

## MEMORANDUM

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*Oklahoma Tax Commission  
Headquarters*

TO: Oklahoma Motor Vehicle Agents

FROM: Commissioner Charles Prater  
Commissioner Clark Jolley  
Commissioner Steve Burrage

DATE: August 21, 2019

RE: Executive Order 2019-29

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On July 5, 2019, Governor Kevin Stitt issued Executive Order 2019-29, forbidding all state agencies from employing registered lobbyists to advocate without prior approval and authorization by the Cabinet Secretary over that agency. Because of the principal-agent relationship between the Oklahoma Tax Commission, a state agency, and motor vehicle agents, contractors with the state, we have inquired from the Governor's office whether this restriction also applies to our agents.

The Governor's General Counsel has directed us to notify all contractors working on behalf of us as a state agency that, effective immediately, no motor vehicle agent may enter into any new, or renew any existing, contract or any other agreement with a Lobbyist for the purpose of Lobbying without first securing the express, written approval of the Secretary of Digital Transformation and Administration. This directive from the Governor is one with which all state agencies are expected to strictly comply. Accordingly, this strict compliance includes any and all of our agents.

Further, the Governor's office has requested us to comply with Executive Order 2019-02, which requires a reporting by every state agency of any and all contracts with any "Legislative Lobbyist," "Executive Lobbyist," or "Lobbyist Principal" for Fiscal Year 2019, 2018, 2017, 2016, and 2015. The data the Governor is requesting we provide for each of these five years is as follows:

1. Name(s) of any and all Lobbyist(s) (as defined by 74 O.S. Chapter 62, Appendix I, Rule 5.2).
2. The total amount of funds expended to any Lobbyist(s).
3. A description of the process used to award any and all contract(s) to any Lobbyist(s).

For these purposes, any company, association, or other entity(ies) which hire(s) a Lobbyist(s) to work on their behalf would be considered a Lobbyist Principal and thus subject to the Governor's

Executive Order. Please provide this information to us in writing at our office address (to the attention of the Motor Vehicle Division) by September 30, 2019.

While we understand and appreciate the historical nature of the relationship between the Commission and tag agents, please be reminded that our relationship is between principal and agent through the traditional rules of agency. This means that the contracting agent executes duties on behalf of the principal at the direction and approval of that principal.

While the majority of agents will not be impacted, this clearly represents a change for some. For those who are experiencing a change, please know we understand and want to work together to help make sure tag agents are able to voice their concerns with the Commission in a timely and positive manner.

# Memorandum

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Oklahoma Tax Commission  
Headquarters

TO: Oklahoma Motor License Agents

FROM: Commissioner Charles Prater  
Commissioner Clark Jolley  
Commissioner Steve Burrage

DATE: September 20, 2019

RE: Follow-up from August 21, 2019 Memorandum

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This is a follow-up from our August 21, 2019 memorandum to all Motor Vehicle Agents regarding Executive Order 2019-29, which bars state agencies and their agents from securing the services of a lobbyist or contributing to a lobbyist principal (which is any organization that hires a lobbyist to work on their behalf).

Additionally, the Governor required us to inform his office of the last five years of expenses related to lobbying and/or lobbyist principals by Motor Vehicle Agents in compliance with Executive Order 2019-02. The information we requested from you is required in order to fulfill the Governor's expectations as set forth in the Executive Order.

To date, we have not received a response from your office that clearly states the information required. In order to help all agents comply with the Governor's Order, we are enclosing a form that may be of assistance in compliance with this task. Upon completing this form, please scan a copy and email to our Division Director, Ginger Hulseley at [ginger.hulseley@tax.ok.gov](mailto:ginger.hulseley@tax.ok.gov) as soon as possible and no later than September 30, 2019.

We cannot emphasize the seriousness in which the Governor's office expects compliance with his directive. Should we fail to receive the required information prior to the deadline of September 30, 2019, agencies can be subject to termination for such failure.