

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3046

By: Lepak

7
8 COMMITTEE SUBSTITUTE

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

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

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

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

22 B. As used in this section:

23 1. "Person" means any individual, proprietorship, firm,
24 partnership, joint venture, syndicate, labor union, business trust,
 company, association, committee, corporation, whether or not

1 operated for profit, or any other organization or group of persons
2 acting in concert, or any other nongovernmental third-party entity;
3 and

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

9 C. No government official or election official shall solicit,
10 take, or otherwise accept from any person, any contribution,
11 donation, or anything else of value for purposes of conducting any
12 election pursuant to the provisions of this title; provided,
13 donations not directly related to the administration of elections
14 may be accepted by the Secretary of the State Election Board upon
15 written approval by the Governor and written notification sent to
16 the Speaker of the Oklahoma House of Representatives and President
17 Pro Tempore of the Oklahoma State Senate. All costs and expenses
18 relating to elections shall be paid for with public funds.

19 D. Any person's first violation of this act shall constitute a
20 misdemeanor, and upon conviction, be punishable by a fine not to
21 exceed Five Thousand Dollars (\$5,000.00). A second violation of
22 this act shall constitute a misdemeanor, and upon conviction, be
23 punishable by a fine not to exceed Ten Thousand Dollars
24 (\$10,000.00). A third or any subsequent violation of this act shall

1 constitute a felony and upon conviction, be punishable by a fine not
2 to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment in
3 the custody of the Department of Corrections for a term not less
4 than two (2) years nor more than five (5) years, or both such fine
5 and punishment.

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

10

11 COMMITTEE REPORT BY: COMMITTEE ON ELECTIONS AND ETHICS, dated
12 02/21/2022 - DO PASS, As Amended.

13

14

15

16

17

18

19

20

21

22

23

24