

Highland Park Example

Lobbyist Definition

Lobbyist means any person who, on behalf of any person other than himself or herself, or as any part of his or her employment duties, undertakes to influence any Legislative Action or City Employee Action, including, without limitation: (1) a bond inducement ordinance; (2) a land use or building matter governed by Title XV or Title XVII of the City Code; (3) a concession agreement; (4) the creation or modification of a tax increment financing district or a special service area; (5) an historic preservation designation pursuant to [Chapter 24](#) of the City Code; (6) the introduction, passage or other action to be taken on an ordinance, resolution, motion, order, appointment or other matter before the City Council; (7) the preparation of contract specifications; (8) the solicitation, award or administration of a contract; (9) the award or administration of a grant, loan, or other agreement involving the disbursement of public monies; or (10) any other determination made by an Official or City Employee with respect to the procurement of goods, services or construction; provided, however that a person shall not be deemed to have undertaken to influence any Legislative Action or City Employee Action solely by submitting an application for a City permit or license or by responding to a City request for proposals or qualification or conducting necessary follow-up activities with regard to the submission. The term "*Lobbyist*" shall include, without limitation, any attorney, accountant, architect, planner or consultant engaged in the above-described activities, but shall not include: (i) an attorney representing clients in a formal adversarial hearing; (ii) an employee, officer or director of a not-for-profit entity who seeks to influence Legislative Action or City Employee Action on behalf of such an entity; or (iii) a person who seeks to influence Legislative Action or City Employee Action on behalf of another person without receiving payment or remuneration of any kind for such service.

Sec. 37.006. - Lobbyist Registration.

- (A) *Persons Required to Register.* Each Lobbyist shall register with the City Clerk as provided in Section 37.006(C) of this Chapter. The obligations of this Section 37.006(A) shall apply, without limitation, to any person who undertakes to influence any Legislative Action or City Employee Action as any part of his or her employment duties, regardless of whether such person is formally designated as a Lobbyist by his or her employer.
- (B) *Exemption from Registration.* The following persons shall not be required to register as Lobbyists pursuant to this Section 37.006:
- (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 any other print, broadcast, or online news medium which, in the ordinary course of business, disseminates to the general public news, editorial or other comment, or paid advertisements which directly urge the passage or defeat of, action upon, any Legislative Action or City Employee Action; provided, however, that this Section 37.006(B)(1) shall not apply to such persons insofar as they receive additional compensation or expenses from any other source for undertaking to influence Legislative Action or City Employee Action;
 - (2) Officials and City Employees, or anyone employed by other units of government, who appear in their official capacities before any City Agency to explain or discuss the effect of any Legislative Action or City Employee Actions pending before such body;
 - (3) Persons who, at the request of the City, participate in drafting City ordinances, resolutions, or official policy statements; or
 - (4) Persons who appear before a City Agency for the sole purpose of providing expert or professional testimony in support of, or opposition to, an application or petition filed with and pending before that City Agency. This Section 37.006(B)(4) shall apply only to the extent that such persons appear in the foregoing capacity. If such persons also engage in activities to which Section 37.006(A) of this Chapter otherwise requires them to register, they shall so register for those activities.
- (C) *Registration Information Required.* Not later than January 20th of each calendar year, or within five business days after engaging in any activity that requires registration as a Lobbyist pursuant to Section 37.006(A) of this Chapter, every person required to register shall file with the City Clerk a sworn written statement, on a form prescribed by the City Clerk, which statement shall include, without limitation, the following information:

- (1) The registrant's name, permanent address, and temporary address (if any) while lobbying:
 - (2) With respect to each client and each business entity on behalf of which the registrant expects to act as a Lobbyist:
 - (a) The name, business address, permanent address, and nature of the business of the client or business entity; and
 - (b) A statement of whether the relationship between the registrant and the client or business entity is expected to involve compensation, expenditures, or both; and
 - (3) Payment of a registration fee, in the amount set forth in the Annual Fee Resolution.
- (D) *Amendment of Registration Statements.* Upon the occurrence of any substantial change or addition to the information required pursuant to Section 37.006(C) of this Chapter, the Lobbyist shall file an amended registration statement with the City Clerk within 14 days after the occurrence of such change or addition.
- (E) *Termination of Lobbying.* A Lobbyist who terminates the activities that require registration and filing under this Section 37.006 shall file with the City Clerk a notice of termination.
- (F) *Access to Information.* Registration statements, amendments to statements, and notices of termination shall be maintained and made available to the public by the City Clerk, as required pursuant to Illinois law. By February 15th of each calendar year, the City Clerk shall compile a list of registered lobbyists, which list shall be made available to the public.
- (G) *Contingent Fees.* No person shall retain or employ a Lobbyist for compensation contingent in whole or in part upon the approval or disapproval of any Legislative Action or City Employee Action, and no person shall accept any such employment or render any service for compensation contingent upon the approval or disapproval of any Legislative Action or City Employee Action.
- (H) *Violation and Penalties - Failure to Register.* Any person who fails to register as a Lobbyist pursuant to this Section 37.006 shall be fined in the amount of \$500.00. Further, any person who fails to register as a Lobbyist within ten days after receipt of a notice from the City Clerk, delivered by personal service or certified United States mail, shall pay an additional fine of \$500.00 for each day thereafter on which he or she fails to register.

(Ord. 15-12, J. 38, p. 16-20, passed 2/13/12)