

[TEMPLATE OF WARNING LETTER]

[DATE]

[NAME]
[ADDRESS]
[ADDRESS]

Re: Compliance with the Constitutional Ethics Laws

Dear [NAME];

It has come to the attention of the Ethics Commission that some lobbyists or lobbyists principals have given – and state officers or employees have received – a “thing” or “things of value” which, when calculated with the those also provided their immediate family members, exceeded the \$100 per calender limit set forth in the Constitutional Ethics Rules [“the Rules”], Section 257:1-1-1 et seq. of the Rules of the Ethics Commission, 74 O.S. Supp. 2010, Ch. 62, App. The law provides that the limit is reached when lobbyist-given “things of value” to state officers/employees, *including their immediate family members*, reach \$100 in a calendar year. Rules’ Section 257:20-1-9 is the controlling authority. It provides:

Restraints on solicitation or acceptance of anything of value – Disclosure

* * *

(c) Calendar limits on things of value.

(1) State officers and state employees. No state officer, state employee **or an immediate family member** of such state officer or state employee shall, directly or indirectly, ask, demand, exact, solicit, seek, accept, assign, receive or agree to receive things of value in a calendar year which, in the aggregate, are valued at more than one hundred dollars (\$100) from a person who the state officer or state employee knows or should know:

- (A) is a lobbyist or lobbyist principal . . .
- (B) is seeking to do business or doing business with the governmental entity of which the sate officer’s or sate employee’s officer or employment is a part; or
- (C) has an economic interest in actions or matters before or affecting the governmental entity of which the sate officer’s or state employee’s office or employment is a part.

* * *

The Rules define immediate family members as:

Definitions

* * *

“Immediate family” means a child under the age of eighteen (18) years residing in s state officer’s or state employee’s household, a spouse of a state officer or employee, and an individual claimed by the state officer or state employee or the state officer’s or state employee’s spouse as a dependent for tax purposes.

* * *

Section 257:1-1-2

[emphasis added]

This information is being provided to clarify what might have been a misunderstanding. However, any future violations are subject to Commission enforcement action. The latter includes a private reprimand, public reprimand, settlement agreement [which entails payment of a fine] and District Court prosecution.

If our staff may further explain any of the matters herein mentioned, please call our office. My direct line is (405) 522-2515.

Respectfully,

Marilyn Hughes, Executive Director
Oklahoma Ethics Commission

MH/ra