



Technology Center District and School District 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 70, Schools

Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act

§ 2-110. Applicability

Sections 21 through 30 of this act shall be the provisions of the Local Government Campaign Finance and Financial Disclosure Act applicable to technology center districts and independent school districts and shall be known as the "Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act".

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

§ 2-111. Definitions

- A. Definitions of terms used in the Technology Center District and Independent School District 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 Technology Center District and Independent School District Campaign Finance and 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 school district office, whose name as it will appear on the ballot shall appear in the name of the committee;
2. **"School district"** means a technology center district or an independent school district;
3. **"School district office"** means any elective school district office for which Declarations of Candidacy are filed with the secretary of the county election board as required by Section 13A-
4. 105 of Title 26 of the Oklahoma Statutes; and
5. **"School district political committee"** means any committee composed of one or more persons whose purpose includes the election or defeat of one or more candidates for school district 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).

§ 2-112. Applicability of Act

The Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act shall apply to all technology center districts and shall apply to all independent school districts.

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

§ 2-113. Duty of Campaign Committee to File Statement of Organization

Each campaign committee shall file a statement of organization with the school district clerk subject to the same requirements as set forth for candidate committees for state office 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).

§ 2-114. Duty of School District Political Committee File Statement of Organization

Every school district political committee shall file a statement of organization with the school district clerk 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).

§ 2-115. Duty to File Report of Contributions and Expenditures

Every campaign committee and every school district political committee shall file a report of contributions and expenditures with the school district clerk subject to the same requirements as set forth for candidate committees and political action committees, respectively, required to file reports of contributions and expenditures 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).

§ 2-116. Public Access to Records - Retention and Destruction of Records Filed With School District Clerk

Statements of organization and reports of contributions and expenditures required to be filed with the school district clerk under the Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act shall be public records. The school district clerk shall maintain statements of organization and reports of contributions and expenditures for four(4) years after the date on which they are filed, if not posted on the school district's website as provided herein, at which time the documents may be destroyed or retained subject to the discretion of the school district clerk. If the school district in which the statements of organization and reports of contributions and expenditures are filed maintains an Internet website, the school district clerk 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).

§ 2-117. Candidate's Duty to File Statement of Financial Interests

All candidates for school district office and all elected school district officers shall be required to file a statement of financial interests with the school district clerk subject to the same requirements as set forth for candidates for state office required to file statements of financial interests 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).

§ 2-118. Public Access to Statements of Financial Interests - Retention and Destruction of Statements

Statements of financial interests required to be filed with the school district clerk under the Technology Center District and Independent School District Campaign Finance and Financial Disclosure Act shall be public records. The school district clerk shall maintain statements of financial interests for four (4) years after the date on which they are filed, if not posted on the school district's website as provided herein, at which time the documents may be destroyed or retained subject to the discretion of the school district clerk. If the school district in which the statements of financial interests are filed maintains an Internet website, the school district clerk may post on the website copies of statements of financial interests.

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

§ 2-119. Enforcement of Act - Complaints - Procedures – Penalties

The Technology Center District and Independent School District 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 or reports required to be filed under the Technology Center District and Independent School District Campaign Finance and Disclosure Act later than the prescribed time for filing. Such complaints shall be in the same form as other complaints. Upon receipt of such complaints of late filing, the Ethics Commission shall investigate whether the allegation or allegations are true and, if so, shall assess a late filing penalty of 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 filing fee may protest the assessment subject to provisions of the Administrative Procedures Act.

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