

LOBBYIST REGISTRATION ORDINANCE FAQs

Updated – April 6, 2017

1. Am I a lobbyist?

The ordinance defines lobbying as the influencing or attempting to influence a legislative or administrative action of the City. The three types of lobbyists are as follows:

Contract lobbyist: A person who engages in lobbying on behalf of one or more clients (acting individually or through agents, associates, employees or contractors) and who has received or has entered into an agreement for compensation of \$3,200 or more (“threshold compensation”) for engaging in lobbying during any consecutive three-month period.

Business or organization lobbyist: Any business or organization, whose owner(s), officers(s) or employee(s) carry out lobbying on its behalf, in an aggregate amount of fifty (50) hours or more within any three month period, whether or not such officers or employees are specifically compensated to engage in lobbying; provided that the activities of officers shall be considered lobbying only if those officers receive compensation by the business or organization beyond reimbursement for their reasonable, travel, meals or incidental expenses.

Expenditure lobbyist: A person who makes payments or incurs expenditures of five thousand dollars (\$5,000) or more during any calendar year in connection with carrying out public relations, advertising or similar activities with the intent of soliciting or urging, directly or indirectly, other persons to communicate directly with any City Official in order to attempt to influence legislative or administrative action. The five thousand dollar (\$5,000) threshold shall not include: (a) compensation paid to contract lobbyists or employees of lobbying; or (b) dues payments, donations, or other economic consideration paid to an organization, regardless of whether the dues payments, donations or other economic consideration are used in whole or in part to lobby.

2. Who is NOT considered a lobbyist under the ordinance?

Any public official acting in his or her official capacity or acting within the scope of his or her employment or appointment.

The media, when limiting its action to the ordinary course of news gathering or editorial activity, as carried out by members of the press. "Media" shall mean newspapers or any other regularly published periodical, radio or television station or network or information published on the Internet. This exemption shall also apply to neighborhood newsletters, flyers or gazettes.

Persons reimbursed for only their reasonable travel, meals or incidental expenses, including but not limited to, uncompensated members or directors of non-profit organizations such as chambers of commerce.

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Persons whose communications regarding any legislative or administrative action are limited to appearing or submitting testimony at any public meeting held by the City or any of its agencies, offices, or departments, as long as the communications thereto are public records available for public review. Notwithstanding the foregoing, persons who otherwise qualify as lobbyists must register and disclose their lobbying activities directed toward City officials, in the same manner and to the same extent such registration and disclosure is required of all other lobbyists.

Persons submitting bids or responding to requests for proposals provided the provision of such information is limited to direct conversation or correspondence with the official or department specifically designated to receive such information.

Persons providing oral or written information pursuant to a subpoena or otherwise compelled by law or regulation, or in response to an official request provided that the request and response thereto are public records available for public review.

Persons whose communications relate to:

The establishment, amendment, administration, implementation or interpretation of a collective bargaining agreement or a memorandum of understanding between the City and a recognized employee association.

Management decisions as to the working conditions of represented employees that clearly relate to the terms of a collective bargaining agreement or memorandum of understanding between the City and a recognized employee association.

Proceedings before the City's Civil Service Commission.

Board members or employees of non-profit 501 corporations.

Members of neighborhood associations or project area committees.

Board members and employees of organizations representing City business improvement districts.

3. Can a qualified lobbyist take a City employee to lunch, dinner, etc. if no City business is discussed?

No. Qualified lobbyists are not allowed to pay for another City official/employee in any way as it is considered a gift and in violation of the Ordinance.

4. If I am a personal friend with a City official and we meet up just to talk about personal matters, is that in violation of the Ordinance?

No. As long as no City business is discussed there is no violation of the Ordinance. However, if the personal conversation eventually turns to any City business matter, the time is then considered spent on lobbying and must be counted as qualifying lobbying hours for registration.

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5. Are the 50 hours just for the City of Long Beach or all the municipalities that I work with combined?

The 50 hours is just your work with the City of Long Beach.

6. Are the 50 hours calculated for time spent with city officials and at city council meetings only, or does it also include time putting together documents and presentations associated with those meetings?

The 50 hours is calculated counting only the time that you spend with the official, not preparation for the meeting.

7. How do I register?

Lobbyist registration forms and the lobbyist ordinances are available in the City Clerk Department, 333 W. Ocean Blvd., Long Beach, CA 90802, and on the [City Clerk website](#).

8. When do I need to register?

Lobbyists shall register with the City Clerk within fifteen (15) days after qualifying as a lobbyist. (Qualifications are listed in the FAQ section under lobbyist definitions.)

9. When do I need to file the annual report?

A lobbyist shall renew his or her registration by January 15 of each year unless he or she has terminated their status as a lobbyist by such date.

10. When do I need to file the semi-annual reports?

After registration, lobbyist must file semi-annual reports, July 15 and January 15, for each prior semi-annual period. A semi-annual period is January 1 through June 30, and July 1 through December 31.

11. What are the fees?

Persons subject to the registration requirements of this ordinance shall pay an annual fee of one hundred dollars (\$100.00). Persons registering for the first time after June 30 of a given year shall pay a reduced registration fee as stated in the [Fee Schedule](#). In addition, each registrant shall pay a fee in accordance with the [Fee Schedule](#) per client for whom lobbying is undertaken for compensation in excess of five hundred dollars (\$500.00).

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12. Should lobbyist registration identification numbers be listed on registration, reporting and termination forms?

Yes. In order to ensure that all reports are properly recorded, registered lobbyist should list their lobbyist filer identification number on each cover page and each following page.

13. Should registration identification numbers be used beginning with the first semi-annual report?

Yes.

14. Must initial and new clients be reported on each semi-annual report?

Yes. Each semi-annual report shall contain the same information as required to be disclosed in the initial registration for which lobbying activity occurred in that reporting period.

15. When is a contract lobbyist required to initially register under the ordinance?

A contract lobbyist must register when they lobby for one (1) or more clients and who has received or has entered into a contract for compensation of \$3,200 for engaging in lobbying during any consecutive three (3) three-month period.

16. After initial registration, when must a registrant report additional clients?

Additional (new) clients are added to a semi-annual report when lobbying is undertaken for compensation or a contract for compensation (including success fees) in excess of \$500.

17. Will the lobbyist have to file a semi-annual report if the lobbyist has not engaged in any lobbying for that period?

Semi-annual report must be filed, even if no activity occurs, until the lobbyist files his or her termination report.

18. Are contract lobbyists required to report the termination of a contract client?

No.

19. Must lobbyist report the number of times they have contact with city officials on behalf of a client?

No.

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20. How are contract lobbyist success fees treated?

If, at the time of initial registration, a contract calls for a success fee in excess of \$3,200, a contract lobbyist is required to register and list the client. Thereafter, new clients must be included in a semi-annual report when a contract that calls for a success fee in excess of \$500.

21. Will registrations expire automatically at the end of each year?

After initial registration, annual registration will not be required if a declaration of termination is filed by January 15 of each year (LBMC 2.08.050).

Termination declarations may also be filed with any semi-annual report (LBMC 2.08.100).

A lobbyist shall be deemed active for the duration of the year of registration ending December 31, unless a termination declaration (report) has been filed.

All declarations of termination must list all clients lobbying activity that occurred since the end of the last semi-annual reporting period and the date of the termination.

22. May success fees be written into the contract lobbyist contracts?

Yes, there is no prohibition.

23. If there has been no lobbying activity for a previously listed client in any reporting period, must the Semi-annual Report Section 2 list that client?

No.

24. Will allegations of ordinance violations be kept confidential?

Under the Public Records Act, complaints are not publicly disclosed.

25. Will the target of a complaint be notified?

Complaints will be handled as misdemeanor cases.

26. To whom may allegations of ordinance violations be directed?

Concerns may be addressed to the City Clerk Department.