



County Campaign Finance and Financial Disclosure Act

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TITLE 74, Chapter 62. – Ethics Commission Act
Miscellaneous Provisions

§ 4258.1 Creation of Political Subdivisions Enforcement Fund

There is hereby created in the State Treasury a revolving fund for the Ethics Commission to be designated the "Political Subdivisions Enforcement Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all funds appropriated by the Legislature to the fund and all late filing fees, fines from settlement agreements and fines assessed by the District Court for violations of the County Campaign Finance and Financial Disclosure Act, the Municipal Campaign Finance and Financial Disclosure Act, and the Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the Commission for any expenses incurred by the Political Subdivisions Enforcement Division. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of the Office of Management and Enterprise Services for approval and payment. No later than January 31, 2016, and every year thereafter, the State Treasurer shall transfer to the General Revenue Fund of the state any monies in the fund in excess of One Hundred Fifty Thousand Dollars (\$150,000.00). If at any time the amount of money in the fund is less than One Hundred Thousand Dollars (\$100,000.00), the Executive Director of the Commission may order that there be no further enforcement by the Political Subdivisions Enforcement Division until the amount of money in the fund is more than One Hundred Thousand Dollars (\$100,000.00).

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).

§ 4261. Design and Internet Placement of Compliance Forms

The Ethics Commission shall design all forms required for compliance with the County Campaign Finance and Financial Disclosure Act, the Municipal Campaign Finance and Financial Disclosure Act and the Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act. Such forms shall be made available in electronic form on the Commission's Internet website.

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).

§ 4262. Establishment of Political Subdivisions Enforcement Division

For purposes of enforcing the County Campaign Finance and Financial Disclosure Act, the Municipal Campaign Finance and Financial Disclosure Act, and the Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act, the Ethics Commission shall establish a special division to be known as the "Political Subdivisions Enforcement Division". The Executive Director of the Ethics Commission may employ staff for the Political Subdivisions Enforcement Division, or may contract for services to be performed by the Division, or both.

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).

Local Government Campaign Finance and Financial Disclosure Act

Section 1, SB 1745 (2014)[not codified]

- A. This act shall be known as the "Local Government Campaign Finance and Financial Disclosure Act". The Local Government Campaign Finance and Financial Disclosure Act shall be codified in those titles of the Oklahoma Statutes relating to the various levels of local government to which the act applies.
- B. The Legislature hereby finds that:
 - 1. The Oklahoma Constitution requires that all elections shall be free and equal and prohibits local and special laws for the conduct of elections;
 - 2. The conduct of campaigns for county, municipal, technology center district and independent school district elections is inextricably intertwined with the elections themselves and that the conduct of such campaigns is a matter of statewide concern;
 - 3. For the citizens of this state to be adequately informed regarding possible conflicts of interest, financial disclosure by candidates, elected officials and other officials of certain county and municipal governments is necessary;
 - 4. Information regarding campaigns for county, municipal, technology center district and independent school district elections and financial disclosure documents should be made available locally to be more accessible to the electorate; and
 - 5. Enforcement of laws governing campaigns for elective office for counties, municipalities, technology center districts should be uniform and statewide.

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).

Title 19, Counties and County Officers

County Campaign Finance and Financial Disclosure Act

§ 138.11. Relationship to Local Government Campaign Finance and Financial Disclosure Act

Sections 2 through 10 of this act shall be the provisions of the Local Government Campaign Finance and Financial Disclosure Act applicable to counties and shall be known as the "County Campaign Finance and Financial Disclosure Act.

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).

§138.12. Definitions

- A. Definitions of terms used in the County Campaign Finance and Financial Disclosure Act shall be the same as those terms are defined in Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the

Oklahoma Constitution, unless otherwise provided herein.

B. As used in the County Campaign Finance and Financial Disclosure Act:

1. **"Campaign committee"** means a committee which may be composed of one or more persons the purpose of which is to support the election of a specific candidate to county office, whose name as it will appear on the ballot shall appear in the name of the committee;
2. **"County office"** means any elective county office for which Declarations of Candidacy are filed with the secretary of the county election board as required by Section 5-103 of Title 26 of the Oklahoma Statutes; and
3. **"County political committee"** means any committee composed of one or more persons whose purpose includes the election or defeat of one or more candidates for county office but which is not required to register with the Ethics Commission or the Federal Election Commission.

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).

§ 138.13. Duty of Campaign Committee to File Statement of Organization – Fee

Each campaign committee shall file a notarized statement of organization with the county election board subject to the same requirements as set forth for candidate committees for state office to file statements of organization with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents, except as otherwise provided in the County Campaign Finance and Financial Disclosure Act. The statement of organization shall be accompanied by a check drawn upon the campaign committee's account in the amount of Fifty Dollars (\$50.00) as a nonrefundable processing fee to be deposited in the County Election Board Special Depository Account. Expenditures from such fees may be made by the secretary of the county election board for any lawful purpose.

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).

§ 138.14. Duty of County Political Committee to File Statement of Organization

Every county political committee shall file a notarized statement of organization with the county election board subject to the same requirements as set forth for political committees required to file statements of organization with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents.

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).

§ 138.15. Duty of Campaign Committee and County Political Committee to File Report of Contributions and Expenditures

Every campaign committee and every county political committee shall file reports of contributions and expenditures with the county election board subject to the same requirements as set forth for reports of contributions and expenditures filed with the Ethics Commission under

Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution, including but not limited to time for filing and contents.

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).

§ 138.16. Public Records - Retention and Destruction of Documents - Internet Postings

Statements of organization and reports of contributions and expenditures required under the County Campaign Finance and Financial Disclosure Act shall be public records. The county election board shall maintain statements of organization and reports of contributions and expenditures for four (4) years after the date on which they are filed or prepared, if not posted on the county's website as provided herein, at which time the documents may be destroyed or retained at the discretion of the county election board. If the county in which the statements of organization are filed maintains an Internet website, the county election board may post on the website copies of statements of organization and reports of contributions and expenditures.

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).

§ 138.17. Duty of Candidates and Elected Officers to File Statements of Financial Interests

All candidates for county office and all elected county officers shall be required to file a notarized statement of financial interests with the county election board subject to the same requirements as set forth for statements of financial interests filed with the Ethics Commission under Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution.

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).

§ 138.18. Public Nature of Statements of Financial Interests - Retention and Destruction of Documents

Statements of financial interests required under the County Campaign Finance and Financial Disclosure Act shall be public records. The county election board shall maintain statements of financial interests for four (4) years after the date on which they are filed, at which time the documents may be destroyed or retained at the discretion of the county election board.

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).

§138.19. Enforcement - Complaints - Investigations - Penalties – Protest

The County Campaign Finance and Financial Disclosure Act shall be enforced by the Ethics Commission in the same manner as Rules of the Ethics Commission promulgated pursuant to Section 3 of Article XXIX of the Oklahoma Constitution are enforced, including but not limited to acceptance of complaints, civil prosecutions, settlement agreements and any other compliance practices or requirements. Complaints may be received by the Ethics Commission alleging filing of statements required to be filed under the County Campaign Finance and Financial Disclosure Act later than the prescribed time for filing or failure to produce reports required to be available for public inspection and copying. Such complaints shall be in the same form as other complaints. Upon receipt of such complaints, the Ethics Commission shall investigate whether the allegation or allegations are true and, if so, shall assess a late reporting penalty of up to One Hundred Dollars (\$100.00) per day, not to exceed a maximum of One Thousand Dollars (\$1,000.00) for the filing of any statement or report. If the Ethics Commission determines the

allegation or allegations are not true, it shall take no further action. Persons assessed a late reporting penalty may protest the assessment subject to provisions of the Administrative Procedures Act.

Enacted in 2014 by Senate Bill 1745 (effective January 1, 2015).