

# **Oklahoma Municipal Campaign Finance and Financial Disclosure Act (11 O.S. §56-101 through §56-110)**

## **Section 56-101 - Short Title - Relationship to Local Government Campaign Finance and Financial Disclosure Act**

Sections 11 through 20 of this act shall be the provisions of the Local Government Campaign Finance and Financial Disclosure Act applicable to municipalities and shall be known as the "Municipal Campaign Finance and Financial Disclosure Act".

## **Section 56-102 - Definitions**

A. Definitions of terms used in the Municipal 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 Municipal 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 municipal office, whose name as it will appear on the ballot shall appear in the name of the committee;
2. "Municipal office" means any elective municipal office established under state or municipal law; and
3. "Municipal political committee" means any committee composed of one or more persons whose purpose includes the election or defeat of one or more candidates for municipal office but which is not required to register with the Ethics Commission or the Federal Election Commission.

## **Section 56-103 - Municipalities Subject to Act**

### **This Statute Will Go Into Effect on November 1, 2022**

A. The Municipal Campaign Finance and Financial Disclosure Act shall apply only to municipalities with a population of more than ten thousand (10,000) according to the most recent Federal Decennial Census and a general fund expenditure budget in excess of Ten Million Dollars (\$10,000,000.00) in the fiscal year in which the municipal elections are held.

B. A municipality described in subsection A of this section may enact a comprehensive code of campaign finance and personal financial disclosure ordinances, including provisions for enforcement thereof, in which case the Municipal Campaign Finance and Financial Disclosure Act shall not apply to the municipality. A municipality described in subsection A of this section may contract with an interlocal entity operating under the Municipal Campaign Finance Disclosure for Exempted Municipalities Act and the municipality may alternatively follow the provisions of the Municipal Campaign Finance Disclosure for Exempted Municipalities Act when they have adopted their own comprehensive code of campaign finance and personal disclosure ordinances as authorized under this act. Any municipality enacting such a code shall file a notice of its action with the Ethics Commission, which shall have no enforcement responsibilities under the code.

## **Section 56-104 - Duty of Campaign Committee to File a Statement of Organization**

Each campaign committee shall file a statement of organization with the municipal 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.

**Section 56-105 - Duty of Municipal Political Committee to File a Statement of Organization**

Every municipal political committee shall file a statement of organization with the municipal 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.

**Section 56-106 - Duty to File Report of Contributions and Expenditures**

Every campaign committee and every municipal political committee shall file a report of contributions and expenditures with the municipal 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.

**Section 56-107 - Filings That Are Public Records - Internet Availability**

Statements of organization and reports of contributions and expenditures required to be filed with the municipal clerk under the Municipal Campaign Finance and Financial Disclosure Act shall be public records. The municipal 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 municipality's website as provided herein, at which time the documents may be destroyed or retained subject to the discretion of the municipal clerk. If the municipality in which the statements of organization and reports of contributions and expenditures are filed maintains an Internet website, the municipal clerk may post on the website copies of statements of organization and reports of contributions and expenditures.

**Section 56-108 - Duty of Candidates and Elected Officers to File a Statement of Financial Interests**

All candidates for municipal office and all elected municipal officers shall be required to file a statement of financial interests with the municipal 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.

**Section 56-109 - Statements of Financial Interests - Public Records - Internet Availability**

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

**Section 56-110 - Enforcement - Complaints - Investigations - Penalties - Protest of Penalty**

The Municipal 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 Municipal Campaign Finance and Financial 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.