

1 ENGROSSED HOUSE  
2 BILL NO. 3294

By: Lepak and McDugle of the  
House

3 and

4 Jett of the Senate  
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8 An Act relating to elections; amending Section 1,  
9 Chapter 194, O.S.L. 2022, as amended by Section 1,  
10 Chapter 80, O.S.L. 2023 (26 O.S. Supp. 2023, Section  
11 7-139), which relates to the Prohibit the Private  
12 Funding of Elections Act; adding prohibitions;  
13 requiring disclosure of certain memberships;  
14 prohibiting election officials from certain  
15 memberships; and providing an effective date.

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

17 SECTION 1. AMENDATORY Section 1, Chapter 194, O.S.L.  
18 2022, as amended by Section 1, Chapter 80, O.S.L. 2023 (26 O.S.  
19 Supp. 2023, Section 7-139), is amended to read as follows:

20 Section 7-139. A. This act shall be known and may be cited as  
21 the "Prohibit 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  
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. 1. 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.

13 2. No government official or election official shall solicit,  
14 take, or otherwise accept from any person, any contribution,  
15 donation, or anything else of value for purposes of conducting or  
16 administering any election pursuant to the provisions of this  
17 title, including services or funds, which may or may not be credits,  
18 offsets, or other inducements, directly offered from a membership  
19 organization of which the government official or election official  
20 is a member, for the purposes of conducting and administering  
21 elections.

22 3. No person shall offer or provide any contribution, donation,  
23 or anything else of value for purposes of conducting or  
24 administering any election pursuant to the provisions of this

1 title, including services or funds, which may or may not be credits,  
2 offsets, or other inducements, directly offered to a membership  
3 organization of which the government official or election official  
4 is a member, for the purposes of conducting and administering  
5 elections.

6 D. 1. For the purposes of this section, the following shall  
7 not be considered a contribution, donation, or thing of value:

- 8 a. providing space or property for use as a polling place  
9 or in-person absentee voting site at no charge or at a  
10 below-market cost,
- 11 b. persons who volunteer their labor as precinct  
12 officials, absentee voting board members, or as  
13 election workers,
- 14 c. persons who volunteer their labor to assist the county  
15 election board or the State Election Board during  
16 candidate filing, on Election Day, during in-person  
17 absentee voting, or at other times,
- 18 d. food or beverage items of nominal value provided to  
19 precinct officials, absentee voting board members, or  
20 election officials,
- 21 e. items of nominal value including, but not limited to,  
22 pens, sanitizer and cleaning supplies, or  
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1           f.    airing or publication of public service announcements  
2                    or press releases issued by the State Election Board  
3                    or a county election board.

4           2.    Donations not directly related to the administration of  
5 elections, may be accepted by the Secretary of the State Election  
6 Board or secretary of the county election board only upon written  
7 approval by the Governor and written notification sent to the  
8 Speaker of the Oklahoma House of Representatives and President Pro  
9 Tempore of the Oklahoma State Senate.

10          E.    Any election official who, in his or her official capacity,  
11 joins any membership organization, or who utilizes public funds to  
12 pay membership dues to any membership organization, shall disclose  
13 such membership on the website for the election official's agency.  
14 In the event the election official's agency does not have a website,  
15 a notice of such membership shall be displayed conspicuously in a  
16 public area of the agency's office.

17          F.    No election official in his or her official capacity shall  
18 join any membership organization that uses private funds for the  
19 purposes of conducting and administrating elections.

20          G.    A willful and intentional violation of this act shall be  
21 punishable as follows:

22          1.    A first violation shall constitute a misdemeanor and, upon  
23 conviction, be punishable by a fine not to exceed Five Thousand  
24 Dollars (\$5,000.00).

1           2. A second violation shall constitute a misdemeanor and, upon  
2 conviction, be punishable by a fine not to exceed Ten Thousand  
3 Dollars (\$10,000.00).

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

10           SECTION 2. This act shall become effective November 1, 2024.

11           Passed the House of Representatives the 12th day of March, 2024.

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Presiding Officer of the House  
of Representatives

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15           Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2024.

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Presiding Officer of the Senate

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