

1 **SENATE FLOOR VERSION**

2 April 12, 2017

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 1766

6 By: Russ of the House

7 and

8 Fields of the Senate

9 [state government - Rules of the Ethics Commission -
10 effective date]

11 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

12 SECTION 1. AMENDATORY Rule 1.3 of the Rules of the
13 Ethics Commission (74 O.S. Supp. 2016, Chapter 62, App. 1), is
14 amended to read as follows:

15 Rule 1.3 A. As used in Rule 1, "Commission" shall mean the
16 Oklahoma Ethics Commission.

17 B. Beginning November 1, 2017, any new member appointed to the
18 Commission by the President Pro Tempore of the Senate or the Speaker
19 of the House of Representatives shall have at least two (2) years of
20 experience in an elected position that required reporting to the
21 Commission.

22 SECTION 2. AMENDATORY Rule 2.73 of the Rules of the
23 Ethics Commission (74 O.S. Supp. 2016, Chapter 62, App. 1), is
24 amended to read as follows:

1 Rule 2.73 The Treasurer shall be responsible for keeping the
2 candidate committee's financial records and accounts, including but
3 not limited to all contributions accepted; all deposit slips or
4 other evidence of acceptance of contributions; all expenditures
5 made; all receipts, canceled checks or other evidence of payment of
6 expenditures and all other documents necessary to file Reports of
7 Contributions and Expenditures. All such documents shall be
8 maintained for at least ~~four (4)~~ three (3) years and shall be made
9 available to the Commission upon request of the Commission. The
10 Treasurer shall be responsible for timely and accurately filing all
11 Reports of Contributions and Expenditures for the committee.

12 SECTION 3. AMENDATORY Rule 6.11 of the Rules of the
13 Ethics Commission (74 O.S. Supp. 2016, Chapter 62, App. 1), is
14 amended to read as follows:

15 Rule 6.11 A. The Commission may at any time after a hearing by
16 an administrative law judge pursuant to subsection B of this section
17 and notice to the Governor, President Pro Tempore of the Senate and
18 Speaker of the House of Representatives transmit to appropriate
19 civil or criminal law enforcement authorities any information
20 received by the Commission or its employees as the result of a
21 complaint or a formal investigation.

22 B. Any person adversely affected by a decision of the
23 Commission shall be afforded an opportunity for a hearing by an
24 administrative law judge pursuant to the provisions of Article II of

1 the Administrative Procedures Act after such person has been
2 notified of the adverse decision of the Commission.

3 SECTION 4. AMENDATORY Rule 6.12 of the Rules of the
4 Ethics Commission (74 O.S. Supp. 2016, Chapter 62, App. 1), is
5 amended to read as follows:

6 Rule 6.12 If authorized by the Commission as provided in Rule
7 6.10(2) of these Rules, a civil lawsuit shall be filed in the
8 District Court no more than ~~four (4)~~ three (3) years after the date
9 the violation of these Rules is alleged to have occurred. Provided,
10 however, that a civil lawsuit shall be filed in the District Court
11 no more than ~~four (4)~~ three (3) years from the date any document
12 required to be filed with the Commission was required or the date
13 the document was in fact filed, whichever period expires later.
14 Provided further, there shall be no time limitation if fraud or
15 concealment prevents discovery of the alleged violation.

16 SECTION 5. This act shall become effective November 1, 2017.

17 COMMITTEE REPORT BY: COMMITTEE ON RULES
18 April 12, 2017 - DO PASS AS AMENDED
19
20
21
22
23
24