a political party, recognized under the laws of the State of Oklahoma, to accept contributions and make expenditures on behalf of the political party. There are different levels of political party committees: state political party committees and local political party committees (e.g., congressional district, county, or precinct committees).
- Partisan committees that are not recognized by a state political party are considered political action committees under the Ethics Rules.
- Local political party committees only register and file reports during a calendar year in which the committee performs at least one of the three “triggering events”: the committee (1) makes an independent expenditure; (2) makes an electioneering communication; or (3) makes any contribution to a candidate for **state office**.
- Local political party committees that do not perform a triggering event are not required to register or file reports with the Ethics Commission.
- A local political party committee may provide funds to support a state candidate to the state party without triggering registration and reporting requirements if the funds are transferred to the state party committee and the state party committee makes the contribution to the state candidate.

V. Register by Filing a Statement of Organization

File the Statement of Organization in The Guardian System and Pay Registration and Administration Fee

To register with the Ethics Commission, a committee must file a Statement of Organization (“SO”). All SOs must be filed electronically in The Guardian System, unless otherwise ordered by the Commission or the Executive Director of the Commission. Access The Guardian System through the Ethics Commission website at www.ethics.ok.gov or directly at guardian.ok.gov.

To complete registration or renewal, the committee is required to pay a registration and administration fee. The registration fee for political party committees from July 1, 2019 to June 30, 2020 is \$100.00. [Rule 6.19](#).

This fee may be paid online in The Guardian System via credit card or check made out to the Oklahoma Ethics Commission. Those who pay by credit card online will have an additional service charge for using a credit card. Political party committee funds may be used to pay registration and administration fees.

Please review the previous [section IV](#) to determine whether you are required to register and file reports with the Ethics Commission. Also, the Ethics staff is available to answer questions regarding registration and reporting requirements.

a. First Statement of Organization

Contact information for the Chair, Treasurer (and Deputy Treasurer, if applicable) must be provided in the Statement of Organization (“SO”) that is filed in The Guardian System upon registration. [Rule 2.104](#). When a committee files the first SO with the Commission, the officer information is provided as part of the registration process. Each officer must have their own individual contact information listed in the SO to ensure proper communication with the committee and to enable each officer to obtain login credentials for The Guardian System.

As a convenience, designated filing agents (“DFAs”) may be added at that time but this is not required.

b. Second and Subsequent Statements of Organization

During calendar years following the first Statement of Organization (“SO”), a new SO is *required* only when a local political party committee makes a triggering expenditure that requires registration. A local political party committee that has previously filed a SO in The Guardian System may “renew” its registration in subsequent years by using the same account. [Rule 2.122](#). To do so, a committee officer will log in to the account and click on the “renew” button. A SO will be generated using the information from the prior registration. The officer must review all information on the SO and make it current before submitting the registration renewal. The officer will either pay the registration fee online in The Guardian System or directly to the Ethics Commission office.

Committees that have filed a SO, but are not required to renew, are strongly encouraged to amend and update the information on the SO when a change occurs. This ensures the Commission has up-to-date contact information for the committee and the committee receives important notices.

c. Information Needed for the Statement of Organization

The following information is required to file a Statement of Organization:

1. The name of the Chair.
2. The name of the Treasurer.
3. The name of a Deputy Treasurer, if a Deputy Treasurer is appointed.
4. The full name of the committee.
5. The mailing address and residence address, email, telephone numbers and website, if applicable, of the committee, the Chair, the Treasurer and, if applicable, the Deputy Treasurer. Each officer must have his or her own email address.
6. The full name and address of each depository in which the committee will maintain an account. [Rule 2.104](#).

The Statement of Organization Must Be Amended When a Change Occurs

Once a local committee registers during a calendar year, the Treasurer must update any change in the information on the Statement of Organization (“SO”) during that calendar year by filing an Amended SO in The Guardian System within 10 days of the change. [Rule 2.104](#).

For example, if an officer changes addresses, gets a new phone number, or changes their last name, these changes, or any other changes in contact information, must be reported in an Amended Statement of Organization. [Rule 2.104](#).

To amend a SO, log in to The Guardian System, click on the “Filings” tab, and click “Amend” next to the current registration for the committee under the “Filing History” section. Update the appropriate information and click “Submit” to file the amended report.

a. Update Officer Information

When a currently registered committee elects new officers or when any of the officer information on the most recent SO has changed, the committee is required to amend its current committee registration (i.e., SO) with the new officers or officer information within 10 days of the change. [Rule 2.104](#).

i. Adding or Removing Officers

When a committee needs to add or remove the officers associated with the account due to new officer elections, the committee must add new officers to the list of officers and delete former officers from the list. This is done either through renewing a SO or amending a SO within 10 days of the change, whichever is earliest. Once new officers have been added to the list, The Guardian System will send a username and password to the email address listed for that officer. Once an officer is deleted his or her ability to access the committees’ account will be terminated. If a former officer is not deleted he or she will continue to be able to access the account.

ii. Updating Current Officer Information

When the contact information for a current officer changes, the committee will need to amend the most recent SO and update the officer information by clicking “Update” next to that officer’s information and then entering the current information for that officer.

Add Non-Officers to Guardian Account to Assist with Reporting

Officers of a political party committee that are registered in The Guardian System can add individuals as Designated Filing Agents or Data Entry Users to assist with reporting requirements. These individuals provide support for the committee to ensure data is entered and reports are filed on time.

a. Designated Filing Agent (DFA)

A designated filing agent (“DFA”) is someone, other than an officer, who can access the committee’s account in The Guardian System to file reports for the committee. A committee may have multiple DFAs.

A DFA is not required but is recommended. A Chair, Treasurer or Deputy Treasurer of the committee does not need to register as a DFA because these officers already have report filing capabilities.

Add a DFA in The Guardian System by adding the DFA to the Statement of Organization (“SO”) during the initial registration process or later by amending the SO. Once added to the system, the DFA will receive login credentials via email. Registered DFAs are removed from the system by amending the SO.

b. Data Entry User (DEU)

A data entry user (“DEU”) is an individual, other than an officer or DFA, who can access the committee’s account in The Guardian System to input contributions and expenditures on behalf of the committee; however, **he or she cannot file reports**. This allows a committee to have an individual to input contributions and expenditures for an officer or DFA to review and file the report.

DEUs can only be added by Ethics Commission staff. To add a DEU, call the Ethics Commission staff to receive the DEU’s login credentials.

Section Summary

- Every political party committee is required to have a bank account that ordinarily conducts business in Oklahoma.
- Every political party committee is required to have a Chair and Treasurer but may also have a Deputy Treasurer.
- To register with the Ethics Commission, file a Statement of Organization in The Guardian System.
- A registration and administration fee is required to complete registration. **The registration fee for July 1, 2019 - June 30, 2020 is \$100.**
- For a currently registered committee, an amended Statement of Organization must be filed within 10 days of any change of information on the SO.
- New officers must be added to the Statement of Organization in order for the new officer to receive their login credentials. Former officers must be deleted to terminate access to the account.
- If current officer information changes, that change must be updated in the Statement of Organization within 10 days of the change.
- The Treasurer is responsible for retaining records, updating changes to committee information in The Guardian System, and filing reports with the Commission.
- A committee can also utilize one or more Designated Filing Agents (DFA) to assist with filing reports and also a Data Entry User (DEU) who can assist with data entry but cannot file reports.

VI. Due Dates for Reports

Local party committees have reporting obligations that are different from the state party committee. State committees have continuous registration and reporting requirements, regardless of activity. Local committees, only register and report during years in which the committee performs at least one of the following “triggering” expenditures:

The committee

1. Makes a contribution of **any amount** to a candidate for **state** office;
2. Makes an independent expenditure; or
3. Makes an electioneering communication.

Regardless of which triggering expenditure is made or the number of these expenditures that occur, a committee will be required to file a Contributions and Expenditures Report detailing the funds, goods, and services coming into the committee and the funds, goods, and services leaving the committee when it makes a triggering expenditure. Independent expenditures (“IE”) and electioneering communications (“EC”) expenditures may require additional reports. IEs or ECs of \$5,000 or more in the aggregate that occur before an election require additional reports, which are due *during the 2 weeks before an election*. These reports are in addition to the quarterly filed reports of the Contributions and Expenditures report, as described in later sections. [Rule 2.104](#).

Periods Covered and Filing Periods

The filing periods for political party committee Contributions and Expenditures Reports is based on calendar year quarters. A report for a quarter is not filed until the quarter has ended. Once the quarter ends, a committee has the entire following month to file a report (see the chart below).

Reports of Contributions & Expenditures		
Filing Period/Reports Due Between	Period Covered	Type of Report Due
April 1 – 30	Jan. 1 – March 31	1 st Qtr. Contributions & Expenditures
July 1 – 31	April 1 – June 30	2 nd Qtr. Contributions & Expenditures
Oct. 1 – 31	July 1 – Sept. 30	3 rd Qtr. Contributions & Expenditures
Jan. 1 – 31	Oct. 1 – Dec. 31	4 th Qtr. Contributions & Expenditures

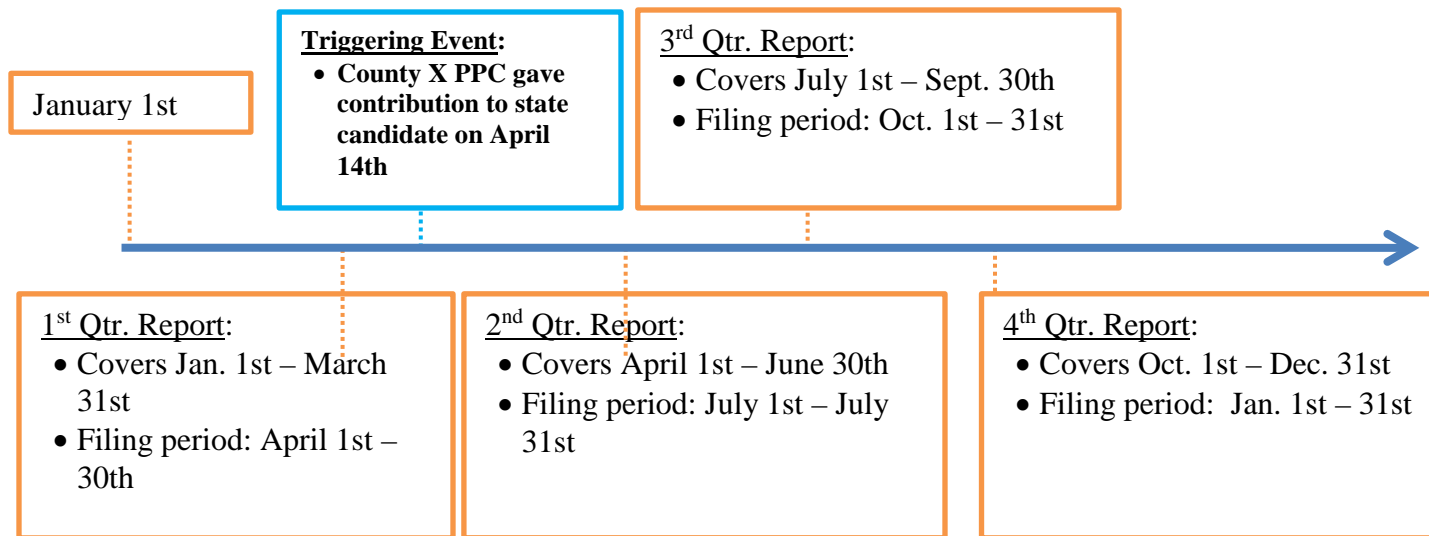
As noted in the chart above, the “period covered” indicates the time period the committee needs to account for funds coming into and leaving the committee in the Report of Contributions and Expenditures. Whereas, the “filing period” indicates the dates during which the report can be filed in The Guardian System. A report cannot be filed before the filing period begins, and any reports filed after the filing period ends are considered late.

Committees that are already using The Guardian System will receive alerts when reports are due, but only when the transactions are entered in The Guardian System regularly or as they are made. The Guardian System will also notify committees when IE/EC reports are due. [Rule 2.104](#).

a. Contributions and Expenditures Reports Required During Quarterly Filing Periods for Triggering Expenditures

When a triggering expenditure is made (i.e., contribution to a state candidate, electioneering communication or independent expenditure), the committee must first register with the Ethics Commission and pay a registration and administration fee, as discussed in [section V](#). The committee's first Contributions and Expenditures Report is required during the filing period for the quarter in which the triggering event occurred. This report will cover contributions received and expenditures made from January 1st of the year in which the triggering event occurred until the end of that quarterly reporting period. [Rule 2.104](#).

Example 1: County X Political Party Committee makes a contribution to a candidate for state office (triggering event) on April 14th. April 14th falls within the 2nd quarter, which covers April 1st - June 30th. The report can be filed between July 1st through July 31st. County X Political Party Committee is not registered in The Guardian System. Because this committee made a triggering expenditure and it is not registered in The Guardian System, the committee needs to register when the triggering event occurs. Then, it needs to file a Report of Contributions and Expenditures between July 1st and July 31st that covers the period of January 1st to June 30th. See the chart for a visual representation.



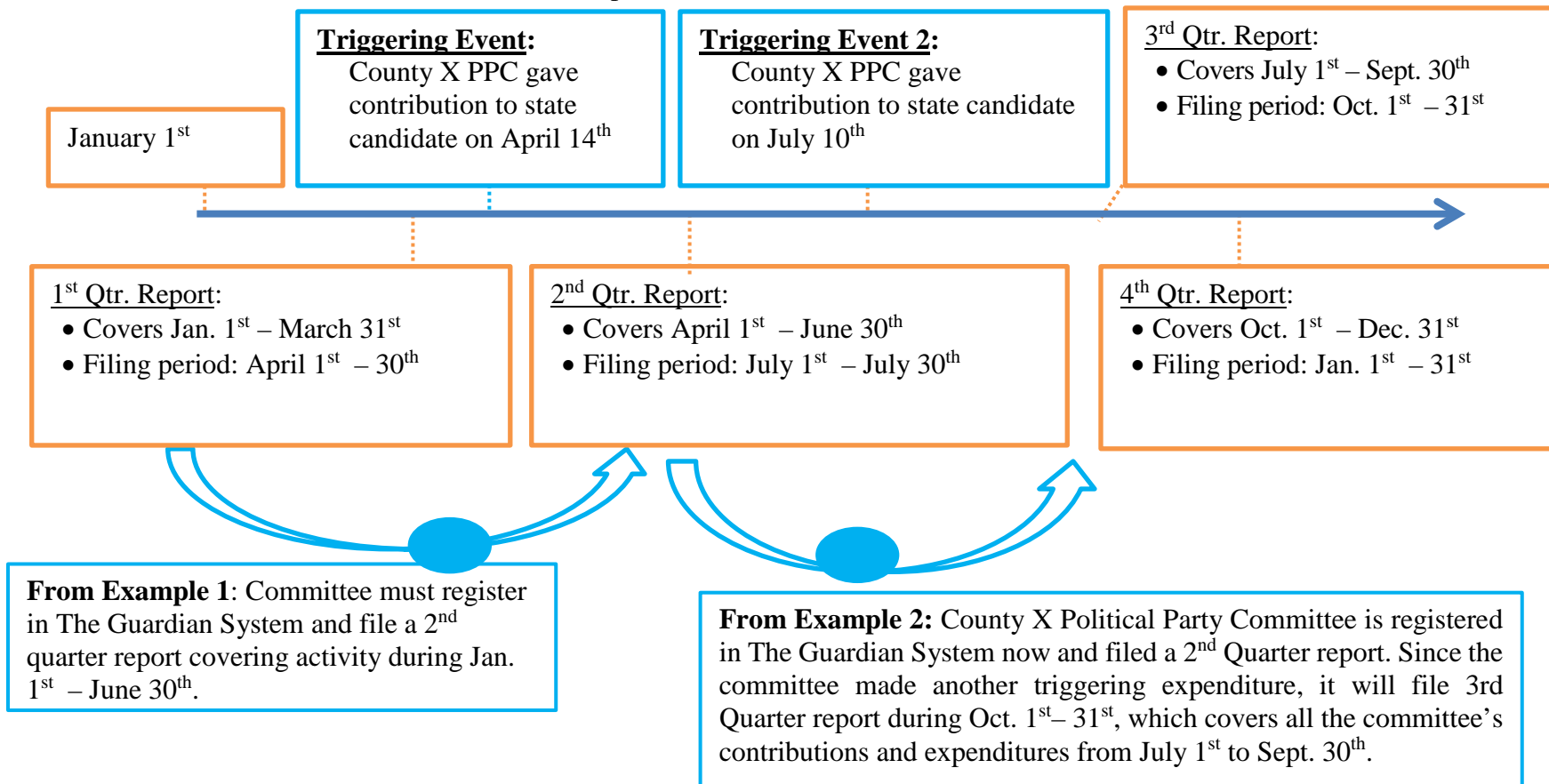
Committee Must Register & File a 2nd Quarter Report

Because County X Political Party Committee was not registered in The Guardian System before the triggering event, the committee must register in The Guardian System. The committee must also account for the contributions and expenditures that took place from the beginning of the year until the end of the 2nd Quarter (when the triggering event occurred). This committee will file the report in the 2nd Quarter filing period (filing period is July 1st -31st), which will cover all the committee’s contributions received and expenditures made from Jan. 1st to June 30th.

County X Political Party Committee is not required to file a 3rd or 4th quarter report because the committee did not make another triggering expenditure (i.e., contributions to state candidates, independent expenditures, or electioneering communications).

Additional Contribution and Expenditures reports will only be required if the committee makes additional triggering events in another quarter. Any subsequent reports will begin with the reporting period of the quarter following the quarter for which a report has been filed and continue through the end of the reporting period during which a triggering event occurred. [Rule 2.107](#) and [2.108](#).

Example 2: Same scenario as Example 1, except County X Political Party Committee made another contribution to a state candidate on July 1, 2020. In this case, County X Political Party Committee would need to register and file the 2nd quarter report because of the situation in Example 1. Additionally, the committee will need to file a Report of Contributions & Expenditures during the 3rd Quarter filing period (Oct. 1 -31) because of the contribution to the state candidate on July 1st. This report will cover July 1 through Sept. 30, 2020 and must be filed between Oct. 1 – Oct. 31, 2020. See the chart below for a visual representation.



Section Summary

- State political party committees are required to register or renew in July of odd-numbered years and pay the registration fee annually. These committees will file quarterly Reports of Contributions and Expenditures with the Ethics Commission until the dissolution of the committee.
- Local political party committees only register in any calendar year when they make one of the three triggering expenditures.
 1. Makes a contribution of any amount to a candidate for state office;
 2. Makes an independent expenditure; or
 3. Makes an electioneering communication.
- Additional reports of independent expenditures and electioneering communications may be required during the 2 weeks before an election if the political party committee makes an independent expenditure or electioneering communication before an election that is valued at \$5,000 or more. See Appendix IV.
- Contact the Ethics staff if you are unsure as to (1) whether you are required to file, (2) what report you are required to file, and/or (3) when you are required to file.

VII. Contents of Contribution and Expenditure Reports

Contents of Reports of Contributions and Expenditures

Reports of Contributions and Expenditures require specific detail on funds, goods, and services coming into the committee and expenditures leaving the committee including, but not limited to, the following:

- Information on all funds, goods or services received, including monetary contributions, in-kind contributions, transfers from other political party committees, refunds, loans, and other receipts;

NOTE: All contributions—monetary and in-kind are reported—regardless of value, and committees must use best efforts to obtain all contributor information regardless of the value of the contribution.

- Information on all contributors to the political party committee including the name, address, occupation, and employer of an individual, the Ethics Commission PAC ID number for political action committees if the PAC registered with the Ethics Commission, and the FEC number for a PAC registered with the FEC; and
- Information on all expenditures made, including independent expenditures and electioneering communications, refunds made, transfers to other political party committees, and contributions made to other entities. [Rules 2.17](#), [2.24](#), [2.25](#) and [2.104](#).

Maintain Detailed Records of Contributions and Expenditures

It is imperative that the Treasurer keep detailed and accurate records of all political party committee transactions to ensure that the Treasurer has the information necessary to correctly account for all the receipts and expenditures by the committee and to ensure appropriate reporting of those transactions. The bank statements for the committee should largely mirror the entries in The Guardian System. This is to ensure appropriate transparency in reporting.

However, the Ethics Rules occasionally require reporting information in a way that will not match committee activity and bank statements.

Expenditures made by political consultants or other third parties on behalf of the political party committee must be reported as if the expenditures had been made directly by the committee itself. This ensures the good or service purchased and the ultimate vendor are easily identifiable. It also ensures the identification of vendors receiving more than \$200 from a campaign committee. [Staff Memorandum 2017-02](#).

Example 1: In May, County X Political Party Committee purchases signs from Signs-4-U for \$150. In June, County X Political Party Committee pays its consultant, Jimmy's Consulting, \$200 to purchase more signs. Jimmy's Consulting purchases the signs for \$200 from Signs-4-U. County X Political Party Committee will report an expenditure in June for \$200 to Signs-4-U and an expenditure in May for \$150 to Signs-4-U.

Another example of a situation where the report filed in The Guardian System may not exactly mirror the committee's bank account is the reporting of contributions from eligible limited liability companies and partnerships. Although a political party committee may receive a contribution from a limited liability company or a partnership, the contributions must be reported as if the contributions were made by the members or partners on an individual basis. This means that the political party committee must not only maintain a record of the contribution, but also a record of how the political party committee determined the ownership interests of the members and partners. To accurately report the political party committee's activities, the Treasurer often will have to elicit details, such as contributor information, and keep careful records in order to support the information reported on the Report of Contributions and Expenditures. [Rule 2.104](#).

Help With Completing Reports of Contributions and Expenditures

Detailed information on how to enter data and file information in The Guardian System is available on The Guardian System website, <https://guardian.ok.gov>. To access step-by-step documents and YouTube videos in The Guardian System, click on the "Resources" tab and then click on "Publications."

Contact the Ethics Commission staff at (405) 521-3451 or ethics@ethics.ok.gov to schedule one-on-one Guardian training.

VIII. Enforcement and Compliance

The Ethics Commission is constitutionally required to enforce its rules. The Commission may utilize a compliance order process for a formal complaints and investigations process.

a. Compliance Orders

The Executive Director is authorized to issue compliance orders to obtain compliance with these Rules, including late filing fees. [Rules 6.19](#) and [6.3](#). An opportunity for a hearing before an administrative law judge is provided.

b. Complaints and Investigations

The Commission may pursue a more formal complaints and investigations process, which is handled by the Commission rather than Commission staff and may result in district court action. [Rules 6.19](#) and [6.3](#).

Section Summary

- Reports of Contributions and Expenditures require specific detail on funds, goods, and services coming into the committee and expenditures leaving the committee.
- The committee's bank statements should largely mirror what is reported in The Guardian System.
- Committees must maintain detailed records of all contributions received, contributor information, and expenditures made for a period of four years.
- Contact the Ethics Commission staff for assistance with filing reports or to request an appointment for one-on-one Guardian training.
- Compliance orders, including late filing fees, may be issued to obtain compliance with the Ethics Rules, or the Commission may use a formal compliance order process with potential District Court action

IX. Understanding Contributions

What a Contribution Is

A contribution generally is anything of value given to a political party committee. Contributions may be either (1) monetary or (2) "in-kind." Monetary contributions are made in cash (cash of up to \$50 or less per person) or through written instruments—such as a personal check or a credit card authorization. In-kind contributions are goods or services provided to the committee. [Rule 2.2\(6\)](#).

Example 1: Trent gave a \$500 check to County X Political Party Committee. This is a monetary contribution to County X Political Party Committee and must be reported as such.

Example 2: Ron gave a camera to County X Political Party Committee. This is an in-kind contribution to County X Political Party Committee. The committee must show this as an in-kind contribution from Ron for the fair market value of the camera to the political party committee.

Example 3: John bought a t-shirt from County X Political Party Committee. The purchase of the t-shirt is a monetary contribution from John to County X Political Party Committee for the price of the t-shirt.

a. Contributions Must Be Voluntary

When soliciting contributions, a political party committee must make it clear that the contribution is voluntary and that the person being solicited will not be given any advantage or disadvantage based on whether a contribution is made or the amount of a contribution. [Rule 2.91](#).

b. Contributions Cannot Be Reported in the Name of Another Person

A contribution must be reported in the name of the person who made the contribution. To report a contribution in the name of someone other than the person who made the contribution is called “money laundering” and is prohibited. [Rule 2.18](#).

c. Earmarked Contributions Are Contributions to Candidates

A contribution to a political party committee that is designated, either directly or indirectly, for the benefit of a particular candidate or candidates is considered a contribution by the contributor to the candidate or candidates and is applied to the contribution limits the candidate may accept from the contributor. [Rule 2.31](#).

d. Name, Address, Occupation & Employer Required for Individual Contributions

When a political party committee receives a contribution from an individual, regardless of the value, the party committee is required to use best efforts obtain the name, address, occupation and employer of the contributor. This includes monetary contributions and in-kind contributions. This also includes contributions made by purchasing an item, including a ticket to an event, or by providing sponsorship for an event. [Rule 2.104\(B\)\(1\)](#).

Example: Political Party Committee B is selling T-shirts to raise funds for its committee. The T-shirts cost \$10 each to make, but they are being sold for \$20 by the political party committee. The committee bought 30 shirts for \$300. Juan buys one T-shirt from the political party committee at \$20. Political Party Committee B will report the purchase of the T-shirt as a contribution from Juan for \$20. The committee must use best efforts to obtain the contributor information from Juan: (1) his name, (2) his address, (3) his occupation and (4) his employer. One simple way to do this is to have a log or sign-in sheet available for the contributor to fill out at the booth where the T-shirts are being sold or on the envelope soliciting the contribution.

e. Contributions Include the Sale of Goods or Services

A committee that engages in the selling of goods or services must keep records of the purchases and purchasers. The payment for the goods or services is a contribution to the committee and is subject to the same reporting requirements and contribution limits as all other contributions. The name, address, occupation, and employer of the purchaser must be provided for reporting purposes.

When a political party committee sells goods or services, such activities are subject to applicable licenses and taxes provided by law. [Rule 2.64](#).

Example: Same scenario as the last example. Political Party Committee B will report the purchase of the T-shirt as a contribution from Juan for \$20. The cost of

the T-shirts at \$300 will be reported as an expenditure by Political Party Committee B.

f. When an Expenditure Is a Contribution

Contributions include expenditures made on behalf of a candidate committee by a political party committee. [Rule 2.2\(6\)](#).

Example: If a political party committee purchased a newspaper advertisement urging the election of a particular candidate and did so in coordination with the candidate, the cost of the advertisement would be a contribution to that candidate committee.

g. Volunteer Service Is Not a Contribution

The value of volunteer services is not considered a contribution by an individual who volunteers those services. However, no individual or entity may “volunteer” the services of another individual. An employer, for example, cannot “volunteer” the services of an employee. [Rule 2.2\(6\)](#).

When an individual volunteers the use of a personal telephone, electronic mail, social media or similar electronic devices or services for campaign communications, such use is not considered a contribution but is considered as a volunteer service. [Rule 2.111](#). Use by a commercial entity of telephone, electronic mail, Internet social media or similar devices or services is considered an in-kind contribution unless the political party committee pays for the use. [Rule 2.112](#).

Example 1: Sean stuffed envelopes for State Political Party Committee X. Sean does not receive payment for doing so. This is a volunteer service from an individual. The volunteer service is not considered a contribution and therefore, is not reported.

Example 2: ABC, L.L.C. is owned by Sally and Jan. ABC, L.L.C. employees stuffed envelopes for State Political Party Committee X. The L.L.C. does not receive any compensation for these services. This service is not voluntary and is coming from an L.L.C., not an individual. Consequently, the service is an in-kind contribution from the L.L.C that must be reported as coming from Sally and Jan as individuals.

Example 3: XYZ, Inc. employees stuffed envelopes for X Political Party Committee without compensation. This service is coming from a corporation and not an individual; this is an illegal contribution from the corporation to the political party committee. If X Political Party Committee had paid fair market value for the services from XYZ, Inc., this would be permissible as an expenditure by the political party committee.

Deadlines for Accepting and Depositing Contributions

A political party committee has up to **10 business days** to deposit or return a contribution. A “business day” generally excludes Saturdays, Sundays and holidays. A contribution is deemed to have been accepted by a political party committee if it is not returned within 10 business days after it has been received. [Rule 2.21](#).

A contribution that is not deposited within 10 business days after it has been received by the political party committee **must** be returned to the contributor and reported to the Commission as having been accepted and refunded. [Rule 2.22](#). **For all funds received, the date a contribution is deposited in the committee bank account is the date used for reporting purposes unless the 10 business days window has passed.** In instances when the contribution is not deposited within the 10 business day period, the 11th day, not the day of the deposit, is the date reported.

Maintain Contributor Information

Political party committees are required to maintain contributor information. Local party committees are required to report contributor information with the Commission if registration and reporting are “triggered,” as described above. The individual contributor information that a political party must use best efforts to obtain includes, but is not limited to, the following: name, address, and where applicable, the occupation, employer, committee ID number, the LLC’s member ownership information, and partnership’s ownership information. If a contribution is received from a PAC, the committee must use best efforts to obtain the PAC’s name address, and Ethics or FEC ID number. [Rule 2.104](#).

Section Summary

- Contributions are either monetary or in-kind (i.e., goods or services) given to the committee.
- Contributors include funds received from the sale of goods or services.
- Contributions must be given voluntarily.
- Contributions shall not be reported in a name other than the actual contributor.
- Services provided free of charge from an individual voluntarily are volunteer services, not contributions.
- Goods or services provided free of charge from a commercial entity are in-kind contributions.
- Contributions not deposited within 10 business days are deemed to be accepted, must be returned to the contributor, and must be reported as received and returned with the Ethics Commission.
- Political party committees must maintain proper records of all contributions and contributors, including the name, address occupation and employer from individual contributors, and the name, address, and Ethics or FEC number from a PAC. Political party committees must use best efforts to obtain all contributor information.

X. Contributors and Contribution Limits

Who May Make Contributions to a Political Party Committee

Generally, all contributions in Oklahoma are from individuals or committees and not businesses or foreign nationals. Tribes in Oklahoma are considered individuals for purposes of contribution limits. This section discusses who can provide contributions to political party committees. For the full contribution limit chart, see [Appendix III](#).

a. Individual Contributors — Contribution Limit \$10,000 per Year.

Generally, any individual or other person may make contributions to a political party committee unless prohibited by law. Other “person” could be a partnership or a limited liability company. A child under the age of 18 may make a contribution only if the contribution is attributed to his or her parent (or equally between two parents) or guardian. [Rule 2.17](#). Federal law prohibits contributions by a foreign national.

The maximum amount that an individual may contribute to a political party committee during any calendar year is \$10,000. The limit applies to both the individual making the contribution and the political party committee accepting it.

For purposes of calculating the limit, contributions to any political party committee within the Oklahoma party structure are aggregated; in other words, contributions to state committees, congressional district committees, county committees, precinct committees or any other committees or entities of the party officially recognized in the party’s bylaws or similar governing document are aggregated. [Rule 2.31](#).

Example: John contributes \$5,000 to a state party committee and \$5,000 to one of the party’s county committees in the same calendar year. Both committees are in the same political committee structure. Here, John would have reached the \$10,000 limit and could not make additional contributions to the congressional district committee, precinct committee or other party committee for that particular party in that calendar year.

i. *Married Couples*

The individual contribution limit is a limit for every individual and is not a “per couple” or “per family” limit. A contribution may be made from a joint account of a married couple. However, the political party committee should verify how the contribution should be reported to ensure the contribution is voluntary and counts toward the correct individual’s contribution limits. This is important because the contribution may be from one spouse or both spouses.

Example: X Political Party Committee receives a check from the joint checking account of Jane and John Doe for \$2,000, and the check is signed by Jane Doe. The political party committee should contact Jane Doe to determine if the contribution is only from Jane or from both John and Jane. If the contribution is from both John and Jane, the committee needs to also inquire about what amount should be attributed to John individually and Jane individually. After speaking with Jane

Doe, X Political Party Committee reports that Jane Doe contributed \$1,500 and John Doe contributed \$500.

The following two charts show the correct and incorrect ways of reporting such contributions.

Reported Correctly:

Date	Contributor Information [Name/Address/Occupation/Employer] [Name of Committee, Committee #]	Type of Contributor	Amount	Reporting Period Total	Aggregate Total
2/1/2017	DOE, JANE 123 STREET, CITY, OK 73111 ENGINEER WIDGETS, INC	Monetary : Individual	\$1,500.00	\$1,500.00	\$1,500.00
2/1/2017	DOE, JOHN 123 STREET, CITY, OK 73073 ATTORNEY JOHN DOE, PC	Monetary : Individual	\$500.00	\$500.00	\$500.00



Reported Incorrectly:

Date	Contributor Information [Name/Address/Occupation/Employer] [Name of Committee, Committee #]	Type of Contributor	Amount	Reporting Period Total	Aggregate Total
2/1/2017	DOE, JOHN AND JANE 123 STREET, CITY, OK 73111 ENGINEER, ATTORNEY WIDGETS, INC AND JOHN DOE, PC	Monetary : Individual	\$2,000.00	\$2,000.00	\$2,000.00



ii. Cash Contributions and Anonymous Contributions – Limited to \$50 per Contributor per Calendar Year

The maximum amount of a cash contribution is \$50 per contributor per calendar year. This is an aggregate amount; in other words, all cash contributions from a single contributor added together may not exceed \$50.

The maximum amount of an anonymous contribution is \$50. If an anonymous contribution in excess of \$50 or a cash contribution in excess of \$50 is received, the amount of the contribution in excess of \$50 must be deposited with the State Treasurer to the general revenue fund of the state. [Rules 2.19](#) and [2.20](#).

Committees must use best efforts to identify all contributors. Individuals who simply do not want to be identified, but that the committee can identify, are not anonymous contributors and must have their identity reported. [Rules 2.19](#), [2.20](#) and [2.104](#).

Example 1: Paula gave a \$50 cash contribution to Gary, the Treasurer of X County Political Party Committee. Paula can no longer give contributions in the form of cash to X County Political Party Committee because the cash contribution limit has been met. However, she may still give up to \$9,950 in contributions via check, credit card, or goods or services (in-kind) to the political party during the remainder of the calendar year.

Example 2: Gary, the Treasurer for X County Political Party Committee, received an anonymous letter in the mail with no return address and a \$100 bill enclosed for the political party committee. Gary may deposit the \$100 bill in the political party bank account; however, he must write a check for \$50 (the excess amount) from the committee bank account and give it to the Treasurer’s office for the General Revenue Fund of Oklahoma. Then, Gary will report the contribution as \$100 from an anonymous contributor and expense \$50 to the General Revenue fund with a description of an excessive anonymous donation.

iii. Limited Liability Company and Partnership Contributions are Reported as Individual Contributions

A political party committee may accept a contribution from a Limited Liability Company (“LLC”) or a partnership, provided the LLC or partnership does not have an incorporated member or partner, respectively. [Rules 2.24](#) and [2.25](#).

The owners of a LLC are called “members.” The owners of a partnership are called “partners.” Contributions by a LLC are reported as contributions from each member of the LLC in proportion to the member’s ownership interest and count toward each member’s individual contribution limit.

Contributions by a partnership are reported as contributions from each partner in proportion to the partner’s ownership interest and count toward each partner’s individual contribution limit. [Rule 2.104](#).

Example: Computers LLC, a limited liability company, owned equally by John and Jane Doe, made a \$2,000 contribution via check to X Political Party Committee. Jane Doe and John Doe are not incorporated members. X Political Party Committee can accept the check from the LLC, but it would report such contribution as an individual contribution of \$1,000 from John Doe and an individual contribution \$1,000 from Jane Doe because these members equally own the LLC.

Reported Correctly:

Date	Contributor Information [Name/Address/Occupation/Employer] [Name of Committee, Committee #]	Type of Contributor	Amount	Reporting Period Total	Aggregate Total
3/1/2017	DOE, JOHN 123 STREET, CITY, OK 73073 ATTORNEY JOHN DOE, PC	Monetary : Individual	\$1,000.00	\$1,500.00	\$1,500.00
3/1/2017	DOE, JANE 123 STREET, CITY, OK 73111 ENGINEER WIDGETS, INC	Monetary : Individual	\$1,000.00	\$2,500.00	\$2,500.00



Reported Incorrectly:

Date	Contributor Information [Name/Address/Occupation/Employer] [Name of Committee, Committee #]	Type of Contributor	Amount	Reporting Period Total	Aggregate Total
3/1/2017	COMPUTERS LLC 123 STREET, CITY, OK 73073	Monetary : Business	\$2,000.00	\$2,000.00	\$2,000.00



iv. Indian Tribes Follow the Individual Contribution Limit - \$10,000 per Calendar Year

Indian tribes follow the individual contribution limit: each tribe may contribute up to \$10,000 per calendar year to a political party. The contribution limit applies to the tribe as a whole per political party committee and is reported as coming from the tribe under the contributor type “Indian Tribe” in The Guardian System.

For purposes of calculating the limit, contributions to any state committee, Congressional District committee, county committee, precinct committee or any other committee or entity of the party officially recognized in the party’s bylaws or similar governing document are aggregated. [Rules 2.31](#) and [2.104](#).

If the tribe is incorporated, the committee is prohibited from accepting the contribution due to the corporate contribution restrictions.

If the contribution received from a tribe is actually a contribution from the tribe’s political action committee (“PAC”), then the contribution limits for a PAC apply and the contribution must be reported as coming from the PAC. [Rules 2.23](#), [2.31](#), and [2.32](#).

b. Limited Political Action Committees (Limited Committees)—Contribution Limit of \$10,000 per Year

A political party committee may receive contributions from Political Action Committees (“PAC”), so long as the PAC is a limited committee. A limited committee is a PAC that is formed to make contributions to candidates, and it is limited in the amount of contributions it can give and receive. A limited committee may provide contributions to a political party committee, provided the contribution fits within the purposes of the limited committee. [Rules 2.2\(15\)](#), [2.33\(B\)](#), and [2.35](#).

A limited committee may contribute no more than \$10,000 in any calendar year to a political party. The limit applies to both the PAC making the contribution and the political party accepting it. [Rule 2.33\(B\)](#).

For purposes of calculating the limit, contributions to any state committee, Congressional District committee, county committee, precinct committee or any other committee or entity of the party officially recognized in the party’s bylaws or similar governing document are aggregated. [Rules 2.31](#) and [2.104](#).

Example: In 2020, ABC PAC contributed \$5,000 to X State Party Committee and \$5,000 to X County Party Committee. X State Party Committee and X Party Committee are in the same political committee structure. In this instance, ABC PAC has reached its limit of \$10,000 in a calendar year to a single party.

c. 1/25 Political Action Committees (1/25 PACs)—Contribution Limit of \$5,000 per Year

A limited committee that has been registered with the Ethics Commission for less than 1 year or has fewer than 25 contributors may make contributions to political party committees. Political party committees may receive contributions from these limited committees. These 1/25 PACs

have a contribution limit of \$5,000 per calendar year in contributions to a political party. [Rule 2.34\(A\)](#).

d. Candidate Committee—Contribution Limit of \$25,000 Out of Surplus Funds

Candidate committees may provide surplus funds to a political party committee. Surplus funds are funds available only (1) after the office for which the candidate committee was formed has been determined (i.e., after the election) and (2) when funds are not required to be used for campaign expenses or officeholder expenses. A candidate committee may use up to \$25,000 of surplus funds for contributions to a political party.

For purposes of calculating the limit, contributions to any state committee, Congressional District committee, county committee, precinct committee or any other committee or entity of the party officially recognized in the party’s bylaws or similar governing document are aggregated. [Rules 2.31](#) and [2.104](#). In other words, the limit is not \$25,000 per party committee; it is a limit of \$25,000 regardless of the number of receiving party committees.

A party committee may also receive funds from a candidate committee for ordinary and necessary campaign expenses, provided the party committee does not receive a financial benefit. This allows the party committee to recover its direct costs for assisting candidate committees. See the explanation of this Rule and examples in Expenditures in [section XIII](#).

Example 1: John Smith for House 2020 only has a primary election. For example purposes, assume the primary election is on June 26th. John Smith’s committee wants to provide \$1,000 to X Political Party Committee on May 15th to help sponsor a watch party for the primary election. Smith for House 2020 is unable to provide these funds because the office he is running for will not be decided until after May. This means John does not have surplus funds to give to the political party committee at this time.

Example 2: Continuing Example 1, John Smith is elected to the House office at the June 26th election. In August, John Smith for House 2020 wants to provide \$5,000 to County X Political Party Committee, \$5,000 to X Women’s Political Party Committee, and \$20,000 to X Party State Committee. The county, women’s club, and state political party committees are all officially recognized under the same party’s bylaws. John Smith can contribute \$5,000 to both the County and Women’s political party committees, but a contribution of \$20,000 to the State Committee will exceed the \$25,000 of surplus funds that can be contributed to a political party. However, in this case, John Smith for House 2020 could contribute up to \$15,000 to the State Committee, without exceeding the surplus fund limit.

e. Transfers Between Political Party Committees are Neither Contributions nor Expenditures

Transfers between a federal, state, district, county or precinct party committee are not considered contributions or expenditures; therefore, there are no limits on the amount of transfers. Transfers are reported on the Report of Contributions and Expenditures as “transfers in” or “transfers out” to an associated committee. See chart in [Appendix II](#). [Rule 2.104](#).

f. Local Party Committees Can Transfer Funds to the Associated State Political Party Committee to Alleviate the Triggering of Registration and Reporting Requirements for the Local Political Party Committee

A local political party committee may transfer funds to a state political party committee for the state political party committee to make the expenditure(s) and report the expenditure(s). This does not trigger registration and reporting requirements for local political party committees. The movement of funds between political party committees is a transfer between political party committees, not a contribution or expenditure.

The transfer of funds from the local committee and the expenditure by the state political party will show on the state party committee report. This alleviates the need for the local committee to register and file reports. See chart in [Appendix II, Rule 2.104](#).

Example: County X Political Party Committee meets once a month for lunch and to conduct political party business, but the committee does not make IEs, ECs, or contributions to any state candidates. In 2020, Sally Smith, a member of the County X Political Party Committee is running for Governor and the County X Political Party Committee wants to show its support. The committee transfers \$200 to the state political party committee to support Sally. The state political party committee may issue the contribution to Sally Smith on behalf of County X Political Party Committee. County X Political Party Committee has **not** made an “expenditure” for a triggering event, which means it would not be required register or file a report. Instead, it has made a transfer to the state political party committee. County X Political Party Committee is **not** required to register or file a report. The state party committee will report both the transfer from County X Party Committee and the contribution to Sally Smith, the candidate.

Who Is Prohibited from Making Contributions to a Political Party Committee

The following entities are prohibited from contributing to political party committees.

a. Corporations and Labor Unions

Corporations and labor unions may not contribute to political party committees, and political party committees may not accept contributions from corporations or labor unions. This prohibition includes all types of corporations, such as for-profit corporations, non-profit corporations and professional corporations. If the entity is incorporated, the prohibition applies. [Okla. Const. art. IX, § 40](#); [21 O.S. § 187.2](#) (this statute is in the Criminal Code, not in the Ethics Rules); [Rule 2.23](#).

b. Unlimited Political Action Committees and Independent Judicial Retention Committees

Unlimited Political Action Committees (Unlimited Committees) are prohibited from providing contributions to a political party committee. Unlimited committees are PACs that are formed to make independent expenditures, electioneering communications, or to advocate the passage or defeat of a state question; however, they are not formed to make contributions to candidates. These committees can receive an unlimited amount of contributions from any type of entity, including

corporations and labor unions. Consequently, political party committees are prohibited from accepting contributions from unlimited committees. [Rule 2.35](#).

c. Foreign Nationals

Federal law prohibits contributions from foreign nationals. For more information on the ban on foreign national contributions visit www.fec.gov.

Section Summary

- The following may give contributions to a political party:
 - Individuals (18 years or older) may contribute \$10,000 per year in the aggregate.
 - Limited Liability Companies (LLCs) are reported through individual members and count toward the individual owner's \$10,000 per year limit.
 - Partnerships are treated the same as LLCs.
 - Limited Political Action Committees (Limited committees) may contribute up to \$10,000 per year.
 - 1/25 Political Action Committees (1/25 PAC) may contribute up to \$5,000 per year.
 - Candidate Committees may contribute up to \$25,000 of surplus funds to a political party once the election for which the candidate committee was formed has been determined.
 - Tribes (cannot be incorporated) may contribute \$10,000 per year.
- The following are **prohibited** from making contributions to a political party committee:
 - Corporations (all types, including for profit, nonprofit, and professional)
 - Labor Unions
 - Unlimited Political Action Committees (Unlimited committees)
 - Foreign nationals

XI. Rules for Special Fund-Raising Events

Residence Used for Fund-Raiser

An individual who hosts a political party committee fund-raising event in his or her residence and uses personal funds in doing so may spend up to \$1,000 without making a contribution to the committee. The exclusion may be used one time per year per political party committee and may not exceed \$1,000. In other words, an individual could host such a fund-raising event in his or her home and spend \$1,000 on refreshments without making a contribution to the party. Any personal funds spent above the \$1,000 limit are considered in-kind contributions, subject to any limits or reporting requirements.

If a husband and wife each spend personal funds (even if those are combined personal funds of the two), then each individual has a \$1,000 exemption. This rule states “an individual” may spend personal funds, and the Ethics Rules apply contribution limits to individuals rather than to families. Thus, an exemption under this Rule for an individual would be granted for each individual that participates in the fund-raiser. The rule requires the fund-raiser to take place in the residence of

the host, and the funds expended must be personal funds. If those conditions are met, then a husband and wife could each spend up to \$1,000 on a fund-raiser in their residence. This exemption will apply for one fund-raiser for the husband and one fund-raiser for the wife. That exemption may be applied to the same fund-raiser or two separate fund-raisers; however, if both the husband and wife are identified as hosts of the fund-raiser and joint funds are used to pay for the fund-raiser, then they have each used their single event exemption.

Example 1: Betty hosted a fund-raiser in her residence for a political party committee. She spent \$1,500 of her personal funds on decorations, food, and refreshments. The first \$1,000 is excluded and not reported as a contribution to the political party committee. The \$500, which is in excess of \$1,000, is considered an in-kind contribution to the political party committee and must be reported as such.

[Rule 2.60.](#)

Example 2: Troung hosted a fund-raiser in his residence for Political Party Y in April. He spent \$500 of his personal funds on decorations, food, and refreshments. The \$500 is excluded and not reported as a contribution to the political party committee. Troung hosts another fund-raiser in his residence for Political Party Y in May during which he spent \$500 of his personal funds on decorations, food, and refreshments. Political Party Y must report the \$500 worth of in-kind contributions from Troung provided at the May fund-raiser because the contributor can only use the exclusion once per calendar year per political party, regardless of whether the full \$1,000 allotted in the exclusion is used. Here, Troung used the exclusion in April.

Non-Residence Used for Fund-Raiser

There is a similar exclusion for an individual who hosts a political party committee fund-raising event in an office or other nonresidential building that the contributor individually owns or leases and during which the contributor uses personal funds. The exclusion may be used one time per year and may not exceed \$1,000. Any personal funds expended above the \$1,000 limit are considered in-kind contributions, subject to any limits or reporting requirements.

To qualify for the exclusion, the office or other building must be owned by or exclusively leased or rented by the individual who is receiving the exclusion. Otherwise, use of the space and any other costs associated with the fund-raising event are considered an in-kind contribution by the owner. However, if the political party committee pays for the costs associated with the fund-raising event, including the fair market value for the use of the space, the payment is considered an expenditure by the political party committee. This provision does not permit a corporation or labor union to make an in-kind contribution that is otherwise prohibited. [Rule 2.61.](#)

Example 1: Y Political Party Committee has a member, John Smith, who wants to host a fund-raiser at his commercial office space that he owns personally. In this case, John Smith could host the fund-raiser and spend up to \$1,000 of his personal funds for this fund-raising event without it being considered a contribution. However, any amount over the \$1,000 would be considered an in-kind contribution to Y Political Party Committee.

Example 2: Same facts as Example 1 except the commercial office space is actually owned by John Smith, Inc. Y Political Party Committee would be required to pay John Smith, Inc. fair market value to rent the space for a fund-raiser in order to avoid receiving a prohibited corporate in-kind contribution. John, in this instance, would not be able to use the \$1,000 exemption because the office space is not owned by him personally; instead, it is owned by John Smith, Inc.

Golf Fund-Raising Events

If a political party committee uses a golf event to raise funds for the committee, any goods or services donated to a golf fund-raising event are considered contributions based on the fair market value of the goods or services. Any fee paid to participate in the event is a contribution. No goods or services may be donated, nor goods or services purchased, by a corporation or labor union. [Rule 2.62.](#)

Example 1: Y Political Party Committee hosts a golf tournament to fundraise and offers the opportunity to “sponsor” a hole. Sponsorship includes posting a sign at the sponsored hole. XYZ Corporation sends a \$1,000 check to sponsor the 18th hole. Y Political Party Committee must return the check because it is a prohibited contribution from a corporation.

Example 2: Y Political Party Committee is hosting a golf tournament. Individual green fees are \$100 each or \$350 for a foursome. XYZ, Inc. sends in a check for \$350 so four of its employees may participate in the tournament. Y Party Committee must return the check because it is a prohibited corporate contribution.

Example 3: Y Political Party Committee is hosting a golf tournament. The committee is approached by XYZ, Inc. to donate towels with its logo as a part of a “goody bag” for each golfer. Y Political Party Committee cannot accept the towels because XYZ, Inc. is a corporation.

Fund-Raising Auctions and Sales

If a political party committee uses auctions or other sales to raise money for the committee, any goods or services donated to such an event are contributions to the committee based on the fair market value of the donated items. Any money paid for goods or services at such an event are contributions. No goods or services may be donated, nor a fee paid, by a corporation or labor union. [Rule 2.63.](#)

When a political party committee sells goods or services, such activities are subject to applicable licenses and taxes provided by law. [Rule 2.64.](#)

Example 1: X State Political Party Committee is hosting an auction to raise funds and is accepting items from the surrounding community to auction. X State Political Party Committee receives a gift certificate for the auction from Sleep Well Bed and Breakfast, Inc. X State Party Committee must return the gift certificate because it is a prohibited corporate contribution.

Example 2: X State Political Party Committee is hosting an auction to raise funds and is accepting items from the surrounding community to auction. X State Political Party Committee received a painting valued at \$200 to be auctioned off from Randy. Melanie won the bid for the painting and paid \$300. X Political Party Committee will report a \$200 in-kind contribution from Randy and a \$300 monetary contribution from Melanie. A single item that is donated and sold or auctioned will have two entries in a party committee's report of Contributions and Expenditures.

Section Summary

- Special rules on certain fund-raising events:
 - **Residence used for fund-raiser:** A contributor that hosts a fundraising event for a political committee in their residence receive a \$1,000 exclusion (does not count toward contribution limit) if the contributor's personal funds are used for the event. Any expenditures made for the event by the contributor in excess of the \$1,000 is an in-kind contribution to the committee. Exclusion can only be used by an individual contributor once per year per political committee.
 - **Non-residence used for fund-raiser:** A contributor that hosts a fundraising event for a political committee in a building the contributor personally owns or exclusively leases receives a \$1,000 exclusion (does not count toward the contribution limit) if the contributor's personal funds are used for the event. Any expenditures made for the event by the contributor in excess of the \$1,000 is an in-kind contribution. The exclusion can only be used by an individual contributor once per year per political committee. Buildings owned or exclusively leased by a non-individual will not qualify for this exemption.
 - **Golf-tournament:** Any funds paid for and goods and services given to the event at no cost to the political committee are contributions to the committee and count toward each contributor's contribution limit.
 - **Auction:** Any items donated to the auction and any funds received due to the auctioned items are contributions to the political committee and count toward each contributor's contribution limit.
 - **Sale:** Any item donated to be sold for a political party fund-raising event is an in-kind contribution. Funds received from an item purchased at the sale to fund-raise for the committee is deposited in the campaign account and reported as a monetary contribution. Political committees are responsible for knowing any other applicable laws, including permit and licensing requirements.
 - Corporations and labor unions may not contribute goods or services to fundraisers.

XII. Loans

Loans by Commercial Financial Institutions

A loan to a political party committee by a commercial financial institution (e.g., bank) that normally engages in the business of making loans is not considered a contribution if the loan is

made in the regular course of business and on the same terms ordinarily available to the public. [Rule 2.65](#).

Loans by Non-Financial Institutions Are Contributions

A loan by an individual, other than a commercial financial institution (e.g., bank), to a political party committee is a contribution from the lender, guarantor or endorser in the amount of the balance of the loan that has not been repaid and is subject to contribution limits. In other words, if a political party committee receives a loan from a third party that is not a bank, then the loan cannot be more than the individual contribution limits. [Rule 2.66](#).

XIII. Expenditures

What an Expenditure Is

Expenditures are the funds that the political party committee spends or the goods or services it donates. [Rule 2.2\(8\)](#).

Personal Use Prohibited

No person may convert political party committee funds to personal use. “Personal use” includes any use of funds to fulfill a commitment, obligation or expense of an individual or other person that would exist irrespective of the political party’s activities. [Rule 2.39](#).

Contributions by Political Party Committee to Non-Judicial Candidates & Contribution Limits

A political party may not contribute more than \$25,000 to a candidate for statewide office, nor more than \$10,000 to a non-judicial candidate for any other state office prior to any general election. Political party committees are also prohibited from making contributions to any candidate for judicial office.

A statewide office is an office in Oklahoma that does not have districts; for example, Governor, Lt. Governor, State Auditor & Inspector, etc. These offices do not have districts, and a political party may contribute up to \$25,000 of its funds to these offices through its various committees. However, offices for House of Representatives and Senate all have districts. For these offices, a party committee may contribute up to \$10,000 through its various committees.

For purposes of calculating the limit, contributions by any state committee, Congressional District committee, county committee, precinct committee or any other committee or entity of the party officially recognized in the party’s bylaws or similar governing document are aggregated. [Rule 2.32](#).

Example 1: X State Political Party Committee and X County Political Party Committee belong to the same party and are both recognized under that party’s bylaws. X County Political Party Committee contributes \$10,000 to Joe Smith, a candidate for House of Representatives. X State Political Party Committee is unable to make a contribution to Joe Smith because X County Committee already reached the contribution limit.

Example 2: X State Political Party Committee and X County Political Party Committee belong to the same party and are both recognized under that party's bylaws. X Political Party Committee wants to support its candidates in the General Election. X County Political Party Committee contributes \$10,000 to Jane Doe, a candidate for Governor. X State Political Party Committee is able to make one or more contributions of up to \$15,000 to Jane Doe's committee because of the \$25,000 aggregate contribution limit to statewide candidates.

a. Contributions to PACs Are Prohibited

Political party committees can only make contributions to candidate committees and are prohibited from making contributions to Political Action Committees (PACs). [Rule 2.32](#).

b. Selling Goods or Services to a Candidate Committee May Not be a Contribution

A political party committee may sell goods or services to a candidate committee without it being considered a contribution if:

1. the good or service is an ordinary and necessary campaign expense for the candidate committee; and
2. the political party committee does not receive a profit from selling those goods or services to the candidate committee. [Rule 2.31](#).

If the political party committee sells goods or services for a profit, the price paid for the goods or services by the candidate committee is a contribution to the political party committee, which may be prohibited if not made from surplus campaign funds. [Rule 2.64](#).

Example 1: X Political Party Committee sells access to ZA software program to assist Candidate A with fund-raising and event planning. This will not be considered a contribution if the expense for the candidate is an expense that would not have occurred but for his campaign, and political party committee X does not receive a profit from selling access to ZA software.

Example 2: X Political Party Committee is hosting a dinner fundraiser on May 1st and wants its candidates running in primary elections to attend. John Smith, who is currently running for office, wants to use campaign funds to purchase a ticket. The meal cost is \$25 per person, but the lowest ticket price is \$100. John Smith is unable to purchase a \$100 ticket because it is a contribution to the party and he does not have surplus funds. However, X Political Party Committee could set a \$25 ticket price for candidates to attend. If that were the case, John Smith could use campaign funds to pay \$25 to X Political Party Committee to offset the cost of his attendance and it would not be a contribution to the party committee.

Modest Items May Be Given in Recognition of Contributors & Volunteers

A political party committee may provide items of modest value, such as coffee mugs, t-shirts, caps and similar items free of charge to volunteers or contributors to the political party committee.

Expenditures for such items are considered expenditures by the political party committee. [Rule 2.64](#).

Ordinary and Necessary Expenses

A political party committee may use contributions to make expenditures for ordinary and necessary campaign expenses, for operating expenses of the political party and for purposes not otherwise prohibited by law or the Ethics Rules that further purposes of the committee. [Rule 2.40](#).

Example: A political party committee may use committee funds to register with the Ethics Commission.

Making Independent Expenditures

A political party committee may make unlimited independent expenditures that **expressly advocate** (e.g., “vote for,” “vote against,” “re-elect,” etc.) the election or defeat of a candidate or candidates, provided the expenditure is not coordinated with a candidate. [Rule 2.50](#). Making an independent expenditure is a triggering event, which requires registration of a local committee with the Ethics Commission and may require the filing of two reports: (1) an Independent Expenditure report, which is due during the last two weeks before an election, and (2) a Quarterly Contributions and Expenditures Report. For a description and example of an Independent Expenditure see [Appendices IV](#) and [V](#).

Making Electioneering Communications

A political party committee may make unlimited electioneering communications. In general, an electioneering communication is a communication **referencing** a clearly identifiable candidate within a certain time period before an election. [Rule 2.51](#). This is a triggering event that requires registration of a local party committee with the Ethics Commission and may require the filing of two reports: (1) an Electioneering Communications report, which is due during the last two weeks before an election, and (2) a Quarterly Contributions and Expenditures Report. For more information on Electioneering Communications see [Appendices IV](#) and [VI](#).

Transfers Between Political Party Committees Are Neither Contributions nor Expenditures

Transfers between a federal, state, district, county or precinct party committee are not considered contributions or expenditures. Transfers are reported on the Report of Contributions and Expenditures as “transfers in” or “transfers out” to an associated committee. See chart in [Appendix II](#). [Rule 2.104](#).

Section Summary

- The following are the types of expenditures that a political party may make:
 - Contributions to Candidates
 - Modest Items in Recognition of Contributors and Volunteers
 - Ordinary and Necessary Expenses
 - Independent Expenditures
 - Electioneering Communications
- Transfers between associated political party committees are neither contributions nor expenditures.

XIV. Disclosure Requirements for Advertising

Ethics rules require the identification of the source of an advertisement or communication using specific language. Advertisements and materials that do not qualify as independent expenditures (IE) or electioneering communications (EC) require a short attribution. An IE or EC requires a long form attribution as described in [Appendix V](#) or [VI](#).

Political Party Broadcast Media Advertising

Whenever a political party committee makes an expenditure for advertising through any broadcast media, such as Internet advertising, or video, radio, television, cable or satellite broadcast, the communication must state, either orally or in writing of sufficient size and contrast to be clearly readable, the following language: “**Authorized and paid for by [Name of Political Party Committee].**” [Rule 2.53](#).

Political Party Print Advertising

Whenever a political party makes an expenditure for advertising through internet advertising, direct mail, magazine advertising, newspaper advertising or any other printed medium, the communication must state in writing of sufficient size and contrast to be clearly readable, the following language: “**Authorized and paid for by [Name of Political Party Committee].**” [Rule 2.54](#).

Disclosure Not Required When Impractical

No disclosure is required for bumper stickers, campaign buttons, t-shirts, aerial advertising or similar advertisements where such disclosure would be impractical. Disclosure is also not required for standard sized campaign yard signs (18” X 24” or smaller); however, signs that are larger than the standard campaign yard sign (larger than 18” x 24”) require the disclosure. [Rule 2.58](#).

Example 1: X County Political Party Committee prints mailers identifying upcoming party events. This mailer must have a disclosure of “Authorized and Paid for by X County Political Party Committee.”

Example 2: X County Political Party Committee prints large signs (which are larger than 18” X 24”) to post throughout the county. Those signs must have a disclosure of “Authorized and Paid for by X County Political Party Committee.”

Example 3: X County Political Party Committee prints buttons to sell or give to volunteers and contributors. The buttons do not need the disclosure as it would be impractical.

Section Summary

- Most advertisements require the following short form disclosure: “Authorized and paid for by [Name of Political Party].”
- IEs/ECs require a long form attribution as described in Appendix V & VI.
- Disclosures are not required for standard sized campaign yard signs (18” x 24” or smaller), bumper stickers, campaign buttons, t-shirts, or other advertisements where the disclosure would be impractical.

XV. Dissolving the Political Party Committee

When a Political Party Committee Is Required to Dissolve

A political party committee is required to dissolve when the political party ceases to be recognized under the laws of the State of Oklahoma. The committee must sell and dispose of assets, pay off debts and otherwise dispose of funds as permitted under the Ethics Rules, and file a Final Report of Contributions and Expenditures in The Guardian System that shows no funds remaining in the committee. [Rule 2.114](#) and [2.118](#).

a. Disposition of Assets

The political party committee must dispose of assets acquired by the political party committee through purchase or in-kind contributions, including but not limited to, furniture, computer equipment and similar items. An individual may purchase such assets from the committee at fair market value for such purchases. If an individual retains those assets without paying full market value, that would amount to converting contributions to personal use in violation of the Ethics Rules. [Rule 2.118](#) and [2.39](#).

If assets are sold for fair market value, the proceeds of the sale should be deposited into the committee’s depository (i.e., bank account) and reported as “other funds accepted” on the Report of Contributions and Expenditures. These funds coming into the committee as a result of the sale can be used to pay off debt or can be used as surplus funds prior to dissolving the committee.

b. Resolution of Debt

If a political party committee has debt at the time of its dissolution, that debt must be resolved in a commercially reasonable manner before the political party committee may dissolve. In other words, debt must be resolved in a way that the type of debt you are dealing with is typically resolved. Debt may not be resolved for the purpose of evading prohibitions or limitations of the Ethics Rules. If a debt is not resolved in a commercially reasonable manner, the amount of the

debt that is forgiven shall be considered a contribution to the political party committee. [Rule 2.117](#). How debt is resolved is reported on the final report.

c. Disposition of Funds

Surplus funds of a political party committee are funds not otherwise obligated when a political party ceases to be recognized under the laws of the State of Oklahoma. Surplus funds may be disposed of using the following methods:

- Returned to any contributor, as long as the amount returned does not exceed the contributor's contribution during the last calendar year in which the contributor made a contribution; or
- Contributed to a charitable organization as described in Section 501(c)(3) of the Internal Revenue Code.

Further, any funds remaining in a political party committee may be transferred to the state party committee or to an associated political party committee. Any funds that remain under the political party committee's control 90 days after the party ceases to be recognized must be deposited in the general revenue fund of the State of Oklahoma. [Rule 2.46](#).

d. File Final Report of Contributions and Expenditures

A Final Report of Contributions and Expenditures is required be filed in order to dissolve a political party committee. The final report is identical to the other Reports of Contributions and Expenditures except that it requires information about the resolution of debt, disposition of tangible assets, and disposition of funds, if any. A Final Report covers the period beginning after the last day of the immediately preceding reporting period and ending on the day before the Final Report is filed. However, The Guardian System will automatically trigger the Final Report of Contributions and Expenditures to be filed and include the appropriate dates covered in the report when the committee clicks the "dissolve committee" button in the committee's Guardian System account. [Rule 2.118](#).

If you need to amend a previously filed report please go to the Filing History and select the "Amend" option next to the appropriate report.

Dissolve Committee

To file a final report and dissolve the committee, follow these steps:

1. Log in to The Guardian System and input any contributions, expenditures (including use of surplus funds), etc. in the committee account under the "Financial" tab
2. After entering all transactions for the committee, click on the "dissolve committee button" under the "Filings" tab
3. Resolution of debt is recorded on Schedule J, but is only accessible after the committee clicks the dissolve button. There is a section called Dissolve with Resolution of Debt to complete.

4. Review your report
5. Click the check box next to the acknowledgement statement, if you agree
6. Click “File” to submit your Final Report

Contact the Ethics staff if you have any questions or need assistance with dissolving the committee. Once a committee is dissolved, the account is terminated and the users will no longer be able to access the account. It is important to ensure all entries are submitted in The Guardian System appropriately prior to dissolving. If a committee needs access to a terminated account, contact the Ethics Commission for more information.

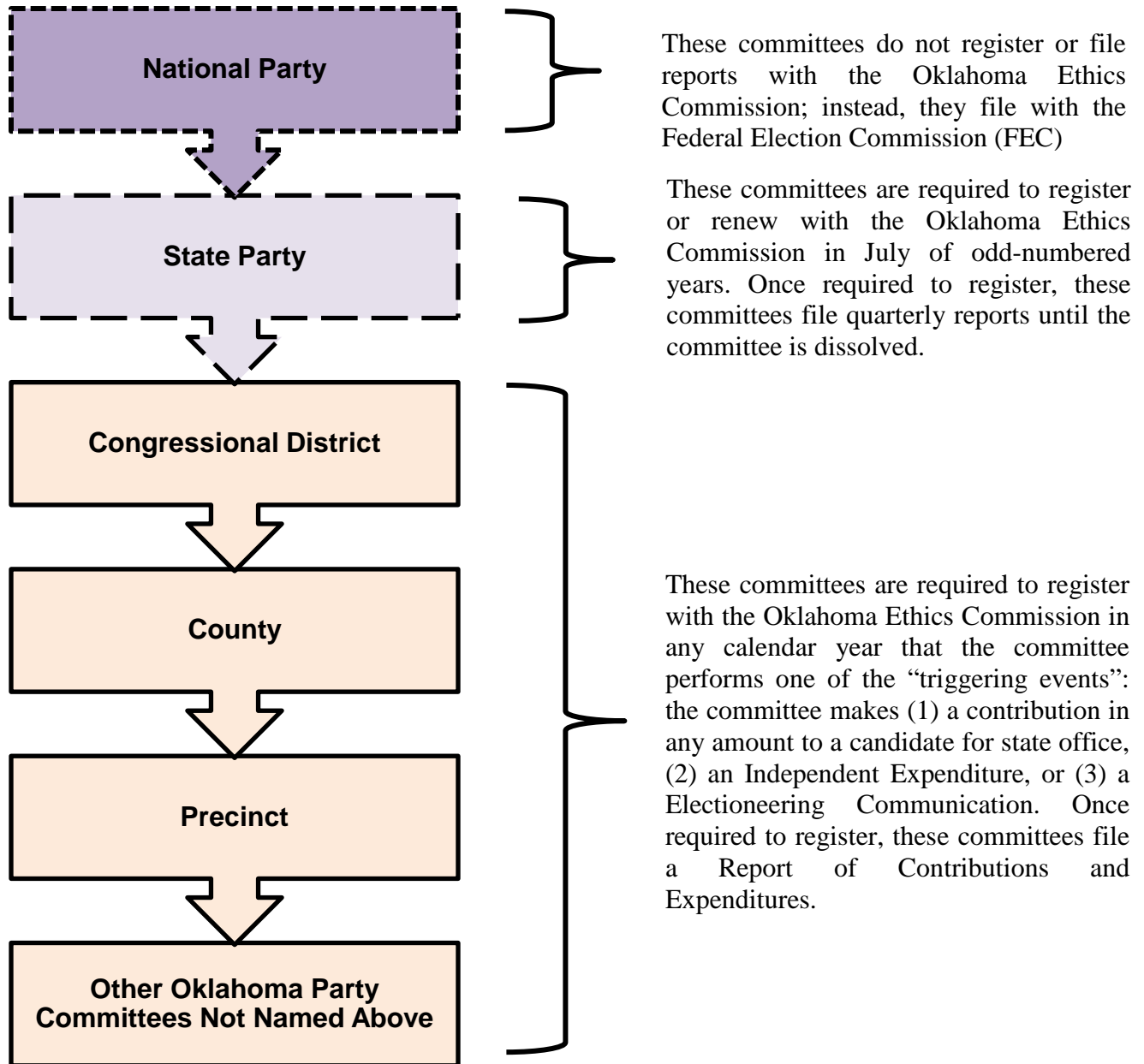
Section Summary

- To dissolve a political party committee, the committee must:
 - Dispose of any assets;
 - Resolve any debt;
 - Dispose of funds; and
 - File a Final Report of Contributions and Expenditures in The Guardian System.
- Once a committee is dissolved, the account is terminated and the users will no longer be able to access the account.
- Contact the Ethics staff if there are any questions or the committee needs assistance with the dissolution process.

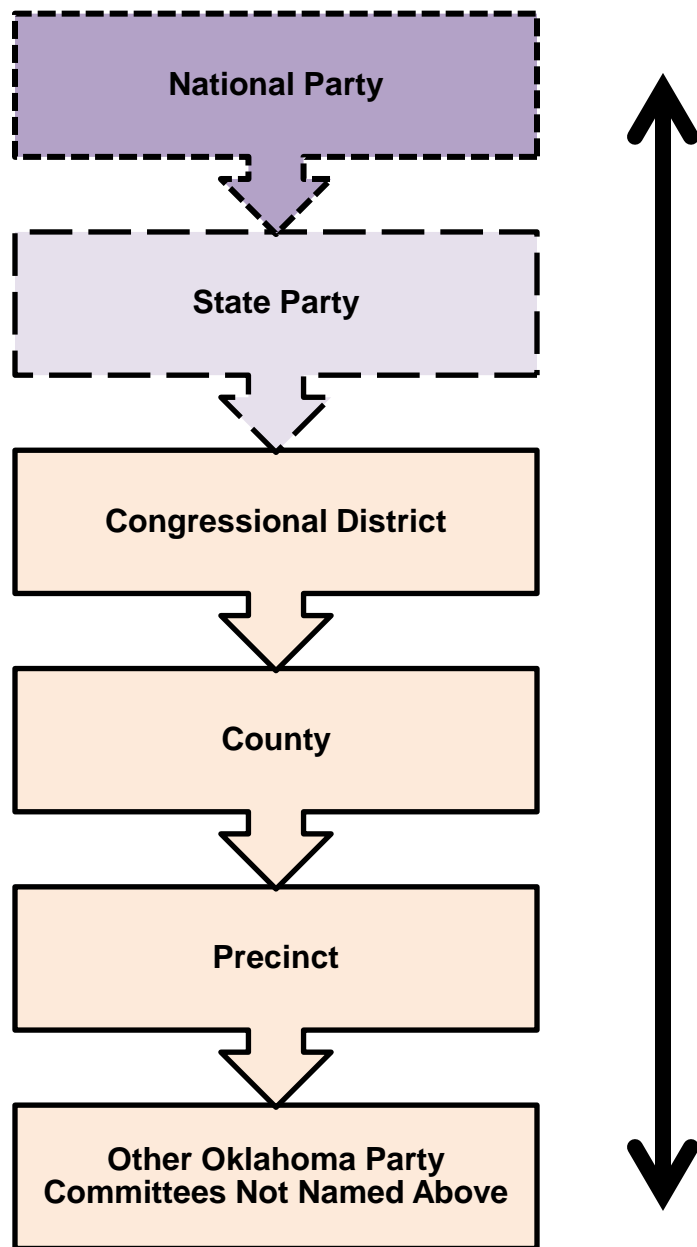
APPENDIX I: POLITICAL PARTIES IN OKLAHOMA

The following chart shows the structure of political parties in Oklahoma. There is a national party and below that is a state party. Below the state party is the congressional district, county, and precinct parties.

It is important to understand the difference between the levels of a party because state political party committees have different registration and reporting requirements than the county, congressional district, and precinct political party committees.



APPENDIX II: TRANSFERRING FUNDS



Transfers to and from an associated political party committee are neither contributions nor expenditures. Instead, these are transfers in or transfers out. There are no contribution limits because these are not contributions.

APPENDIX III: Contributions Table

2020 State Elections: Contribution Chart

CONTRIBUTORS	RECEIVING COMMITTEES				
	State Candidate Committee	Limited Committee	1/25 Committee	Party Committee	Unlimited Committee
Individuals** (candidates may give unlimited contributions to their own campaign)	Per Election Limit*: \$2,800	\$5,000 per year	\$5,000 per year	\$10,000 per year (may be split between multiple party committees)	No Limits
	Unopposed Candidates: \$2,800 per campaign				
Limited Committee (other than 1/25 committees)	Per Election Limit*: \$5,000	\$5,000 per year***	Nothing	\$10,000 per year (may be split between multiple party committees)	Nothing
	Unopposed Candidates: \$5,000 per campaign				
1/25 Limited Committee	Per Election Limit*: \$2,500	Nothing	Nothing	\$5,000 per year (may be split between multiple party committees)	Nothing
	Unopposed Candidates: \$2,500 per campaign				
State Candidate Committee	\$2,800 per campaign	Nothing	Nothing	Up to \$25,000, only after the race is decided for that candidate	Nothing
Political Party	Statewide Office: \$25,000 prior to general election	Nothing	Nothing	Unlimited transfers between committees in same party	Nothing
	All Other State Offices: \$10,000 prior to general election				
Unlimited Committee	Nothing	Nothing	Nothing	Nothing	Unlimited***
Corporations	Nothing	Nothing	Nothing	Nothing	Unlimited

***PER ELECTION LIMITS**

Contribution limits are election specific with limits resetting after each election *only if* the candidate's name will appear on another ballot during the election cycle. A contributor may not provide one contribution to be allocated for multiple elections. After the general election, contributors may make additional contributions so long as the overall total given by the contributor does not exceed the amount of a single election limit for that contributor type.

****CASH & ANONYMOUS CONTRIBUTIONS:** No more than \$50 of a contributor's contribution may be in cash or from an anonymous source. Cash or anonymous contributions received in excess of \$50 must either be returned to the contributor (if known) or given to the State Treasurer's office to the general revenue fund of the state of Oklahoma.

****TRIBES:** Contributions from tribes are acceptable, as long as the tribe is not incorporated; tribes follow the individual contribution limit of \$2,800 per election.

*****COMMITTEE TYPE & PURPOSE:** A PAC may only contribute to another PAC of the same type and with the same purpose.

State Contribution Chart v.2019.1

APPENDIX IV: Independent Expenditures and Electioneering Communications

What an Independent Expenditure Is

An independent expenditure is an expenditure for a communication that expressly advocates (1) the election or defeat of a clearly identified candidate or (2) a vote for or against the retention of a candidate for judicial retention.

An independent expenditure cannot be made in coordination with, cooperation with, consultation with, or concert with, or at the request or suggestion of, a candidate, a candidate committee or their agents. [Rule 2.2\(10\)](#). See Appendix V for an example of an independent expenditure.

a. What an Independent Expenditure Is Not

An independent expenditure is not a contribution to a candidate committee, unless it is made in coordination with a candidate committee. [Rule 2.50](#). An independent expenditure does not include the display of a noncommercial yard sign, lapel pin, button, bumper sticker or similar displays of support or opposition to a political party or a candidate. [Rule 2.2\(6\) and \(10\)](#).

b. Who May Make Independent Expenditures

Political party committees may make independent expenditures. Other persons and entities, such as a political action committee, can also make independent expenditures. [Rule 2.50](#). However, candidate committees are prohibited from making independent expenditures. [Rule 2.49](#).

c. No Limits on Independent Expenditures

There are no limits to the amount of funds that a political party committee may spend on independent expenditures. [Rule 2.50](#).

What an Electioneering Communication Is

An electioneering communication is a single communication or a series of communications that **refers** to a clearly identified candidate for state office and **is made within 60 days prior to a general election or 30 days prior to a primary or runoff election**.

For a communication to be considered an electioneering communication, it must be sent by Internet advertising or direct mail; radio, television, cable or satellite broadcast or newspaper or magazine advertising.

It also must be targeted to the “relevant electorate.” The “relevant electorate” is 25,000 or more persons for a statewide office, 2,500 or more persons for State Representative or District Judge and 5,000 or more persons for all other state offices.

If a communication does not meet these elements, then it is not considered an electioneering communication.

A statewide office is an office in Oklahoma that does not have districts; for example, Governor, Lt. Governor, State Auditor & Inspector, etc. Meanwhile, other offices include districts; for example, offices for House of Representatives, Senate, and judicial offices all have districts.

An electioneering communication is distinguishable from an independent expenditure in that an electioneering communication does not explicitly advocate the election or defeat of any candidate, whereas an independent expenditure does. [Rule 2.2\(7\) and \(11\)](#). View Appendix VI for an example of an electioneering communication.

a. What an Electioneering Communication Is Not

An electioneering communication is not “issue advocacy,” although the two terms often are very similar in substance. A communication that references a candidate that is outside the relevant time period or that is made through a different means of communication, such as telephone, is not an electioneering communication.

However, such a communication, if made through the identified channels, may become an electioneering communication by operation of law if it meets the time, means and relevant electorate requirements. For example, a communication that mentions a candidate’s name, is targeted to the relevant audience through a television broadcast that is made 31 days before a primary election but does not advocate the election or defeat of a candidate is issue advocacy. That same communication, made 30 days before the same primary election becomes an electioneering communication.

b. Who May Make Electioneering Communications

A political party committee may make electioneering communications. Electioneering communications also may be made by other persons, such as political action committees, individuals, partnerships, limited liability companies and corporations. [Rule 2.52](#). A candidate may make an electioneering communication only for his or her own campaign. [Rule 2.51](#).

c. No Limits on Electioneering Communications

There are no limits to the amount of funds that a political party committee may spend on electioneering communications. [Rule 2.52](#).

What Constitutes Coordination, Cooperation, Consultation or “Acting in Concert”

If an alleged “independent expenditure” or “electioneering communication” is in fact made in coordination with, cooperation with, consultation with, or concert with, or at the request or suggestion of, a candidate, a candidate committee or their agents or a political party committee or its agents, then the “expenditure” becomes a contribution to the candidate committee. If the amount of the expenditure exceeds the limits for contributions, then it is a violation of the Ethics Rules by both the contributor and the recipient.

Coordination, cooperation, consultation and “acting in concert” are not defined in the Ethics Rules. Common definitions of “coordination,” “cooperation,” “consultation” and “concert” offer these descriptions, among many others: “to associate with others for mutual benefit,” “to act together,” “to confer,” “formed by mutual communication of opinion and views.” Whether there is coordination, cooperation or consultation in any given situation depends upon the facts. [Rules 2.107\(H\)](#), [2.108\(H\)](#) and [2.2\(6\)](#).

Disclosure Requirements for Independent Expenditures and Electioneering Communications

Whenever an independent expenditure or electioneering communication is made, the political party committee making the independent expenditure or electioneering communication must be identified. The exact language that must be used is as follows:

“Not authorized by any candidate or candidate committee. Authorized and paid for by [Name, Permanent Address, and Phone Number of the Political Party Committee].”

If the independent expenditure or electioneering communication is made by broadcast media, such as Internet advertising, or by video, radio, television, cable or satellite broadcast, the disclosure may be given either orally or in writing. If it is in writing, it must be of sufficient size and contrast to be clearly readable by the person reading the communication. If the independent expenditure or electioneering communication is made through Internet advertising, direct mail, magazine advertisement, newspaper advertisement or any other printed medium, the disclosure must be in writing and meet the same standard for readability. [Rules 2.57](#) and [2.58](#).

How Independent Expenditures and Electioneering Communications Are Reported

Independent expenditures and electioneering communications are reported on quarterly reports of Contributions and Expenditures.

However, if an independent expenditure or electioneering communication of \$5,000 or more is made by a political party committee at least 15 days prior to any primary, runoff primary or general election, that expenditure must be reported by the political party committee at the same time candidates file pre-election reports on a IE or EC report. The \$5,000 trigger is an aggregate number of all independent expenditures made by the political party committee. [Rule 2.107\(A\)](#).

Additionally, if an independent expenditure or electioneering communication of \$5,000 or more is made by a political party committee no more than 14 days prior to a primary, runoff primary or general election, but no later than the day of the election, that expenditure must be reported on an additional report no later than the business day following the day the expenditure is made. [Rule 2.107\(B\)](#). Review and access the reporting calendars on the Ethics Commission website.

a. Reporting Calendars Found Online

The independent expenditure and electioneering communication reporting calendars for political party committees are available on the Ethics Commission website at www.ethics.ok.gov.

g. Determining When Independent Expenditure or Electioneering Communication Reports Are Due & Relevant Examples

A political party committee that makes an expenditure of \$5,000 or more in the aggregate for independent expenditures (“IE”) or electioneering communications (“EC”) during a certain time before an election is required to file pre-election reports that detail the IE or EC. These pre-election reports are due during the same periods that candidate committees file pre-election reports. [2.108\(A\)](#).

A committee that makes IEs or ECs should enter such transaction into The Guardian System daily during the month prior to the election. The Guardian System will notify filers when a transaction has been entered that requires a supplemental IE or EC report and will add the report to the required filings grid.

i. Pre-Election IE/EC Reporting – 15 Days Prior to Any Election

If the IE or EC of \$5,000 or more in the aggregate is made more than 2 weeks before an election, the committee files a report during a filing period that begins the second Tuesday prior to the election and ends the following Monday.

Example: The 2020 primary election is June 30th. County X Political Party Committee makes a \$5,000 independent expenditure on June 15th. Because June 15th is *more than* 2 weeks before the primary election, the report will be due between June 16th (2nd Tuesday before the Election) and June 22nd (the next Monday).

June 2020						
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	\$ 15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30 Primary Election				

The yellow highlight in this calendar provides a visual representation of this example. The report may be filed any time within the yellow dates.

ii. Next Business Day Reporting – 14 Days Prior to Any Election

Significant expenditures about candidates during the last two weeks of an election are critically important. For that reason, if the an IE or EC of \$5,000 or more in the aggregate is made during the two weeks (i.e., 14 days) before an election, the committee must file reports no later than the next business day. **Once the \$5,000 is reached, each additional IE or EC made during the two weeks before the election will trigger a next business day report, regardless of the amount.** [Rule 2.107\(B\)](#).

Example 1: The 2020 primary election is June 30th. County X Political Party Committee makes an independent expenditure of \$5,000 June 19th. Because June 19th is within the 2 weeks before the election, the IE report is due no later than June 22nd (the next business day).

The yellow highlight in this calendar shows the 2 weeks before the election that require next business day reporting for IE or EC's of \$5,000 or more. Calculate the two week next business day reporting period by starting at the Election Day and counting backwards to the 2nd Tuesday before the Election.

June 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19 \$	20
21	22	23	24	25	26	27
28	29	30 Primary Election				

Example 2: Same facts as example 1 above, but County X Political Party Committee makes an additional independent expenditure on June 23rd for \$500. County X Political Party Committee must file another IE report no later than June 24th (the next business day).

June 2020

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19 \$	20
21	22	23 \$	24	25	26	27
28	29	30 Primary Election				

Reporting Calendars Found Online

The independent expenditure and electioneering calendars for political party committees are available on the Ethics Commission website at www.ethics.ok.gov.

Late Reports

The Executive Director is authorized to issue compliance orders, including late filing fees, to obtain compliance with these Rules. [Rule 6.19](#). [Rule 2.100](#). See [section VIII](#) for more information on enforcement and compliance.

Help with Reports

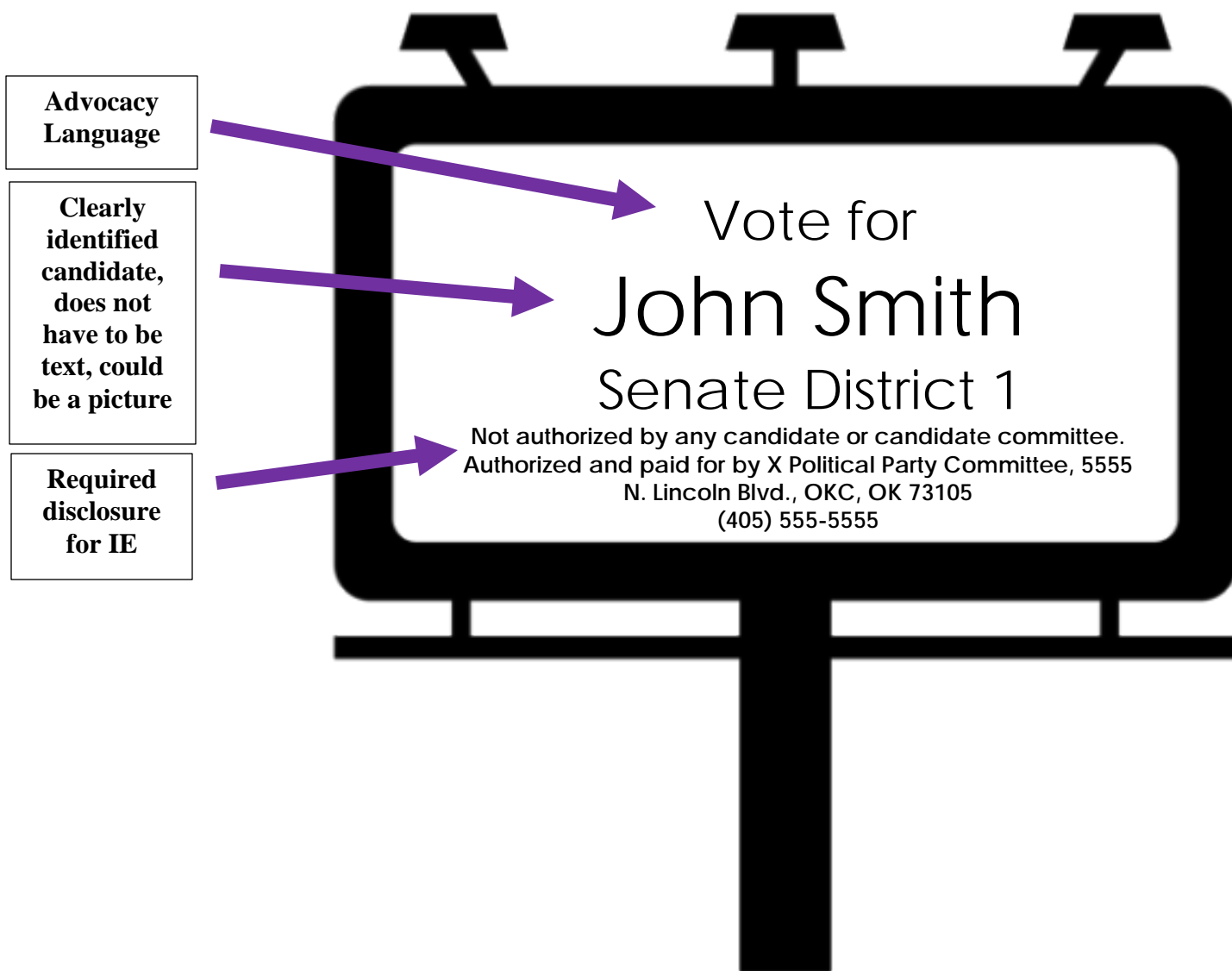
Detailed information on completing reports of independent expenditures or electioneering communications is available on the Ethics Commission's website, www.ethics.ok.gov.

If you have questions about independent expenditures or electioneering communications, call the Ethics Commission staff at (405) 521-3451 or email us at ethics@ethics.ok.gov.

Section Summary

- An independent expenditure is an expenditure for a communication that expressly advocates (1) the election or defeat of a clearly identified candidate or (2) a vote for or against the retention of a candidate for judicial retention.
- An independent expenditure cannot be made in coordination with, cooperation with, consultation with, or concert with, or at the request or suggestion of, a candidate, a candidate committee or their agents.
- An independent expenditure does not include the display of a noncommercial yard signs, lapel pins, buttons, bumper stickers or similar displays of support or opposition to a political party or a candidate.
- An electioneering communication is a specific type of communication made during a specific time period before an election that refers to a clearly identified candidate. An electioneering communication is not issue advocacy.
- Independent expenditures and electioneering communications are reported as expenditures in the Report of Contributions and Expenditures. Political party committees that make an independent expenditure or electioneering communications 14 or 15 days before an election that is \$5,000 or more in the aggregate are required to file additional independent expenditure or electioneering communication reports.
- Contact the Ethics staff with any questions regarding independent expenditures or electioneering communication.
- Independent expenditures and electioneering communications require the following disclosure: “Not authorized by any candidate or candidate committee. Authorized and paid for by [name, permanent address, and telephone number of the political party committee].”
- Committees that make IEs and ECs should enter transactions into The Guardian System daily during the month prior to an election. This will assist the committee in filing timely reports.

APPENDIX V: Example of an Independent Expenditure (“IE”)



APPENDIX VI: Example of an Electioneering Communication (“EC”)

References a clearly identified candidate
(no advocacy words like “vote for,” “vote against,” “re-elect,” etc.)

Required EC disclosure

