

FY 2025 Budget Performance Review

29600 - Ethics Commission

Version Revision 01
 Lead Administrator: LeeAnne Bruce Boone

Date submitted 11/29/2023
 Lead Financial Officer: LeeAnne Bruce Boone

Agency Mission

The Oklahoma Ethics Commission is constitutionally required to enact civil laws (called Ethics Rules) of ethical conduct for: state officers, state employees, campaigns for elective state office, and campaigns for initiatives and referenda, including establishing civil penalties for violations of the Rules. The Commission may also offer binding interpretations of its Rules. The Commission investigates alleged violations of its Rules which may result in prosecution in District Court or settlement. The Commission has limited jurisdiction over conduct of campaigns and financial disclosure at the political subdivision level.

Division and Program Descriptions

Note: Please define any acronyms used in program descriptions.

Rule Promulgation and Advisory Opinions

The Commission is the primary entity required to enact the civil laws of Oklahoma called Ethics Rules concerning the ethical conduct of: (1) Campaigns for elective state office; (2) Campaigns for initiative and referenda; (3) state officers; and (4) state employees. The process is set forth in the Constitution and requires public hearing before the Commission promulgates Rules. Those Rules are sent to the legislature who may reject the Rules through a joint resolution, a joint resolution that passes both Houses of the legislature must be presented to the Governor who has the opportunity to veto the joint resolution. For effective Rules, the Commission or legislature may modify those Rules. However, the interpretation of how the Rules apply is constitutionally assigned to the Commission through advisory opinions which are binding on the Commission.

Enforcement

The Commission is Constitutionally required to investigate alleged violations of its Rules. The enforcement programs preliminary verifies information contained in complaints filed by individuals outside of Commissioners and Commission staff to ensure complaints meet the requirements in the Rules. All Complaints are presented to the Commissioners by staff to determine whether to open a formal complaint, if opened, the Commission investigates violations through documentary and testimonial evidence, issues Notices of Allegations, provides an opportunity to respond to such allegations, and ultimately determines whether to prosecute those violations in District Court via a Civil Lawsuit.

Compliance and Administrative Hearings

The Commission requires disclosure and filing of campaign finance activity for state elective office, lobbyist expenditures, financial disclosures, scholarship forms, etc. This division assists filers in completing reports, reviews filings and provides feedback, assesses fees for late filings, and provides for administrative hearings on the assessment of fees.

Resources and Materials

This division is responsible for developing and maintaining resources, including Annotated Rules, a Compilation of Constitutional provisions, statutes, and Ethics Rules concerning the Ethics Laws in Oklahoma. This Division also develops and maintains educational and assistive materials such as Guides tailored to different regulated entity, checklists, communications, and education programs offered on either an ad hoc or routine basis.

Political Subdivision Enforcement (mandated but not implemented due to lack of funding)

SB 1745 (2014) created the political subdivision enforcement division within the Commission to be funded by the Political Subdivision Enforcement Fund also created by SB 1745 (2014). This division is responsible for regulation of the Local Government Campaign Finance and Financial Disclosure Act, concerning campaigns for elective office for all 77 counties, approximately 40 municipalities, all independent school districts, and all technology center districts. The jurisdiction assigned to the Commission includes filing of financial disclosures for certain political subdivision officials as well. This division has never been funded.

FY'24 Budgeted Department Funding By Source

Dept. #	Department Name	Appropriations	Federal	Revolving	Local ¹	Other ²	Total
1000010	General Operations	\$684,433		\$178,006			\$862,439
8800020	Administrative Information Services	\$3,524		\$152,336			\$155,860
						\$0	\$0
Total		\$687,957	\$0	\$330,342	\$0	\$0	\$1,018,299

1. Please describe source of Local funding not included in other categories:
2. Please describe source(s) and % of total of "Other" funding if applicable for each department:

FY'23 Carryover by Funding Source

Class Fund #	Carryover Class Fund Name	Appropriations	Federal	Revolving	Local ¹	Other ²	Total
							\$0
							\$0
							\$0

1. Please describe source of Local funding not included in other categories:
2. Please describe source(s) and % of total of "Other" funding if applicable:

What changes did the agency make between FY'23 and FY'24?

- 1.) Are there any services no longer provided because of budget cuts?
n/a
- 2.) What services are provided at a higher cost to the user?
n/a
- 3.) What services are still provided but with a slower response rate?
Unknown impact
- 4.) Did the agency provide any pay raises that were not legislatively/statutorily required?
General Counsel was promoted to Deputy Director/General Counsel position, with increase in salary.

FY'25 Requested Funding By Department and Source

Dept. #	Department Name	Appropriations	Federal	Revolving	Other ¹	Total	% Change
1000010	General Operations	\$476,673	\$0	\$178,006	\$0	\$654,679	-24.09%
8800020	Administrative Information Services	\$300,000	\$0	\$152,336	\$0	\$452,336	190.22%
Total		\$776,673	\$0	\$330,342	\$0	\$1,107,015	8.71%

1. Please describe source(s) and % of total of "Other" funding for each department:

FY'25 Top Five Operational Appropriation Funding Requests

Request by Priority	Request Description	Appropriation Request Amount (\$)

Request 1: operating
 Request 2: Reporting System
 Request 3: Director of Compliance
 Request 4: Additional Compliance position
 Request 5: Political Subdivision Enforcement Division

	\$149,273
	\$1,200,000
	\$97,400
	\$80,000
	\$150,000
Top Five Request Subtotal:	\$1,676,673

Total Increase above FY-24 Budget (including all requests)

\$	1,676,673
-----------	------------------

Difference between Top Five requests and total requests:

	\$0
--	-----

Does the agency have any costs associated with the Pathfinder retirement system and federal employees?
 N/A

How would the agency be affected by receiving the same appropriation for FY '25 as was received in FY '24? (Flat/ 0% change)
 Further delay in processing reports and investigations/compliance reviews, but largest concern is lack of funding for The Guardian System and possible return to paper filing system.

How would the agency handle a 2% appropriation reduction in FY '25?
 Unknown at this time, but likely continue to hold recently vacated position.

Is the agency seeking any fee increases for FY '25?		Fee Increase Request (\$)	Statutory change required? (Yes/No)
Increase 1			
Increase 2			
Increase 3			

What are the agency's top 2-3 capital or technology (one-time) requests, if applicable?			Appropriated Amount (\$)	Submitted to LRPC? (Yes/No)
Description of request in order of priority				
Priority 1				
Priority 2				
Priority 3				

Federal Funds							
CFDA	Federal Program Name	Agency Dept. #	FY 24 budgeted	FY 23	FY 22	FY 21	FY 20

Federal Government Impact

1.) How much federal money received by the agency is tied to a mandate by the Federal Government?
 N/A

2.) Are any of those funds inadequate to pay for the federal mandate?
 N/A

3.) What would the consequences be of ending all of the federal funded programs for your agency?
 N/A

4.) How will your agency be affected by federal budget cuts in the coming fiscal year?
 N/A

5.) Has the agency requested any additional federal earmarks or increases?
 N/A

FY 2024 Budgeted FTE							
Division #	Division Name	Supervisors	Non-Supervisors	\$0 - \$35 K	\$35 K - \$70 K	\$70 K - \$100K	\$100K+
10	General Operations	2	4		5		1
88	Administrative Information Services	1			1		
Total		3	4	0	6	0	1

FTE History by Fiscal Year							
Division #	Division Name	FY 2024 Budgeted	FY 2024 YTD	FY 2023	FY 2022	FY 2021	FY 2016
10	General Operations	6.0	4.0	7.0	6.0	6.0	5.0
88	Administrative Information Services	1.0	1.0	1.0			
Total		7.0	5.0	8.0	6.0	6.0	5.0

Performance Measure Review					
Program Name	FY 2023	FY 2022	FY 2021	FY 2020	FY 2019

Revolving Funds (200 Series Funds)			
Please provide fund number, fund name, description, and revenue source	FY'21-23 Avg. Revenues	FY'21-23 Avg. Expenditures	June '23 Balance
Fund number: Fund name			
Describe fund purpose and revenue source			

HB 2745 limited 200 fund revenue to \$150,000 beginning in FY20. June receipts are transferred to fund in July.	\$167,314	\$94,443	\$451,056
Beginning in FY22 HB 2897 allows excess revenue over \$150,00 in 200 fund receipts to be deposited in the 211 fund. Revenue for the FY is capped at \$200,000.	\$115,809	\$66,578	\$157,262

FY 2024 Current Employee Telework Summary						
List each agency location, then report the number of employees associated with that location in the teleworking categories indicated. Use "No specified location" to account for remote employees not associated with a site. Use actual current employees (headcount), not budgeted or actual FTE.			Full-time and Part-time Employees (#)			
Agency Location / Address	City	County	Onsite (5 days onsite, rarely remote)	Hybrid (2-4 days onsite weekly)	Remote (1 day or less weekly onsite)	Total Employees
State Capitol, G-27	Oklahoma City	Oklahoma	6			6
						0
						0
						0
Total Agency Employees						6