



Simplified Lobbyist definitions

Principal

A “**Principal**¹ is anyone who seeks to effect the action, decision or recommendation of the City Manager, City Personnel² or City Board (including committees and other similar groups) on a matter that **will foreseeably be heard or reviewed by the City Commission**, or who seeks to effect the action, decision or recommendation of the City Manager or City Personnel on a matter that **will foreseeably be heard or reviewed by a City Board**

NOT LOBBYIST The following representatives of a “Principal” are not considered to be lobbyists and, therefore, they are not required to register as a lobbyist [2-11.1(s) (1)(b)³:

At Quasi-judicial publicly noticed proceedings – All representative

[attorneys or other **representatives retained or employed solely** for the purpose of representing individuals, corporations or other entities during **publicly noticed quasi-judicial proceedings** where the law prohibits ex-parte communications];

All Expert Witnesses at a public meeting

[**expert witnesses** who provide only scientific, technical or other specialized information or testimony **in public meetings**];

Neighborhood Association – Representative who are not compensated

[any person who only appears as a **representative of a neighborhood association without compensation** or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item];

Community based Not-for-Profit - Representative who are not compensated

¹ See definition of a “principal” of a “Principal” in the footnotes farther below

² See 2-11.1 (1)(2) **CITY PERSONNEL** include the **Mayor and members of the City Commission; City Attorney and Assistant City Attorneys; CITY Manager; Assistant City Manager(s); Special Assistant(s) to the City Manager; CITY Department Heads and Directors and their assistant or deputy department heads; CITY police captain, major and chief; and CITY Building and Zoning Inspectors.**

³ The county lobbying ordinance **specifically excludes** [2-11.1(s) (1)(b)] these people from the definition of the **term "Lobbyist"**.

[any person who only appears as a **representative of a not-for-profit community based organization** for the purpose of **requesting a grant without special compensation** or reimbursement for the appearance; and]

Employees whose normal scope does not include lobbying

[**employees** of a “Principal” whose **normal scope of employment does not include lobbying** activities.]

Lobbyist but NOT required to register:

Any public officer.

Sec. 2-11.1(s)(3)(a) **Any public officer**, [which includes] employee or appointee and who only appears in his or her official capacity shall **not be required to register** as a lobbyist.

Self-Representation

Sec. 2-11.1(s)(3)(b) Any person who only appears in his or her own individual capacity for the purpose of **self-representation** without compensation or reimbursement, whether direct, indirect or contingent, to express support of or opposition to any item, shall **not be required to register** as a lobbyist.

Lobbyist - Required to Register but Not Pay

A principal⁴ of a Principal – without special compensation

[Sec. 2-11.1(s) (3) (b) **A principal of any corporation**, partnership or other entity **who appears as a lobbyist** on behalf of that entity, **without special compensation** or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item, **shall register** with the Clerk as required by this subsection, but **shall not** be required to **pay any registration fees**.

Not-for-Profit Representative without special compensation

Sec. 2-11.1(s) (4) Any person who only appears as a representative of a **not-for-profit** corporation or entity (such as a charitable organization, or a trade association or trade union), **without special compensation** or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item, **shall register** with the Clerk as required by this subsection, but, upon request, shall **not be required to pay** any registration fees.

Micro Enterprise Representative

Sec. 2-11.1(s) (4) Any principal who only appears as a representative of a **certified Micro Enterprise**, as defined in Section 28.1.1.1.1 of the Code,

⁴ The word “Principal” with a capital “P” is the person seeking to influence a decision, etc. The word “principal” with a lower case “p” is the representative/lobbyist for the Principal who has control over, or authority to act for, the Principal. A “principal” includes the President of a corporation. (RQO 10-09), the Owner, president or chief shareholder of a corporation or an individual who has been designated or who has the apparent authority to make final decisions on behalf of the corporate entity. (RQO 10-09) or a member of the corporate board who has been appointed by the corporation to serve as its representative during negotiations. (RQO 08-41). However, a chief financial officer is not a principal if his normal scope of employment does not include lobbying activities. (RQO 08-41) and if so he is an employee exempt from registering.

[**without special compensation** or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item, **shall register** with the Clerk as required by this subsection, but, upon request, shall **not** be **required to pay** any registration fees.

Level I Community Small Business Enterprise Representative

Sec. 2-11.1(s) (4) as a representative of a certified **Level I Community Small Business Enterprise**, as defined in Section 10-33.02 [**without special compensation** or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item, **shall register** with the Clerk as required by this subsection, but, upon request, shall **not** be **required to pay** any registration fees]

or

Tier 1 Community Business Enterprise Representative

Sec. 2-11.1(s) (4) as a representative of a **certified Tier 1 Community Business Enterprise**, as defined in Section 2-10.4.01, **without special compensation** or reimbursement for the appearance, whether direct, indirect or contingent, to express support of or opposition to any item, **shall register** with the Clerk as required by this subsection, but, upon request, shall **not** be **required to pay** any registration fees.

Note: **Employee** whose normal **scope of employment includes lobbying** activities must register and pay the fee. [2-11.1(s) (1)(b)]. But see INQ 14-260 Unpaid volunteers lobbying on behalf of not-for-profit organizations are considered lobbyists and would therefore be required to register, would not have to pay a registration fee, but would be required to take the County Ethics training course and pay the \$100 course fee. See e.g., (INQ 13-167). Additionally, pursuant to the County Ethics Code at § 2-11.1(s)(6) if lobbyists have expenditures to report, they must file Annual Expenditure Reports.

Lobbyist Definition

2-11.1(s) (1)(b)As used in this section, "**Lobbyist**" means **all persons**, firms, or corporations **employed or retained** [with or without compensation See INQ 14-260 below] by a **Principal** [for the purpose of effecting the action, decision or recommendation of the City Manager, City Personnel or City Board **which action, decision or recommendation will foreseeably be heard or reviewed by** the City **Commission**, or the action, decision or recommendation of the City Manager or City Personnel **which will foreseeably be heard or reviewed by** a City board or committee] who seeks **to encourage** the passage, defeat, or modifications of

(1) ordinance, resolution, **action or decision of the City Commission**;

(2) any **action, decision, recommendation** of the **City Manager** or any **City Board or Committee**; or

(3) any **action, decision or recommendation** of **City Personnel**

during the time period of the **entire decision-making process** on such action, decision or recommendation **which foreseeably will be heard or reviewed by** the City **Commission**, or a City **Board or Committee**.

"**Lobbyist**" specifically **includes** [2-11.1(s) (1)(b)] the

principal of the "**Principal**" as well as any **employee of the "Principal"** whose **normal scope of employment includes lobbying** activities.