

An Act

ENROLLED HOUSE
BILL NO. 3046

By: Lepak, Crosswhite Hader,
and Roberts (Sean) of the
House

and

Daniels and Bullard of the
Senate

An Act relating to elections; creating the Prohibit the Private Funding of Elections Act; defining terms; requiring elections be paid for with public funds; providing exceptions; prohibiting acceptance of private funds for elections; providing exception; providing for penalties; providing for codification; and declaring an emergency.

SUBJECT: Elections

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7-139 of Title 26, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Prohibit the Private Funding of Elections Act".

B. As used in this section:

1. "Person" means any individual, proprietorship, firm, partnership, joint venture, syndicate, labor union, business trust, company, association, committee, corporation, whether or not operated for profit, or any other organization or group of persons acting in concert, or any other nongovernmental third-party entity; and

2. "Public funds" means funds derived from taxes, fees, including candidate filing fees, and other sources of public revenue lawfully appropriated or expended by Congress, the Legislature, or any other governmental entity or funds from an entity that is authorized to pay for an election pursuant to state law.

C. All costs and expenses of conducting and administering elections shall be paid for with public funds; provided nothing in this section shall apply to franchise elections described in Sections 5(a) and 5(b) of Article XVIII of the Oklahoma Constitution. No government official or election official shall solicit, take, or otherwise accept from any person, any contribution, donation, or anything else of value for purposes of conducting or administering any election pursuant to the provisions of Title 26 of the Oklahoma Statutes; provided, donations not directly related to the administration of elections may be accepted by the Secretary of the State Election Board or secretary of the county election board upon written approval by the Governor and written notification sent to the Speaker of the Oklahoma House of Representatives and President Pro Tempore of the Oklahoma State Senate.

D. Any person's first violation of this act shall constitute a misdemeanor and, upon conviction, be punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00). A second violation of this act shall constitute a misdemeanor and, upon conviction, be punishable by a fine not to exceed Ten Thousand Dollars (\$10,000.00). A third or any subsequent violation of this act shall constitute a felony and, upon conviction, be punishable by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment in the custody of the Department of Corrections for a term of not less than two (2) years nor more than five (5) years, or both such fine and imprisonment.

SECTION 2. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 9th day of March, 2022.

Presiding Officer of the House
of Representatives

Passed the Senate the 27th day of April, 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: _____