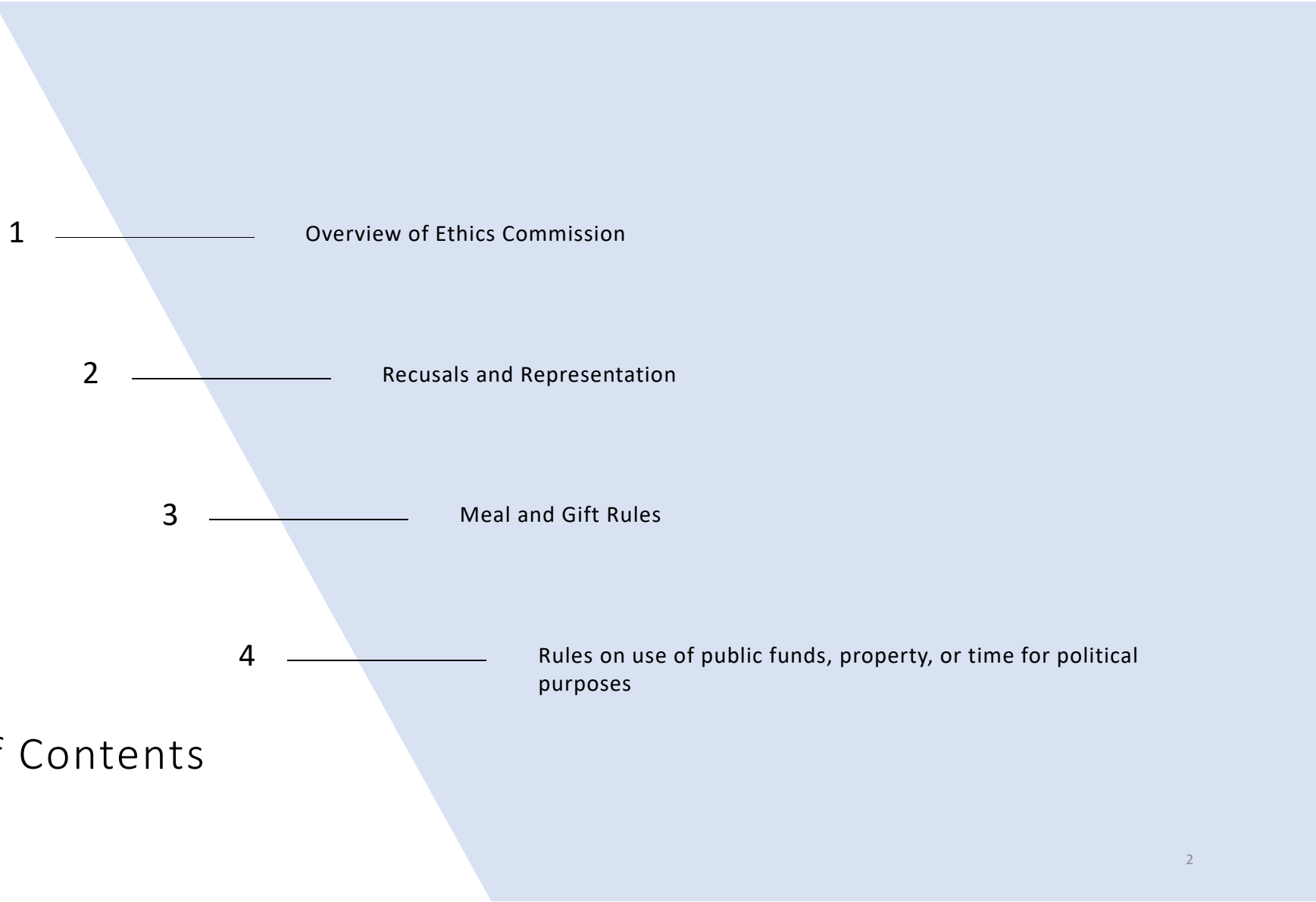


The background of the slide is a photograph of the Oklahoma State Capitol building in Oklahoma City. The building is a large, classical-style structure with a prominent central dome topped by a statue. The facade features a portico with several columns. In the foreground, there is a statue of a woman, likely a historical figure, standing on a pedestal. The sky is a clear, light blue. The text 'OKLAHOMA ETHICS COMMISSION' is overlaid in the center of the image in a white, sans-serif font, enclosed within a white rectangular border.

OKLAHOMA ETHICS COMMISSION

Lee Anne Bruce Boone
Executive Director,
Oklahoma Ethics Commission

Okla. State Regents of Higher Edu '24



1	Overview of Ethics Commission
2	Recusals and Representation
3	Meal and Gift Rules
4	Rules on use of public funds, property, or time for political purposes

Table of Contents

Overview of the Ethics Commission

ABOUT US

State Question 627 added Article 29 to State Constitution creating the Ethics Commission to regulate:

- State Campaigns for Public Office
- State Campaigns for Initiatives and referenda
- State officers and employees



OVERVIEW OF COMMISSION SERVICES



RULEMAKING



COMPLIANCE



INVESTIGATIONS



ENFORCEMENT

ENFORCEMENT



ADMINISTRATIVE MEASURES

- Report Reviews
- Compliance Notices
- Issuance of Compliance Orders


LEGAL MEASURES

- Public Settlement Agreements
- Prosecution in District Court
(Civil Only)

Conflicts of Interest Rules



PURPOSE



Prohibit conflicts between a state officer or employee's public duties and private economic interests

Rule 4.1



Duty of Impartiality

Keep in Mind

Must comply with any rules or policies that are more restrictive than the Ethics Rules

The Commission only enforces its rules

Rule 4.3

1

**Material Financial Interest +
You = Disqualification**

2

**Material Financial Interest +
Family Member = Disqualification**

3

**Business Relationship is a
Party or Represents a Party to
the Matter + Question Your
Impartiality = Disqualification**

When Must
You
Disqualify
From
Participation?

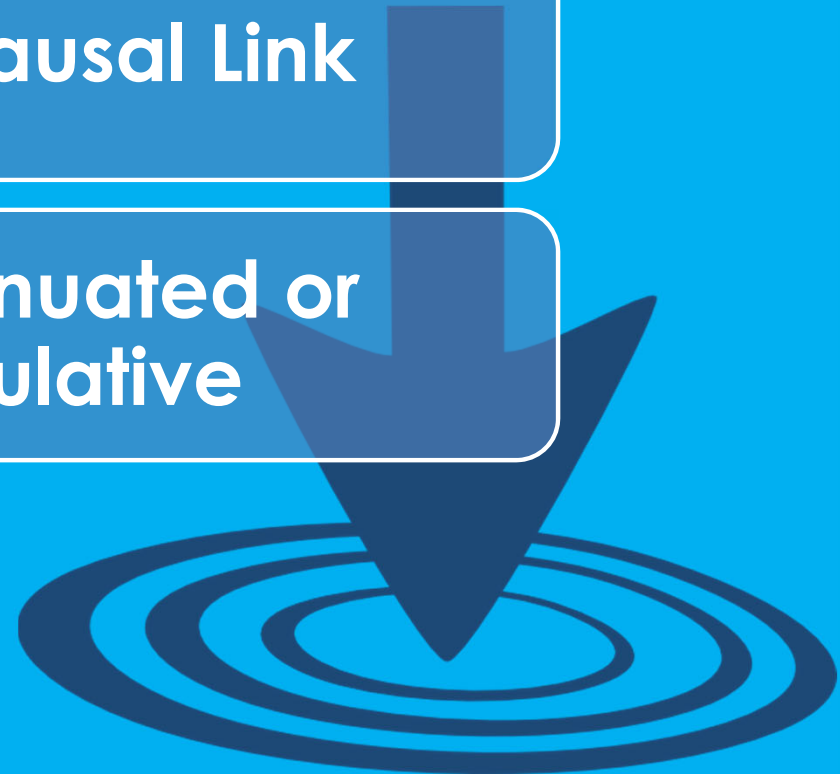
1

Disqualify if the Matter is Likely to Have a Direct & Predictable Effect on Your Material Financial Interest

DIRECT & PREDICTABLE EFFECT

Close Causal Link

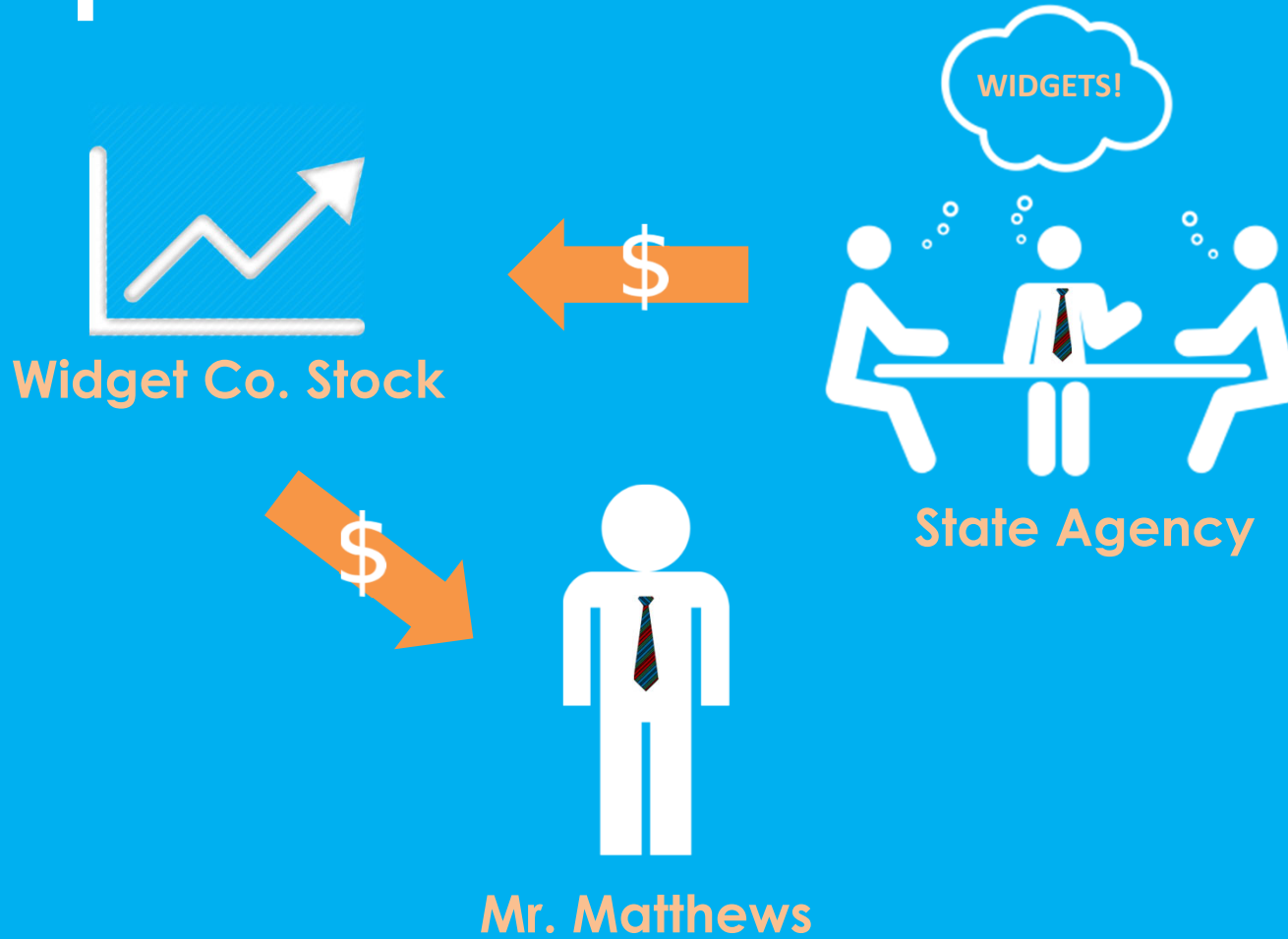
Not Attenuated or
Speculative



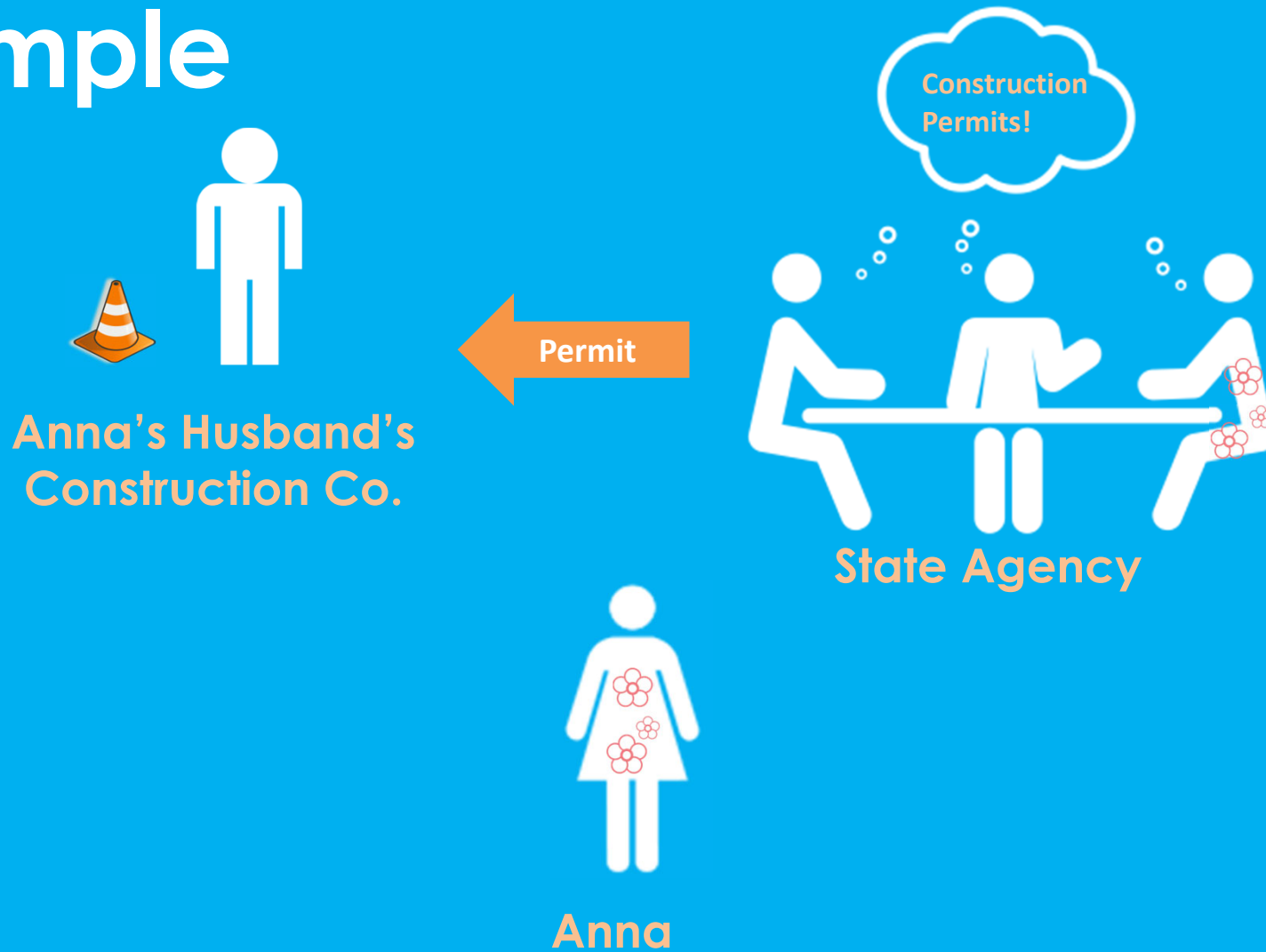
2

Disqualify if the Matter is Likely to Have a Direct & Predictable Effect on Your Family Member's Material Financial Interest

Example



Example



3

Disqualify if you have a business relationship with a party involved in a matter or with someone who represents a party involved in the matter and your impartiality may be questioned

EXAMPLE



Outside Agency



Geoff

NO DISQUALIFICATION IF...

The Effect Applies
Equally to All Members



It is a **Misuse of Office** to use your position in state government for...

1. the **private gain** of

- Yourself or family member(s)
- Those you are affiliated with in a non-governmental capacity
- Person with whom you are seeking employment or business relations

2. **Endorsement of a product, service, or enterprise**

EXCEPTIONS

- As permitted by law or Ethics Rules
- Customary for your position
- Authorized by Contract
- Promotions or solicitations for civic, community or charitable organizations if nothing is received in exchange, except certain costs associated with participating in the fundraiser from the charitable organization

Rule 4.4

It is a **Misuse of Authority** to use your position in state government to coerce another to...

- Provide **any benefit** to...
 - Yourself or family member(s)
 - Those you are affiliated with in a non-governmental capacity

EXCEPTION

Otherwise permitted or authorized by the law or Ethics Rules

UNLESS THE ACT OR ENDORSEMENT IS...

Customary for
Your Position

Authorized by
Contract

A Civic, Community or Charitable
Promotion or Fund-Raiser

(As long as you receive nothing for doing so, except for costs associated with participation in a charitable event paid for by the sponsoring charitable organization)



DISQUALIFY FROM A MATTER WHEN...

1. It affects a material financial interest of you or family member (spouse, children, parents, or siblings)
2. A business relationship is a party to or represents a party to the matter
3. Reasonable person with knowledge of facts would question your impartiality

EXCEPTION:

The effect applies equally to all members

IT IS A MISUSE OF Authority

to use your position to *coerce* or *induce* another to provide any benefit to...



You



Your Family
Member(s)



Persons You are Associated With In a
Non-Governmental Capacity

NO DISQUALIFICATION IF...

The Effect Applies
Equally to All Members



Representation of Others in Transactions Involving the State

Cannot receive compensation to represent others in transactions involving the state



Exceptions

- Unless authorized by law
- Unless practicing law in any court
- Unless Board, Commission, or Authority member appearing before a different state agency

Representation of Others Before Ethics Commission or Employing Agency

Cannot represent, as an attorney, another in *any* matter before the Ethics Commission or the agency that employs the state officer or employee

Exceptions

- Unless authorized by law



2024

RESTRICTIONS ON GIFTS ...

From Vendors

A seller, prospective seller of property or service to the state.

To Superiors

An official superior in an agency's chain of command

At Conferences & Other Events

From Lobbyists

Those compensated to lobby the Governor, the Legislature, or Executive agencies on someone else's behalf

From Lobbyist Principals

Those who hire or compensate lobbyists to lobby on their behalf

Acceptable Gifts from a Vendor

Before a Purchasing Decision

- None

EXCEPTION:

Modest items of food or refreshment that are not part of a meal

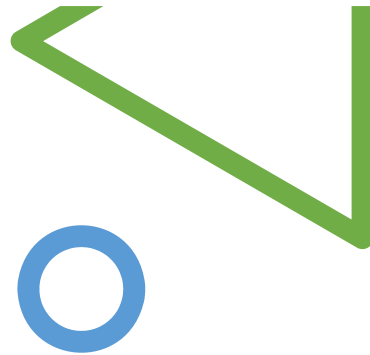
After a Purchasing Decision

- Meals worth up to \$20 each with \$50 aggregate per year
- Gifts given for family or personal relationship
- Gifts given to all employees of an agency
- Books, written materials, audio tapes, videotapes and other informational or promotional material related to the position
- Benefits available to general public

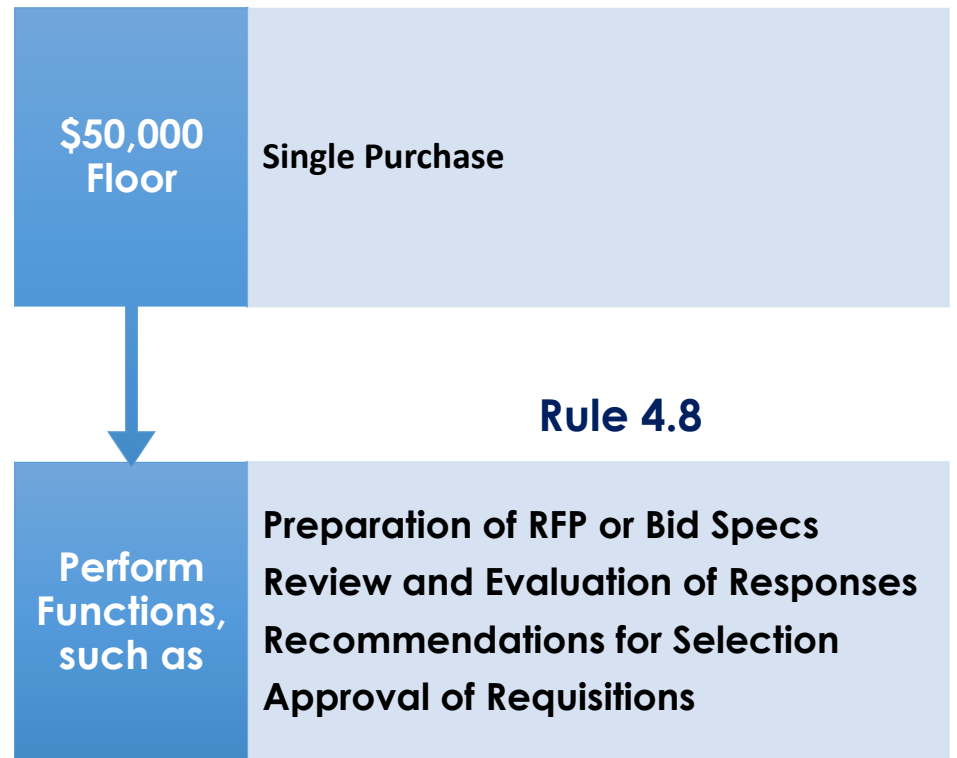


**A State Officer or Employee and Their
Family Members Cannot Accept Gifts
During a Purchasing Decision.**

Rule 4.8



WHEN IS AGENCY “Engaged In a Purchasing Decision”?





Acceptable meals and gifts from lobbyists

- **MEALS** up to \$500 in the aggregate per calendar year
- **SPECIAL OCCASION GIFT** valued up to \$100 for infrequently occurring occasion of personal significance for the recipient
- **TRINKET GIFT** valued up to \$10 one time per calendar year
- **MODEST FOOD OR REFRESHMENT** that are not part of a meal and given occasionally



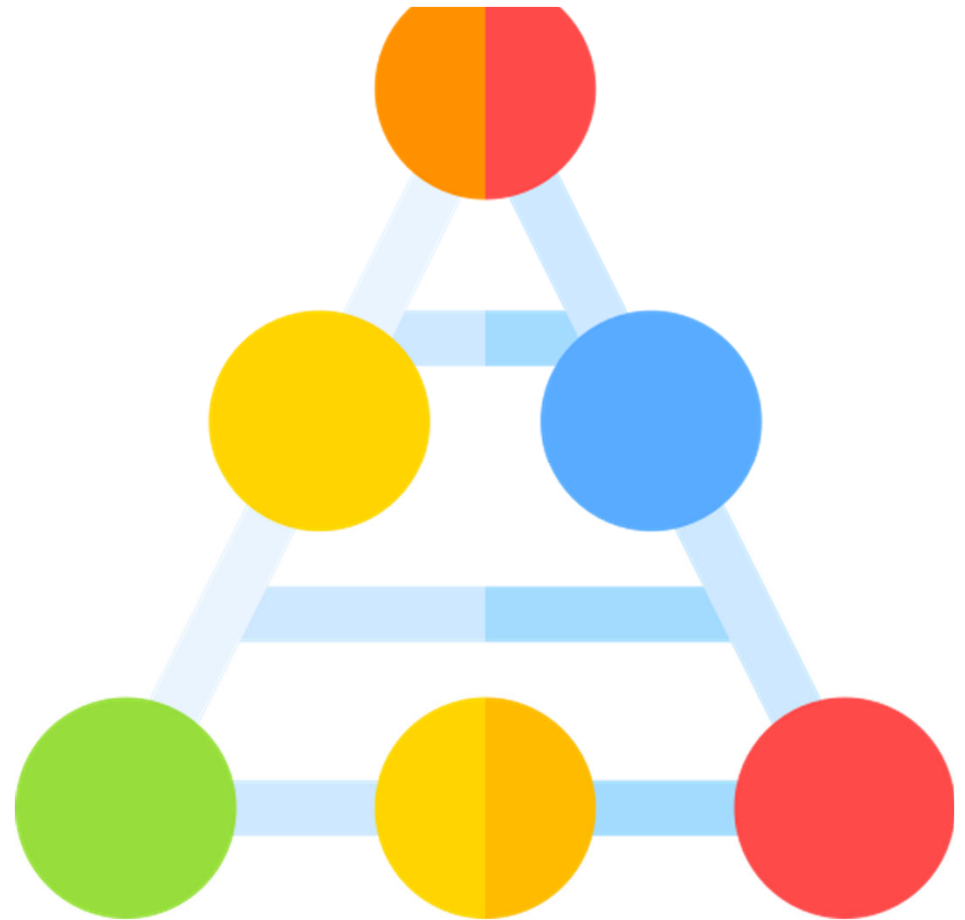
Acceptable meals and gifts
from lobbyist principals

- **PLAQUES, TROPHIES, OR SIMILAR ITEMS SUITABLE FOR DISPLAY** up to \$200 in value and given once per year to acknowledge the public service of state officer or employee
- **MODEST FOOD OR REFRESHMENT** that are not part of a meal and given occasionally
- **TICKETS** to bona fide community, civic, or charitable events so long as it is customary and no attendees are designated



Gifts to superiors are acceptable when...

- **PERSONAL RELATIONSHIP** exists
- **TRADITIONAL GIFT GIVING** occurs
- **SPECIAL OCCASION** for the superior
- **PERSONAL HOSPITALITY** offered at a private residence



Permissible Gifts

Within an Agency



**Personal
Relationship**



**Occasional Basis
when Gifts are
Ordinarily
Exchanged
(\$20 max.)**



**Food or Refreshment
Shared Amongst Agency**

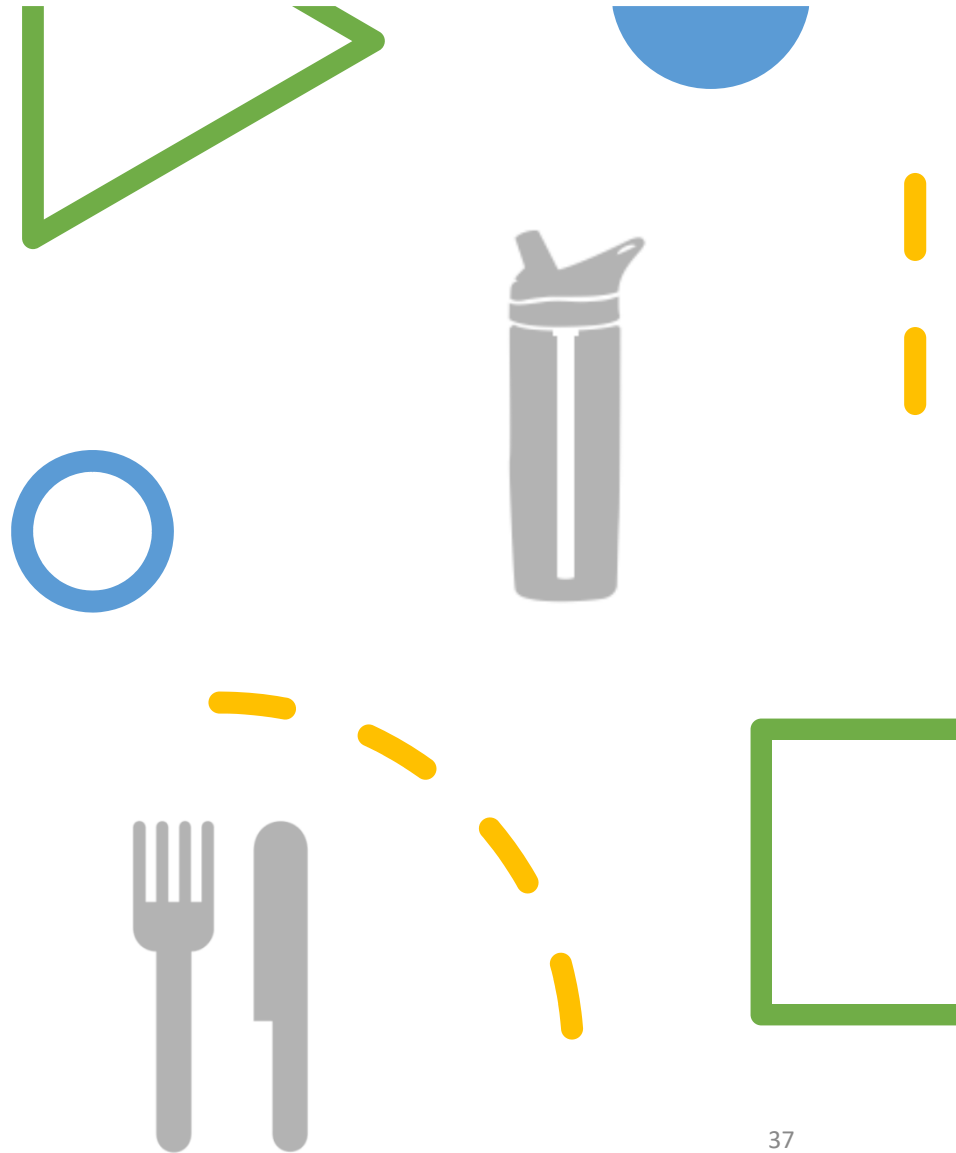
Acceptable gifts at a conference if you are...

- ATTENDING A CONFERENCE
 - **Gratuities and hospitality** given to all participants
- SPEAKING AT A CONFERENCE
 - **Food, travel, lodging, and free attendance** on the day of the speech or panel presentation if made available to all other speakers or panelists
 - Spouse may accept free attendance and participation



Acceptable gifts at a professional, civic, or community event...

- WHEN REPRESENTING A STATE ENTITY
 - **Meal**
 - **Token or Souvenir**
 - Value is commensurate with occasion
 - No cash or cash equivalent (e.g., gift cards)
- Note: This does not include political events



WAIVERS – Gifts

Pre-existing means before state service

Waives Certain Ethics Rules Prospectively

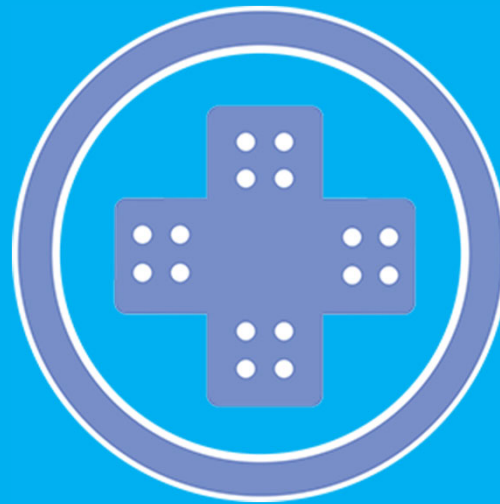
Automatic Waiver If Relationship Between Family Members



Rule 4.22

38

EXCEPTION TO ALL MEAL & GIFT RULES



**Emergency Rescue or
Relief Efforts**

Rules on Use of State Property,
Resources and time for political
purposes

PUBLIC FUNDS, PROPERTY & TIME ARE PROHIBITED FROM BEING USED TO

- Influence Results of an Election**
- Solicit Contributions from Employees**
- Campaign During Work Hours**
- Use State Equipment or Services**

IF YOU RECEIVE UNSOLICITED, PROHIBITED COMMUNICATION

1

Do Not Respond

2

Unsubscribe

3

Tell Them to Stop

Thank you

- Oklahoma Ethics Commission
- (405) 521-3451
- ethics@ethics.ok.gov
- Website: www.ethics.ok.gov
- The Guardian System:
<https://guardian.ok.gov>

2024

