

An Act

ENROLLED HOUSE
BILL NO. 3056

By: Sims of the House

and

Paxton and Kirt of the
Senate

An Act relating to cities and towns; amending 11 O.S. 2021, Section 56-103, which relates to municipalities subject to the Municipal Campaign Finance and Financial Disclosure Act; providing for municipalities to contract with an interlocal entity; authorizing municipalities not subject to the Municipal Campaign Finance and Financial Disclosure Act to enact a comprehensive code; clarifying that the Ethics Commission shall have no enforcement responsibilities; enabling municipal governments to provide for hearings, enforcement, and civil fines; granting for appeals of municipal court orders to district court; enabling municipal governments to adopt necessary ordinances; authorizing municipal governments enacting a comprehensive code to contract with an interlocal entity for administration and enforcement; providing powers of interlocal entities; providing for codification; and providing an effective date.

SUBJECT: Cities and towns

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

SECTION 1. AMENDATORY 11 O.S. 2021, Section 56-103, is amended to read as follows:

Section 56-103. 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 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 56-103a of Title 11, unless there is created a duplication in numbering, reads as follows:

1. Any municipality not subject to the Municipal Campaign Finance and Financial Disclosure Act, or any entity authorized under subsection B of Section 56-103 of Title 11 of the Oklahoma Statutes, may enact a comprehensive code of campaign finance and personal financial disclosure ordinances including policies and provisions for the administration and enforcement thereof. The Ethics Commission shall have no enforcement responsibilities under the Municipal Campaign Finance Disclosure for Exempted Municipalities Act. Municipal governments may provide for hearings, enforcement, and civil fines not to exceed Five Hundred Dollars (\$500.00). Hearings shall be conducted through the municipal court to adjudicate violations of the comprehensive code of campaign finance and personal financial disclosure ordinances as authorized in this act. Any judicial order from a municipal court under this section may be appealed to the district court having jurisdiction over the alleged or adjudicated violator. All appeals shall be de novo. Any civil fine issued under the provisions of the act may be converted to a civil judgment by the municipal government in the appropriate district court. Municipal governments have the authority to adopt ordinances necessary and proper for the administration and enforcement of this act.

2. Municipal governments enacting a comprehensive code of campaign finance and personal financial disclosure ordinances may contract with an interlocal entity created in accordance with the Interlocal Cooperation Act for the administration and enforcement of this act. The interlocal entity may assign adjudication of any potential violations of a municipality's campaign finance and personal financial disclosure ordinances to any municipal court that has joined the interlocal entity in accordance with policies adopted by the interlocal entity. The assigned municipal court shall have jurisdiction to conduct the hearing, issue subpoenas, adjudicate the matter and issue judgment for civil fines for violations of municipal campaign finance and personal financial disclosure ordinances of any member of the interlocal entity. Any civil fine issued under the provisions of this act may be converted to a civil judgment by the interlocal entity in the appropriate district court. The interlocal entity shall have the authority to adopt policies and procedures necessary and proper for the administration and enforcement of this act.

SECTION 3. This act shall become effective November 1, 2022.

Passed the House of Representatives the 17th day of May, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 19th day of May, 2022.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____