

Expenditure Lobbyists*

Digest by the Ballot Simplification Committee

Status: Final Digest

On: Friday, July 31, 2015

Members: Packard, Fasick, Fraps, Jorgensen, Unruh

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Deadline to Request Reconsideration: 10:30 a.m. on Saturday, August 1, 2015

The Way It Is Now: Individuals who are paid to directly contact City officers to influence their legislative or administrative actions are called lobbyists. Their activities are regulated by the City's Lobbyist Ordinance. The Ordinance does not address indirect lobbying, also known as "expenditure lobbying," where persons solicit or urge others to directly contact City officers.

The Proposal: Proposition ___ would define an expenditure lobbyist as any person or business who pays \$2,500 or more in a calendar month to solicit, request, or urge others to directly lobby City officers. The types of activities that would apply to the \$2,500 threshold include:

- public relations, media relations, and advertising,
- public outreach,
- research, investigation, reports, analyses, and studies.

The following types of payments would not count toward the \$2,500 threshold:

- payments made to a registered lobbyist who directly contacts City officers;
- payments made to an organization for membership dues;
- payments made by an organization to distribute communications to its members;
- payments made by a news media organization to develop and distribute its publications; and
- payments made by a client to a representative to appear on the client's behalf in a legal proceeding before a City agency or department.

Proposition ___ would require expenditure lobbyists to register with the Ethics Commission, pay a \$500 registration fee, and file monthly disclosures regarding their lobbying activities. Employees of nonprofit organizations would not be subject to the \$500 registration fee.

Proposition ___ would also allow the City to change these requirements without further voter approval if the change would further the purposes of the ordinance. The Ethics Commission would be required to approve the changes by a four-fifths vote, and the Board of Supervisors would be required to approve them by a two-thirds vote. Voters would retain the right to amend the ordinance.

A "YES" Vote Means: If you vote "yes," you want the City to regulate expenditure lobbyists by requiring them to register with the Ethics Commission, pay a \$500 registration fee, and file monthly disclosures regarding their lobbying activities.

A "NO" Vote Means: If you vote "no," you do not want to make these changes.

**Working title, for identification only. The Director of Elections determines the title of each local ballot measure; measure titles are not considered during Ballot Simplification Committee meetings.*