

## CHAPTER 37 - LOBBYIST REGISTRATION ORDINANCE

### Sec. 37.150 - Title

This chapter shall be officially known and cited as the "Lobbyist Registration Ordinance". References herein to "this chapter" shall be interpreted as referring to the "Lobbyist Registration Ordinance".

### Sec. 37.151 - Definitions

The following words, terms and phrases, when used in this chapter shall have the meanings ascribed to them in this Section:

- *Board* means the Lake County Board and any and all of its standing or special committees or subcommittees.
- *Clerk* means Lake County Clerk.
- *Compensation* means money, thing of value, or other financial benefits received or to be received in return for services rendered or to be rendered, for Lobbying.
- *County Agency* means any board, commission, department or authority under the jurisdiction of the County Board Chair or Board or any other County Official.
- *County Appointee* means an individual appointed by the County Board Chair to any board or Commission created under County Ordinance or Illinois State Statute; or
- *County Employee* means an individual employed by the County whether part-time or full-time.
- *County Matter* means:
  - The execution or rejection of any rule, regulation, legislative rule, fee, rate, contractual arrangement, purchasing agreement, or other delegated legislative or quasi-legislative action to be taken or withheld by any County Official or County Employee.
  - The proposal, drafting, development, consideration, amendment, adoption, approval, modification, promulgation, issuance, modification, rejection or postponement by a County entity of a rule, regulation, order, decision, determination, contractual arrangement, purchasing agreement or other quasi-legislative or quasi-judicial action or proceeding.
  - The development, drafting, introduction, consideration, modification, adoption, rejection, review, enactment, or passage or defeat of any, ordinance, amendment, resolution, report, nomination, administrative rule or other matter by either any County Official or County Employee.
  - The action of any County Official, County Appointee or County Employee in the development of a proposal for introduction before the Board.
  - A County Matter shall not include:
    - The submission of an application for a county permit or license;
    - Responding to a request for proposal or qualifications; or
    - Judicial proceedings.
- *County Official* means the Assessor, Clerk of the Circuit Court, County Clerk, Board Members, County Board Chair, Recorder of Deeds, Sheriff, State's Attorney, Coroner, Regional Superintendent of Schools, and Treasurer of the County, and any County Agency or member thereof.
- *Lobby* or *Lobbying* means the attempt to influence a County Official, County Appointee or County Employee with respect to any County Matter.

- *Lobbyist* means any Person who for Compensation engages in Lobbying as defined in Section 37.151.
- *Person* means any individual, firm, partnership, committee, association, corporation or any other organization or group of persons.

Sec. 37.152 - Persons required to register

- (A) Except as provided in Sec. 37.153, the following persons shall register with the Clerk as provided in this chapter:
- (1) Any person who, for compensation or otherwise, conducts lobbying.
  - (2) Any person who employs another person for the purpose of lobbying.
- (B) It is a violation of this ordinance to engage in lobbying or to employ any person for the purpose of lobbying who is not registered with the Clerk. Except, it will not be a violation, if there is a condition that the lobbyist register and the lobbyist does in fact register within ten business days of an agreement to conduct any lobbying activity.

Sec. 37.153 - Persons not required to register

The following persons are not required to register as a lobbyist under this ordinance:

- (1) Persons who own, publish, or are employed by a newspaper or other regularly published periodical, or who own or are employed by a radio station, television station, or other bona fide news medium which in the ordinary course of business disseminates news, editorial or other comment, or paid advertisements for the purpose of influencing any County Matter. This exemption shall not be applicable to such an individual insofar as they receive additional Compensation or expenses from some source other than the bona fide news medium for the purpose of influencing any County Matter. This exemption does not apply to newspapers and periodicals owned by or published by trade associations and for profit corporations engaged primarily in endeavors other than the dissemination of news.
- (2) Persons providing professional services to the County in the drafting of ordinances or resolutions or in advising and rendering opinions to clients as to the construction and effect of proposed or pending ordinances or resolutions where such professional services are not otherwise, directly or indirectly, connected with a County Matter.
- (3) Elected officials and employees of other units of government acting in their official capacity.
- (4) Persons who, by reason of their special skills or knowledge of any County Matter pending before the Board, are requested in writing by a Board Member or the County Board Chair to discuss such County Matters before the Board, regardless of whether or not such Persons receive Compensation for so appearing. This exemption shall only be applicable to the extent that such Persons appear in the foregoing capacity. To the extent that such Persons also engage in activities with respect to which this chapter otherwise requires them to register, they shall so register with respect to those activities.
- (5) An attorney in the course of representing clients in any administrative, judicial, or quasi-judicial proceedings, or any witness providing testimony in any administrative, judicial or quasi-judicial proceeding, in which ex parte communications are not allowed and who does not make expenditures that are reportable.
- (6) Persons applying for a permit, license or approval from the County, a County Agency or a County Employee and any attorney or professional representing them in such application.

- (7) An employee, officer or director of a not-for-profit entity who seeks to influence any County Matter or County Employee action on behalf of such an entity.
- (8) A person who seeks to influence any County Matter or County Employee action on behalf of another person without receiving payment or remuneration of any kind for such service.
- (9) Persons who are negotiating the terms of a collective bargaining agreement or other contract. This exemption shall only be applicable to the extent of such activity. To the extent that such Persons also engage in activities with respect to which this chapter otherwise requires them to register, they shall so register with respect to those activities.
- (10) County Officials, County Appointees and County Employees acting in their official capacity.
- (11) Persons providing recommendations for other Persons seeking employment with the County.

#### Sec. 37.154 - Information required of registrants

- Not later than January 20<sup>th</sup> of each calendar year, or within ten business days after engaging in any activity that requires registration as a Lobbyist pursuant to Section 37.151 of this chapter, every person required to register shall file with the County Clerk, a Lobbyist Registration Form, which shall contain the following information:
  - The registrant's name, permanent address and temporary address (if any) while Lobbying.
  - With respect to each Person on behalf of which the registrant acts as a Lobbyist:
    - The name, business address, permanent address and nature of the business of the Person;
    - Whether the relationship is expected to involve Compensation or Expenditures or both; and
    - A brief description of the County Matter in reference to which such service is to be rendered.
- Registrants shall pay an annual, nonrefundable, nontransferable filing fee of \$25, payable to the Clerk upon Filing.
- In the event any substantial change or addition occurs with respect to the information required by this chapter to be contained in the registration form, including the addition or subtraction of a client, an amendment to the form shall be Filed with the Clerk within 14 days.
- A registrant who terminates employment or duties which required registration under this ordinance shall give the Clerk, within 30 days after the date of such termination, written notice of such termination.

#### Sec. 37.155 - Duties of Clerk

- The Clerk shall maintain and provide registration forms and forms for reporting information required by this chapter and to keep such registrations and reports on file in their office for three years from the date of filing.
- By February 15<sup>th</sup> of each calendar year, the Clerk shall compile a list of registered lobbyists, which list shall be made available to the public for inspection. Registration forms, reporting records and notices of termination shall be considered public records.
- The Clerk shall administer this chapter. The Clerk shall review all forms that are filed for completeness. The Clerk shall report all violations and suspected violations of this chapter to the State's Attorney of Lake County.

Sec. 37.156 - Enforcement

Violations of this chapter shall be enforced by the Clerk's Office or their designee(s) and, at their discretion, may proceed either through a notice to appear before the 19<sup>th</sup> Judicial Circuit or through administrative adjudication pursuant to the Lake County Administrative Adjudication Ordinance.

Sec.37.157 - Penalties

- (A) Any Person who fails to register as a Lobbyist or submit the required report shall be deemed to have committed an ordinance violation and shall be fined as set forth below. Each lobbying activity shall constitute a separate offense.
- (B) If an ordinance violation is found to have been committed, the fine amount shall be as follows:
  - a. First violation of this chapter shall be punishable by a fine of no less than \$250.
  - b. A second violation of this chapter by the same person with a 12-month period shall be punishable by a fine of no less than \$500.
  - c. A third or subsequent violation of this chapter by the same person, within a 12-month period shall be punishable by a fine or no less than \$750.