

1 **SENATE FLOOR VERSION**

2 April 6, 2022

3 ENGROSSED HOUSE
4 BILL NO. 3046

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

5 and

6 Daniels and Bullard of the
7 Senate

8
9 An Act relating to elections; creating the Prohibit
10 the Private Funding of Elections Act; defining terms;
11 requiring elections be paid for with public funds;
12 providing exceptions; prohibiting acceptance of
private funds for elections; providing exception;
providing for penalties; providing for codification;
and declaring an emergency.

13
14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

20 B. As used in this section:

21 1. "Person" means any individual, proprietorship, firm,
22 partnership, joint venture, syndicate, labor union, business trust,
23 company, association, committee, corporation, whether or not
24 operated for profit, or any other organization or group of persons

1 acting in concert, or any other nongovernmental third-party entity;
2 and

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

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

23 D. Any person's first violation of this act shall constitute a
24 misdemeanor and, upon conviction, be punishable by a fine not to

1 exceed Five Thousand Dollars (\$5,000.00). A second violation of
2 this act shall constitute a misdemeanor and, upon conviction, be
3 punishable by a fine not to exceed Ten Thousand Dollars
4 (\$10,000.00). A third or any subsequent violation of this act shall
5 constitute a felony and, upon conviction, be punishable by a fine
6 not to exceed Fifty Thousand Dollars (\$50,000.00), or by
7 imprisonment in the custody of the Department of Corrections for a
8 term of not less than two (2) years nor more than five (5) years, or
9 both such fine and imprisonment.

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

14 COMMITTEE REPORT BY: COMMITTEE ON RULES
15 April 6, 2022 - DO PASS
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