

# State Political Party Committee Guide



**OKLAHOMA**  
Ethics Commission

“This publication is issued by the Oklahoma Ethics Commission as authorized by Executive Director, Lee Anne Bruce Boone, pursuant to Ethics [Rule 1.8](#), and is located at the following website: [www.ethics.ok.gov](http://www.ethics.ok.gov). This publication has been submitted in compliance with [Section 3-114 of Title 65 of the Oklahoma Statutes](#).” This Guide was updated on **October 7, 2024**. v2024.2

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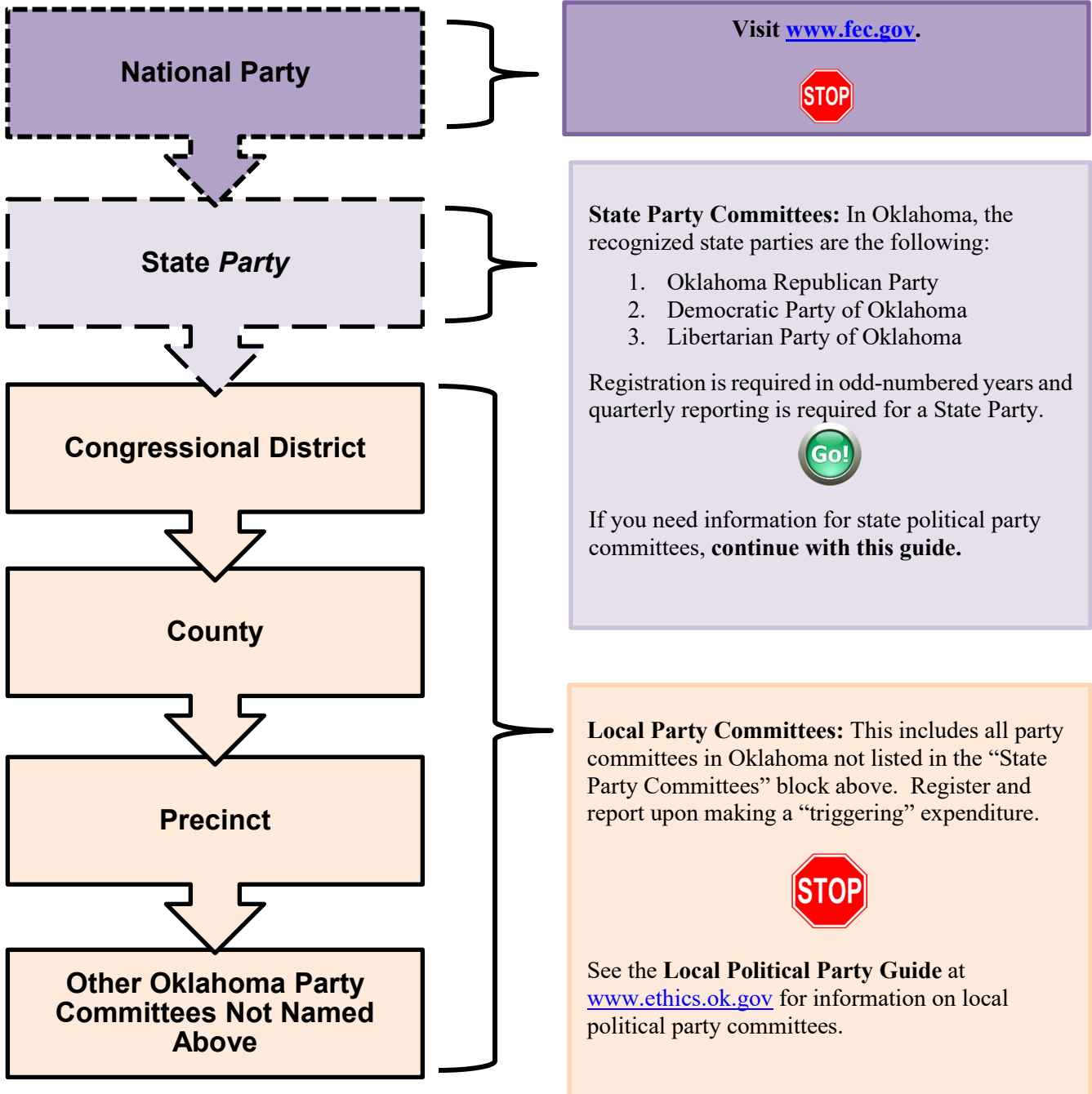
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### Is This the Right Guide for You?



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 only for state Oklahoma party committees. See the chart below for a visual description.



## **Commissioners**

Five Commissioners serve on the Commission for the Oklahoma Ethics Commission, with a term of five years and no more than two successive terms. The Commissioners serve on a volunteer basis and are appointed on a staggered basis by the (1) Governor, (2) Chief Justice of the Oklahoma Supreme Court, (3) Attorney General, (4) President Pro Tempore of the Senate, and (5) Speaker of the House of Representatives.

Information on the current commissioners may be accessed on the Ethics Commission website at [Oklahoma Ethics Commission - Commissioners](#).

## **II. 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 state political party committees. It is written by the Commission staff to provide assistance with compliance of 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 November 1, 2022.

### **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 state political party committee activity in campaigns for state office.

For information on local political party committees, see the guide for local political party committees on the Ethics Commission website at [www.ethics.ok.gov](http://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 advisory opinions to the Oklahoma Ethics Commission at 2300 N. Lincoln Blvd., Rm. G-27, Oklahoma City, OK 73105 or [ethics@ethics.ok.gov](mailto: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, 2023 to June 30, 2024 is \$125.00.** [Rule 6.19](#). See [section V](#) for more information on registration requirements.

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

### **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](http://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**. [Rule 2.122](#).

#### **a. Guardian System Training**

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

### **Commission Website**

Additional information on compliance with the Ethics Rules is available on the Commission's website at [www.ethics.ok.gov](http://www.ethics.ok.gov).

### **GovDelivery Notification System**

Sign up on the Ethics Commission website ([www.ethics.ok.gov](http://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/>

### **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 4:30 p.m.**

- Address: 2300 N. Lincoln Blvd., **Room G-27**  
Oklahoma City, OK 73105
- Telephone number: (405) 521-3451
- Fax number: (405) 521-4905
- E-mail: [ethics@ethics.ok.gov](mailto: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](http://www.ethics.ok.gov).

## **III. 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 the Guardian System registration and administration fee annually, and file quarterly reports regardless of activity. Local committees only register, pay the Guardian System registration and administration fee, and file reports when engaged in certain activity. [Rules 2.100](#) and [2.104](#).

### **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 Committees ("PACs") 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 relevant political action committee guide located on the Ethics Commission website at [www.ethics.ok.gov](http://www.ethics.ok.gov).

### **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](mailto:ethics@ethics.ok.gov).

## **IV. Political Party Committee Structure**

### **Structure Requirements**

Each political party committee is required to have a campaign depository, a Chair, and a Treasurer. [Rules 2.94](#), [2.95](#) and [2.104](#).

### **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 depository for the committee must be solely for the benefit of the committee and must not commingle committee funds with funds of any other entity.

The depository must also be maintained in the name of the committee, which 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. [Rules 2.94](#) and [2.95](#).

### **Committee Officers and Other Individuals**

#### **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. [Rule 2.104](#).

#### **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 the 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 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](#).

## **Non-Officers May be Added to Guardian Account to Assist with Reporting**

Officers of a political party committee that are registered in The Guardian System may add individuals to assist with reporting requirements. These individuals can provide support for the committee to ensure data is entered and reports are filed on time. Adding these individuals is for the convenience of the committee and does not alleviate the legal responsibilities of the officers.

### **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 only 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.

DFAs may be added in The Guardian System during the initial registration process when filing the Statement of Organization ("SO") or later by the Chair, Treasurer, or Deputy Treasurer of the committee by amending the SO. Once added to the system via the SO, the DFA will receive login credentials via email. DFAs may be removed from the system by amending the SO in The Guardian System.

### **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**

- All political party committees are required to have a depository (i.e., bank account) that ordinarily conducts business 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 duties.
- All officers must adhere to the Ethics Commission Rules. The Treasurer is primarily responsible for maintaining all records and documents, as well as filing reports with the Ethics Commission.
- A committee may utilize one or more Designated Filing Agents (DFA) to assist with filing reports and also a Data Entry User (DEU) who assists with data entry but cannot file reports

## **V. Is Your Committee Required to Register with the Ethics Commission?**

The three state-level political party committees currently recognized under the laws of Oklahoma are the Oklahoma Republican Party, the Democratic Party of Oklahoma, and the Libertarian Party of Oklahoma. A state political party committee is required to register or renew with the Commission by filing a Statement of Organization in July of any odd-numbered year and pay an annual Guardian System registration and administration fee annually, regardless of whether the committee receives or expends funds. See [section V](#) for information on registration and renewal requirements. [Rule 2.104](#).

## **VI. Register by Filing a Statement of Organization**

### **File the Statement of Organization in The Guardian System**

To register with the Ethics Commission, a committee must file a Statement of Organization (“SO”). Every SO must be filed electronically in The Guardian System, unless otherwise ordered by the Commission or the Executive Director of the Commission. The Guardian System is accessible through the Ethics Commission website at [www.ethics.ok.gov](http://www.ethics.ok.gov).

A state political party committee is required to renew its registration with the Commission by filing a Statement of Organization in July of any odd-numbered year and pay an annual Guardian System registration and administration fee.

The Ethics staff is available to answer questions regarding registration and reporting requirements. [Rules 2.104](#) and [2.122](#).

#### **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. When a committee files the first ever 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 attain login credentials for The Guardian System. [Rules 2.104.](#)

As a convenience, designated filing agents (“DFAs”) may be added at that time, but a DFA is not required. See [Section III](#), Political Party Structure for information about DFAs.

#### **b. Second and Subsequent Statements of Organization**

During calendar years following the filing of the first Statement of Organization (“SO”), a new SO is *required* only during the state-level registration and renewal period, which occurs in July of odd-numbered years. A political party committee that has previously filed a SO in The Guardian System must “renew” its registration using the same account during the registration and renewal period. 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, add or delete information, and ensure the information is current before submitting the registration renewal.

In between renewal periods, committees are required to keep information current as changes occur by filing amended SOs. This ensures the Commission has up-to-date contact information for the committee. [Rule 2.104.](#)

#### **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, residence address, electronic mailing address, telephone numbers and Internet website, if applicable, of the committee, the Chair, the Treasurer and, if applicable, the Deputy Treasurer. Each officer must list his or her own contact information.
6. The full name and address of each depository in which the committee will maintain an account. [Rule 2.104.](#)

#### **Registration and Administration Fee**

The Guardian System registration and administration fee **must be paid annually** by state-level political party committees. **The July 1, 2023 – June 30, 2024 registration fee for political party committees is \$125.00.** [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. [Rule 2.40.](#)

## **The Statement of Organization Must Be Amended When a Change Occurs**

Once a political party committee registers with the Ethics Commission, the Treasurer must update any change in the information on the Statement of Organization (“SO”) by filing an Amended SO in The Guardian System within 10 days of the change.

For example, if an officer changes addresses, their new phone number, or their last name, these changes, or any other modifications in contact information, must be reported in an Amended SO within 10 days of the change. [Rule 2.104](#).

Amend the SO by logging in to The Guardian System, clicking on the “Filings” tab, and clicking “Amend” next to the current political party registration in the grid under “Filing History.” Update the information in the SO and click “submit” to file the report.

### **a. Update Officers and Officer Contact Information**

When a currently registered committee elects new officers or when any of the officer information on the most recent Statement of Organization has changed, the committee is required to amend its current committee registration (i.e., Statement of Organization) with the new 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, such as due to new officer elections, the committee must add new officers to the list of officers and delete any former officers from this list. This is done either through renewing a Statement of Organization in July of odd-numbered years or amending a Statement of Organization 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 Officer Contact Information***

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

## **Section Summary**

- To register with the Ethics Commission, a committee will file a Statement of Organization in The Guardian System. State-level political party committees are required to register or renew in July of every odd-numbered year and pay an annual Guardian System registration fee. **The registration fee for July 1, 2023 – June 30, 2024 is \$125.**
- For a currently registered committee, an amended Statement of Organization must be filed within 10 days of any change.
- New officers must be added to the Statement of Organization in order for the new officer to receive his or her login credentials.

- 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.

## VII. Due Dates for Reports

State political party committees have continuous registration and reporting requirements, regardless of the committee’s activity. A state political party committee will be required to file a Contributions and Expenditures Report detailing the funds, goods and services coming into the committee expenditures on a quarterly basis. Independent expenditures (“IE”) and electioneering communications (“EC”) expenditures, however, 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 *prior to* the quarterly filing of the Contributions and Expenditures report, as described in later sections. See [section XV](#) on independent expenditures and electioneering communications for more information. [Rules 2.100](#), [2.107](#), and [2.108](#).

### Periods Covered and Filing Periods

The filing periods for state 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.

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

As noted in the chart above, the “period covered” indicates the time period that the committee needs to account for funds coming into and leaving the committee in the Report of Contributions and Expenditures. 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 using The Guardian System will receive emails to the email addresses on the SO when reports are due. [Rules 2.100](#), [2.107](#), and [2.108](#).

#### **a. Independent Expenditure or Electioneering Communication Reports Due**



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 period 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. Rules [2.107](#) and [2.108](#).

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

**Example:** The 2024 primary election is June 18<sup>th</sup>. State Political Party Committee X makes a \$5,000 independent expenditure on June 1st. Because June 1st is *more than 2 weeks* before the primary election, an IE report will be due between June 4<sup>th</sup> (2<sup>nd</sup> Tuesday before the Election) and June 10<sup>th</sup> (the next Monday). The IE report may be filed any time within the filing period.

June 2024						
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 PRIMARY ELECTION	19	20	21	22
23	24	25	26	27	28	29
30						

*ii. Next Business Day IE/EC 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 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 2024 primary election is June 18<sup>th</sup>. State Political Party Committee X makes an independent expenditure of \$5,000 on June 7<sup>th</sup>. Because June 7<sup>th</sup> is within the 2 weeks before the election, the IE report is due no later than June 10<sup>th</sup> (the next business day).

This calendar shows the 2 weeks before the election that require next business day reporting for IEs or ECs 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 2<sup>nd</sup> Tuesday before the Election.

June 2024						
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 PRIMARY ELECTION	19	20	21	22
23	24	25	26	27	28	29
30						

**Example 2:** Same facts as example 1 on the previous page, but Political Party Committee X makes an additional independent expenditure on June 11<sup>th</sup> for \$500. The committee must file another IE report no later than June 12<sup>th</sup> (the next business day).

June 2024						
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 PRIMARY ELECTION	19	20	21	22
23	24	25	26	27	28	29
30						

**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](http://www.ethics.ok.gov).

**Late Reports**

The Executive Director is authorized to issue compliance orders, including late filing fees, for reports filed late. [Rules 6.19](#). See [section VIII](#) for more information on enforcement and compliance. Contents of Contribution and Expenditure Reports

**Section Summary**

- State political party committees are required to register or renew in July of odd-numbered years and pay The Guardian System registration and administration fee annually. These committees will file quarterly Reports of Contributions and Expenditures in The Guardian System until the dissolution of the committee and final report is filed.
- Additional reports of independent expenditures (IE) and electioneering communications (EC) may be required if the political party committee makes expenditures for independent expenditures or electioneering communications valued at \$5,000 or more in the aggregate before an election.
- Contact the Ethics Commission staff if you are unsure as to (1) whether you are required to file a report, (2) what report you are required to file, and/or (3) when you are required to file specific reports.
- 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.

## **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;
- 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. [Rule 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; for instance, the Ethics Commission requires in-kind contributions to be reported, but this information will not be on the committee's 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. [Rule 2.104](#); [Staff Memorandum 2017-02](#).

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

Another example of a situation where the reports in The Guardian System may not mirror the bank statements is the reporting of contributions from eligible limited liability companies ("LLC") and partnerships. Although a political party committee may receive a contribution from a LLC or partnership, the contributions must be reported as if the contributions were made by the members or partners on an individual basis according to ownership interest. 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. To accurately report the political party committee's activities, the Treasurer often will have to elicit details other than amount and date of a contribution or expenditure 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**

One-on-one Guardian System training is available. Contact the Ethics staff at (405) 521-3451 or [ethics@ethics.ok.gov](mailto:ethics@ethics.ok.gov) to schedule an appointment. One-on-one training is unavailable the last 5 business days of a report filing period.

## **VIII. Enforcement and Compliance**

The Ethics Commission is constitutionally required to enforce its Rules. The Commission may utilize a compliance order process for less serious matters, and a formal complaints and investigations process for more serious violations or continued and repetitive non-compliance.

### **Compliance Orders**

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

### **Complaints and Investigations**

For enforcement matters that include possible Ethics Rule violations of a more serious nature than those capable of adequate handling through the compliance order process, including repetitive failure to comply with compliance orders, the Commission may pursue a more formal complaints and investigations process. This process 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 should maintain detailed records of all contributions received, contributor information, and expenditures made for at least 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 utilize its formal complaint and investigation process.

## 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 (of up to \$50 or less per contributor) or through written instruments, such as a personal check or a credit card authorization. Monetary contributions include funds for goods purchased by the committee or at a discount. In-kind contributions are goods or services provided to the committee free of charge. [Rule 2.2\(6\)](#).

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

**Example 2:** Ron gave a camera to State Political Party Committee X. This is an in-kind contribution to State Political Party Committee X. 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 State Political Party Committee X. The purchase of the t-shirt is a monetary contribution from John to State Political Party Committee X for the price of the t-shirt.

#### **a. All Contributions Are Aggregated**

All contributions—monetary and in-kind—that each individual or entity provides to a committee are aggregated to ensure that the individual or entity does not exceed the contribution limits.

#### **b. 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](#).

#### **c. 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](#).

#### **d. 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 as a contribution by the contributor to the candidate or candidates. [Rule 2.31](#). This is different than party committees transferring funds between state and local parties to make contributions to candidates.

#### **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. [Rules 2.31](#) and [2.64](#).

**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 cost of the T-shirts will be reported as an expenditure by Political Party Committee B for \$300.

#### **f. Name, Address, Occupation & Employer Required for Individual Contributions**

When a party committee receives a contribution from an individual, the party committee is required to use best efforts to obtain the name, address, occupation and employer of the contributor. This includes all 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](#).

**Example:** Same facts as the previous example where Juan bought the T-shirt from Political Party Committee B. Since Juan purchased a \$20 T-shirt from Political Party Committee B, the political party committee will report this transaction as a \$20 contribution from Juan. The committee must use its best efforts to obtain the contributor information from Juan: (1) his name, (2) his address, (3) his occupation, and (4) his employer. One easy 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 in the envelope soliciting the contribution.

#### **g. When an Expenditure Is a Contribution**

Contributions include expenditures made by a political party committee on behalf of a candidate committee, including independent expenditures. [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 from the political party committee.

#### **h. 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 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 required to be 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 that must be reported as coming from Sally and Jan as individual members/owners of the LLC.

**Example 3:** XYZ, Inc. employees stuffed envelopes for State Political Party Committee X 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 State Political Party Committee X had paid fair market value of 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. **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 day window has passed.** In instances when the funds were not deposited in 10 business days, the 11<sup>th</sup> day is the date reported, not the day of deposit. [Rules 2.21](#) and [2.22](#).

### **Maintain Contributor Information**

Political party committees are required to maintain contributor information. The individual contributor information that must be maintained includes, but is not limited to, the following: name, address, and where applicable, occupation, employer, committee ID number, LLC member information, and partnership information. The PAC contributor information that must be maintained includes, but is not limited to, the following: name, address, and PAC ID number. [Rule 2.104](#).



### **Section Summary**

- Contributions are either monetary or in-kind (i.e., goods or services) given to the committee. All contributions from each contributor—whether monetary or in-kind—are aggregated.
- Contributions 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 to a political party committee free of charge from an individual 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 for at least four years. This includes contributor information, such as the following individual contributor information: (1) name of contributor, (2) address of contributor; (3) occupation of contributor; and (4) employer. The required PAC contributor information includes the PAC name, address, and PAC ID#. Political party committees must use best efforts to obtain contributor information.

## **X. Contributors & Contribution Limits**

### **Who May Make Contributions to a Political Party Committee**

This section discusses who may provide contributions to political party committees. 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. See the full contribution limit chart in [Appendix III](#).

#### **a. Individual Contributors—Contribution Limit of \$10,000 per Calendar 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 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 Smith contributed \$5,000 to State X Political Party Committee and \$5,000 to County X Political Party Committee in the same calendar year. Both political party committees are officially recognized under the same party’s bylaws. John Smith has reached the contribution limit and cannot make additional contributions to any other X party committees, such as congressional district committees, precinct committees or other party committees 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. [Rule 2.17](#).

**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 finds that Jane Doe contributed \$1,500 and John Doe contributed \$500. The committee will report these as individual contributions: \$1,500 from Jane Doe and \$500 from John Doe.

The following two charts show the correct and incorrect ways to report such contributions.

**Reported Correctly:**

Date	Contributor Information [Name/Address/Occupation/Employer] [Name of Committee, Committee #]	Type of Contributor	Amount	Reporting Period Total	Aggregate Total
12/22/2023	DOE, JANE 123 STREET, OKLAHOMA CITY, OK 73111 ENGINEER WIDGETS, INC.	Monetary : Individual	\$1,500.00	\$1,500.00	\$1,500.00
12/22/2023	DOE, JOHN 123 STREET, OKLAHOMA CITY, OK 73111 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
12/22/2023	DOE, JANE & JOHN 123 STREET, OKLAHOMA CITY, OK 73111 ENGINEER AND 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 cash contribution limit 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 per year. If a political party committee receives a cash contribution of over \$50, the committee must (1) forfeit that contribution to the State Treasurer for the General Revenue fund of Oklahoma if the recipient cannot identify the donor or (2) reject the contribution from a known contributor.

The anonymous contribution limit is \$50 per contributor per calendar year. If a political party committee accepts an anonymous contribution in excess of \$50, the amount of the contribution in excess of \$50 must be deposited with the State Treasurer, directed to the general revenue fund of the state. [Rules 2.19](#) and [2.20](#).

Also, 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 for State X Political Party Committee. Paula can no longer give contributions in the form of cash to State X 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 State X 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 in the committee account, keep \$50 and write a check from the committee account in the amount of \$50 (the excess amount) to the General Revenue Fund of Oklahoma. Then he will report the \$100 contribution as an anonymous contribution, and report a \$50 expenditure to the General Revenue Fund of the state and enter a description of “excessive contribution.”

**iii. *Limited Liability Company and Partnership Contributions Are Reported on an Individual Basis***

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. [Rule 2.24](#) and [Rule 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 partner’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 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 this as individual contribution of \$1,000 from John Doe and \$1,000 from Jane Doe because John and Jane Doe have equal shares in the LLC.

**Reported Correctly:**

Date	Contributor Information [Name/Address/Occupation/Employer] [Name of Committee, Committee #]	Type of Contributor	Amount	Reporting Period Total	Aggregate Total
12/20/2023	DOE, JANE 123 STREET, OKLAHOMA CITY, OK 73111 ENGINEER WIDGETS, INC.	Monetary : Individual	\$1,000.00	\$1,000.00	\$1,000.00
12/20/2023	DOE, JOHN 123 STREET, OKLAHOMA CITY, OK 73111 ATTORNEY JOHN DOE, PC	Monetary : Individual	\$1,000.00	\$1,000.00	\$1,000.00



**Reported Incorrectly:**

Date	Contributor Information [Name/Address/Occupation/Employer] [Name of Committee, Committee #]	Type of Contributor	Amount	Reporting Period Total	Aggregate Total
12/20/2023	COMPUTERS, LLC 3535 N 23RD, OKLAHOMA CITY, OK 73111	Monetary : Business	\$2,000.00	\$2,000.00	\$2,000.00



**iv. Indian Tribes Follow Individual Contribution Limits**

Indian tribes follow the individual contribution limit and may contribute up to \$10,000 per calendar year to a political party committee. The contribution limit applies to the tribe as a whole per political party 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 2.32](#) and [2.104.](#)

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

**Tribes with PACs:** 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

applies 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 PACs)—Contribution Limit of \$10,000 per Calendar Year**

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

A limited PAC may contribute no more than \$10,000 in any calendar year to committees of 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 2.33\(B\) and 2.104.](#)

**Example:** In 2024, ABC PAC contributed \$5,000 to X State Party Committee and \$5,000 to X County Party Committee. X State Party Committee and X County Party Committee are in the same political party 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 Calendar Year**

A limited PAC 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. These PACs, called 1/25 PACs, have a contribution limit of \$5,000 per calendar year to a political party committee. [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 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 and may split the \$25,000 among various committees of a 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 2.48\(E\).](#) In other words, the limit is not \$25,000 per political party committee; it is a limit of \$25,000 per party, regardless of the number of receiving political party committees.

**Example 1:** John Doe for House 2024 only has a primary election. For example purposes, assume the primary election is on June 18<sup>th</sup>. John Doe’s committee wants to provide \$1,000 to X Political Party Committee on May 15<sup>th</sup> to help sponsor a watch party for the primary election. Doe for House 2024 is unable to provide these funds because the office he is running for will not be decided until after May, which means John Doe for House 2024 does not have surplus funds to give to the political party committee at this time.

**Example 2:** Continuing Example 1, John Doe is elected to the House office at the June 18<sup>th</sup> election. In August, John Doe for House 2024 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 Doe 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, John Doe for House 2024 could contribute up to \$15,000 to the State Committee, without exceeding the surplus fund limit.

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 [section XIII](#) on Expenditures. [Rule 2.31](#).

**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 May 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 2024, Sally Smith, a member of the County X Political Party Committee is running for State Office 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 to 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, the candidate.

### **Who Is Prohibited from Making Contributions to a Political Party Committee**

The following sections indicate the contributors from whom political party committees cannot accept contributions.

#### **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, nonprofit 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 PACs and Independent Judicial Retention Committees**

Unlimited Political Action Committees (“Unlimited PACs”) are prohibited from providing contributions to a political party committee, and political party committees are prohibited from receiving contributions from an Unlimited PAC. Unlimited PACs are PACs that are formed to make independent expenditures (“IE”), electioneering communications (“EC”), or to advocate the passage or defeat of a state question; they are not formed to make contributions to candidates. Unlimited PACs are unlimited in the amount of contributions it can receive, and they are able to receive funds from corporations and labor unions. [Rule 2.35](#) and [Rules 2.2\(20\)](#).

#### **c. Foreign Nationals**

Federal law prohibits contributions from foreign nationals. For more information on the ban on foreign national contributions visit [www.fec.gov](http://www.fec.gov).



### **Section Summary**

- The following may give contributions to a political party:
  - Individuals (18 years or older) may contribute up to \$10,000 per calendar year in the aggregate
    - Limited Liability Companies (LLCs) are reported through individual members and count toward the individual member's \$10,000 per calendar year limit.
    - Partnerships are treated the same as LLCs.
    - Tribes that are unincorporated and are not contributing via a PAC may contribute up to the individual contribution limit
  - Limited Political Action Committees (Limited PACs) may contribute up to \$10,000 per calendar year.
    - 1/25 Political Action Committees (1/25 PAC) may contribute up to \$5,000 per calendar year.
  - Candidate committees may contribute up to \$25,000 of **surplus funds** in the aggregate to a political party only after the election for which the candidate committee was formed has been determined.
- 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 PACs)
  - 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 political party. Any personal funds spent above the \$1,000 limit are considered in-kind contributions to the political party committee and are subject to any limits and 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. 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. [Rule 2.60.](#)

**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 in excess of \$1,000 is considered an in-kind contribution to the political party committee and must be reported as such.

**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 per political party committee and may not exceed \$1,000. Any personal funds expended above the \$1,000 limit are considered in-kind contributions to the political party committee and are 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 Doe, who wants to host a fund-raiser at his commercial office space that he owns personally. In this case, John Doe could host the fund-raiser at his commercial office space 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 that the commercial office space is actually owned by John Doe, Inc. Y Political Party Committee would be required to pay John Doe, 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 individually; instead, it is owned by John Doe, 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 the golf fund-raising event are considered contributions to the political party committee based on the fair market value of the goods or services. Any fee paid to participate in the event is a contribution to the political party committee. 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 18<sup>th</sup> hole. Y 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 Political 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 goods or services. Any money paid for goods or services at such an event are contributions to the committee. No goods or services may be donated, nor a fee paid by a corporation or labor union. [Rules 2.31](#) and [2.63](#).

**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 this in the Report of Contributions and Expenditures as 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 candidate's report of Contributions and Expenditures.

## **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 a person, 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 committee 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. 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 committee can 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 maxed out on contributions.

**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 County Political Party Committee contributes \$10,000 to Jane Doe, a candidate for Governor. X State Political Party Committee may make one or more contributions of up to \$15,000 to Jane Doe's committee because of the \$25,000 aggregate contribution limit for 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. Contributions to Judicial Candidates Are Prohibited**

Political party committees are also prohibited from making contributions to any candidate for judicial office. [Rule 2.32](#).

**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.

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 the candidate committee's surplus funds. [Rule 2.31](#) and [2.48](#).

**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 Doe, 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 Doe is unable

to purchase a \$100 ticket because it is a contribution to the party and John does not have surplus funds. However, X Political Party Committee could set a \$25 ticket price for candidates. John Doe 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 and 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 as 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 can use committee funds to register with the Ethics Commission.

### **Making Independent Expenditures**

A political party committee may make unlimited independent expenditures that **expressly advocate** the election or defeat of a clearly identified candidate or candidates, provided the expenditure is not coordinated with the candidate. For more information on independent expenditures see [section XIV](#) on independent expenditures. [Rules 2.2\(10\)](#) and [2.50](#).

### **Making Electioneering Communications**

A political party committee may make unlimited electioneering communications. In general, an electioneering communication is a communication referencing a clearly identified candidate before an election. For more information on electioneering communications see [section XIV](#) on electioneering communications. [Rules 2.2\(7\)](#) and [2.51](#).

### **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 committee may make:
  - Contributions to Candidates (Except Judicial 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; they are transfers and are unlimited.

## **XIV. Independent Expenditures and Electioneering Communications**

### **What an Independent Expenditure Is**

Political party committees may make independent expenditures. An independent expenditure is an expenditure for communications that **expressly advocate** (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. [Rules 2.2\(10\)](#) and [2.107\(H\)](#). See [Appendix IV](#) 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. 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 entities, such as a political action committee, may also make independent expenditures. However, candidate committees are prohibited from making independent expenditures. [Rules 2.2\(10\), 2.49, and 2.50](#).

#### **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. [Rules 2.2\(10\) and 2.50](#).

### **What an Electioneering Communication Is**

An electioneering communication (“EC”) 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 qualify as an EC, it must be sent by Internet advertising or direct mail, radio, television, cable or satellite broadcast, or appears in a newspaper or magazine.

Also, the communication must be targeted to the “relevant electorate” to be considered an EC. 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.

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.

If a communication does not meet these elements, then it is not considered an electioneering communication. See [Appendix V](#) for an example of an electioneering communication.

An EC is distinguishable from an independent expenditure (“IE”) in that an EC does not explicitly advocate the election or defeat of any candidate, whereas an IE does. [Rule 2.2\(7\) & \(10\)](#), and [2.108\(H\)](#).

#### **a. What an Electioneering Communication Is Not**

An electioneering communication (“EC”) is not “issue advocacy,” although the two terms often are very similar in substance. A communication that mentions a candidate’s name that is outside the relevant time period is not an EC. However, such a communication, if made through the identified channels, may become an EC 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 EC. [Rule 2.2\(7\)](#)

#### **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 2.2\(6\)](#), [2.107\(H\)](#), and [2.108\(H\)](#).

### **How Independent Expenditures and Electioneering Communications Are Reported**

Independent Expenditures and electioneering communications are reported on the regularly scheduled quarterly report 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. See [Section VI\(a\)](#) for due dates for reports.

#### **a. Reporting Calendars Found Online**

The independent expenditure and electioneering communication calendars for political party committees are available on the Ethics Commission website at [www.ethics.ok.gov](http://www.ethics.ok.gov).

#### **b. Compliance Orders May be Issued**

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

#### **c. Help with Completing Reports of Independent Expenditures**

Detailed information on completing reports of independent expenditures or electioneering communications is located on the Ethics Commission’s website, [www.ok.gov/ethics](http://www.ok.gov/ethics).

If you have questions about independent expenditures, call the Ethics Commission staff at (405) 521-3451 or email us at [ethics@ethics.ok.gov](mailto: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 and are typically reported in a quarterly report. However, political party committees that make an independent expenditure or electioneering communications before an election that is \$5,000 or more in the aggregate are required to file additional IE/EC reports.
- Contact the Ethics staff with any questions regarding independent expenditures or electioneering communication.

## **XV. Disclosure Requirements for Advertising**

### **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. [Rules 2.53](#) and [2.54.](#) Disclosure is also not required for standard-sized campaign yard signs (standard size: 18” x 24” or smaller); however, signs that are larger than the standard-sized campaign yard sign (larger than 18” x 24”) require the disclosure.

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

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

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

### **Disclosure Requirements for Independent Expenditures and Electioneering Communications**

Whenever an independent expenditure (“IE”) or electioneering communication (“EC”) is made, the political party committee making the IE or EC 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 IE or EC 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 IE or EC 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](#).

#### **Section Summary**

- Most advertisements and other communications require the following disclosure: **“Authorized and paid for by [Name of Political Party].”**
- 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].”**
- Disclosures are not required for bumper stickers, campaign buttons, t-shirts, or other advertisements where the disclosure would be impractical.

## **XVI. 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 accurately shows no funds remaining in the committee. [Rules 2.114](#), [2.117](#) 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, that would amount to converting contributions to personal use in violation of the Ethics Rules.

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. [Rule 2.118](#) and [2.39](#).

**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 the committee is 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](#).

**c. Disposition of Surplus Funds**

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

- 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.

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 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
2. After entering in 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.

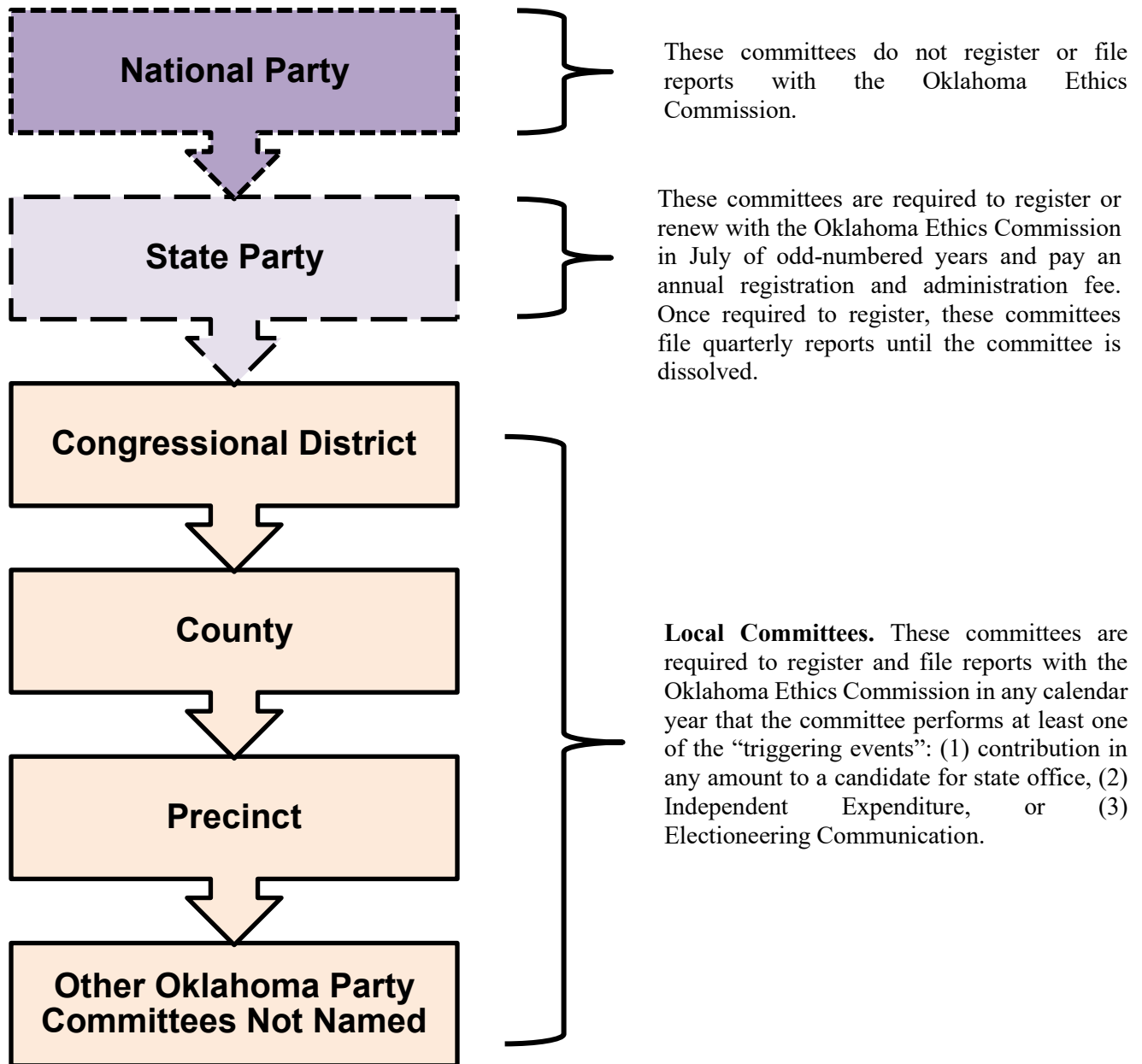
### **Section Summary**

- A political party committee is required to dissolve when the political party ceases to be recognized under the laws of the State of Oklahoma.
- To dissolve a political party committee, the committee must:
  - Dispose of any assets;
  - Resolve any debt;
  - Use surplus 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 need assistance with the dissolution process.

## APPENDIX I: POLITICAL PARTIES IN OKLAHOMA

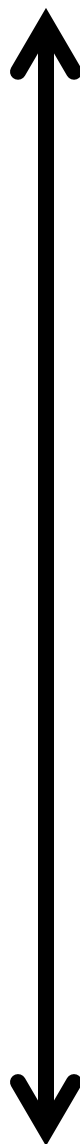
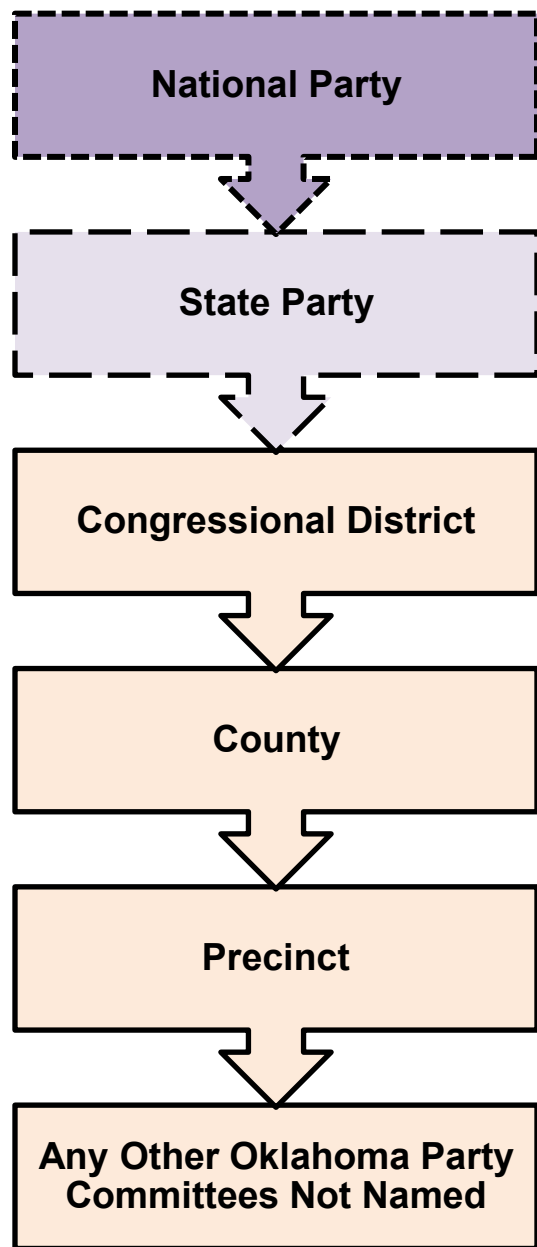
The following chart shows the structure of political parties in Oklahoma. There is a national party and below that is a state party. Below the state party is the congressional district, county, and precinct parties.

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 WITHIN POLITICAL PARTY



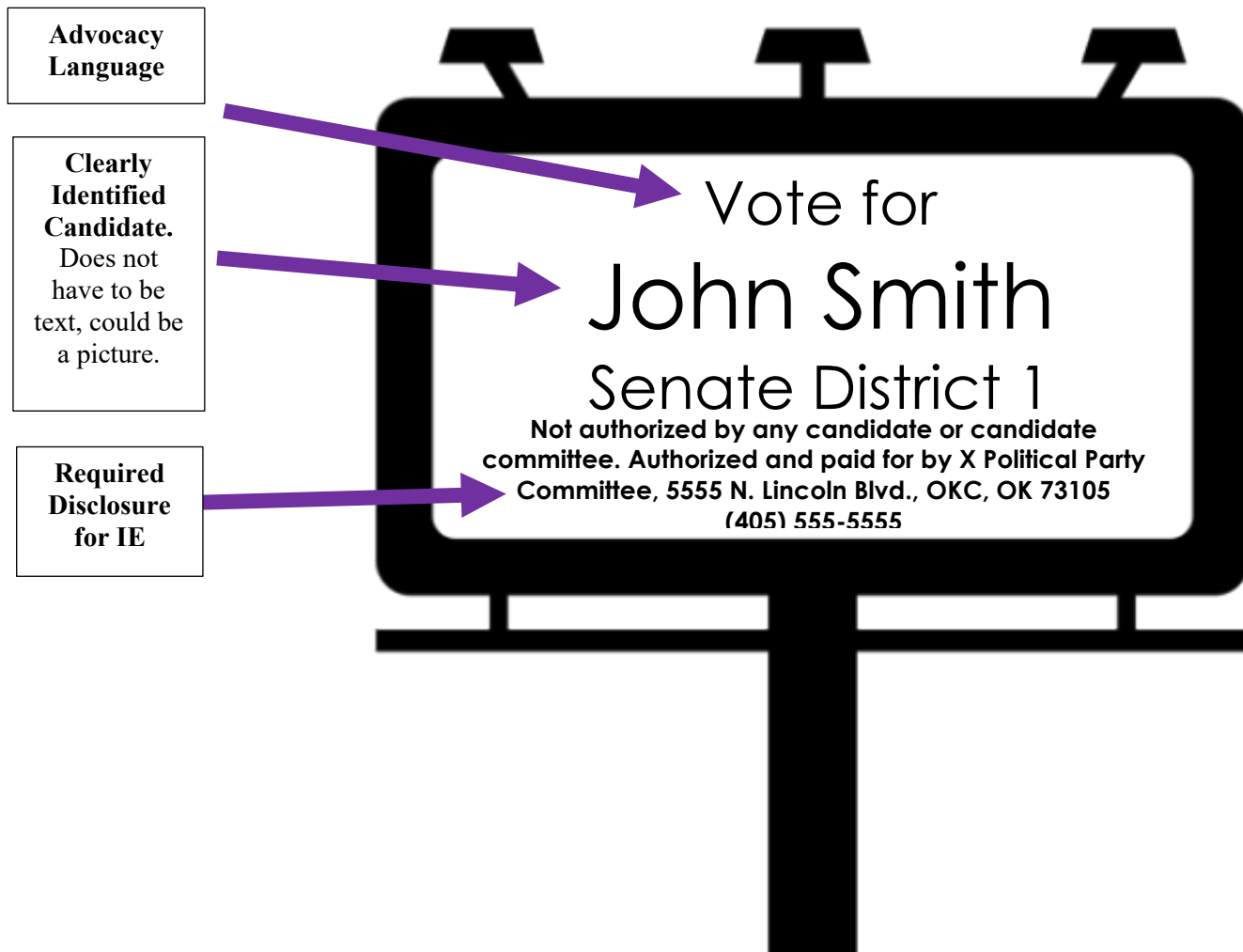
Transfers to and from an associated political party committee are neither contributions nor expenditures. Instead, these are transfers in or transfers out. There are no contribution limits because these are not contributions.

## APPENDIX III: CONTRIBUTIONS TABLE

CONTRIBUTORS		RECEIVING COMMITTEES				Unlimited Committee
		State Candidate Committee	Limited Committee	1/25 Committee	Party Committee	
Individuals** (candidates may give unlimited contributions to their own campaign)	Per Election Limit*: \$3,300	\$5,000 per year	\$5,000 per year	\$10,000 per year (may be split between multiple party committees)	No Limits	
	Unopposed Candidates: \$3,300 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	\$3,300 per campaign (from 2024 committee to 2024 committee)	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	
<b>*PER ELECTION LIMITS</b>						
Contribution limits are election specific with limits resetting after each election <i>only if</i> 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.						
<b>**CASH &amp; ANONYMOUS CONTRIBUTIONS:</b> 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.						
<b>**TRIBES:</b> Contributions from tribes are acceptable, as long as the tribe is not incorporated, tribes follow the individual contribution limit of \$3,300 per election.						
<b>***COMMITTEE TYPE &amp; PURPOSE:</b> A PAC may only contribute to another PAC of the same type and with the same purpose.						

State Contribution Chart v.2023.1

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



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

