

Municipal Lobbying Ordinance

SEC. 48.01 Title and Findings

- A. **Title.** This Article is and may be cited as the Los Angeles Municipal Lobbying Ordinance.
- B. **Findings.** The following findings are adopted in conjunction with the enactment of this Article:
1. City government functions to serve the needs of all citizens.
 2. Lobbying is a legitimate means of informing City decision makers. However, the citizens of the City of Los Angeles have a right to know the identities of the interests that attempt to influence City government decisions.
 3. All persons engaged in compensated lobbying activities aimed at influencing decisions by City government must, when so engaged, be subject to the same regulations, restrictions, and requirements, regardless of their background, training, licensing, or other professional qualifications.
 4. Complete public disclosure of the full range of activities by and financing of lobbyists, as well as the identities of those who employ their services, is essential to maintain citizen confidence in the integrity of City government.
 5. It is in the public interest to ensure that lobbyists do not misrepresent facts or their positions, attempt to deceive City officials through false communications, place City officials under personal obligation to themselves or their clients, or represent that they can control the actions of City officials.
 6. It is in the public interest to adopt these amendments to the City's regulations of lobbyists to ensure adequate and effective disclosure of information about compensated efforts to lobby City government that are not otherwise available to the public.

SEC. 48.02 Definitions

The following definitions apply to terms used in this Article. Definitions in the California Political Reform Act of 1974 and in the regulations of the California Fair Political Practices Commission apply to terms not defined in this Article.

- A. **“Agency”** means the City of Los Angeles; any department, bureau, office, board, or commission of the City; or any other government agency that is required to adopt a conflict of interests code subject to City Council approval. The term includes but

is not limited to the City's Community Redevelopment Agency and the Los Angeles City Housing Authority.

- B. **“At the behest”** means under the control of, at the direction of, in cooperation, consultation, coordination, or concert with, at the request or suggestion of, or with the express prior consent of an elective City officer or candidate. A donation is not made at the behest of an elective City officer or candidate if the donation is solicited through a newspaper publication, through radio, television, or other mass media, or through a suggestion made to the entire audience at a public gathering. A donation is not made at the behest of an elective City officer or candidate solely because the name of the officer or candidate is listed with other names on written materials used to solicit donations or the officer or candidate makes a speech to the entire audience or is honored and given an award at an event sponsored by the organization.
- C. **“Attempt to influence”** means to promote, support, oppose, or seek to modify or delay an action on a municipal decision by any means, including but not limited to providing or using persuasion, information, statistics, analyses, or studies.
- D. **“Ballot measure committee”** means a committee established to support or oppose a City ballot measure.
- E. **“Candidate”** means an individual who is seeking an elective City office.
- F. **“City official”** means an individual who is an elective City officer, a City officer under Section 200 of the Los Angeles City Charter, a member or employee of an agency, or an agency consultant who qualifies as a public official within the meaning of the Political Reform Act and whose official duties include participating in a municipal decision other than in a purely ministerial capacity.
- G. **“Client”** means either of the following:
1. A person who compensates a lobbying entity for lobbying; or
 2. A person on whose behalf a lobbying entity lobbies, even if the lobbying entity is compensated by another person.
- A member of an organization is not a client of a lobbying entity that represents the organization unless the member pays for personal representation in addition to usual membership fees.
- H. **“Commission”** means the Los Angeles City Ethics Commission.
- I. **“Compensation”** means anything of value that is paid, promised, or owed in exchange for services. The term does not include reimbursement of or payment for travel expenses.

- J. **“Controlled committee”** means a committee controlled by an elective City officer or candidate. The term includes but is not limited to campaign, officeholder, legal defense fund, and ballot measure committees.
- K. **“Days”** means calendar days, except where specified as business days.
- L. **“Direct communication”** means talking to, corresponding with, or answering questions or inquiries from a City official, either personally or through an agent. The term does not include the following:
1. Communicating on the record at a publicly noticed meeting that is open to the general public. If the individual has already qualified as a lobbyist, the communication on the record must identify the client on whose behalf the lobbyist is appearing or testifying.
 2. Submitting a document, including written testimony, that is a public record in connection with an item on an agenda for a publicly noticed meeting.
 3. Making a sales call in connection with an agency purchase that is required to go through a competitive bid process.
 4. Submitting a bid or responding to a request for proposals or other solicitation, or participating in an interview related to the solicitation, as long as the information is provided only to the City official or agency specifically designated in the solicitation to receive the information.
 5. Negotiating the terms of a contract with a City official who has the authority to make a decision regarding the contract after being selected by an agency to enter into the contract.
 6. Communicating regarding the administration of or performance under an existing City contract with the City official who administers the contract. This exclusion does not apply to change orders.
 7. Providing information compelled by a subpoena, law, or regulation.
 8. Requesting advice or the interpretation of a law, regulation, or policy.
 9. Responding to an agency enforcement proceeding as the subject of or a witness in that proceeding.
 10. Communicating as an official representative of a recognized City employee organization with regard to one of the following:
 - a. The establishment, amendment, administration, implementation, or interpretation of a collective bargaining agreement or memorandum of

understanding between an agency and a recognized City employee organization;

- b. A management decision regarding the working conditions of represented employees that relates to a collective bargaining agreement or memorandum of understanding between an agency and a recognized City employee organization; or
- c. A proceeding before the Civil Service Commission or the Employee Relations Board.

- 11. Providing legal representation as a licensed attorney for a party in litigation or an enforcement proceeding with an agency.
 - 12. Providing purely technical data, analysis, or expertise on behalf of a client whose registered lobbyist is present and required to disclose the communication.
 - 13. Requesting that the City provide basic municipal services, such as maintenance, utility, sanitation, and safety services.
 - 14. Communicating regarding a ministerial step in an application for a license, permit, or entitlement for use.
 - 15. Communicating under circumstances similar to those identified above, after having received written advice from the Commission under Charter Section 705(b) that the communication is exempt.
- M. **“Donation”** means a payment to a religious, charitable, or other tax-exempt organization for which full and adequate consideration is not received.
- N. **“Elective City officer”** means an individual who is appointed or elected to serve as the Mayor, the City Attorney, the Controller, or a member of the City Council.
- O. **“Entitled to receive compensation”** means a lobbying entity has agreed to provide or has provided services in exchange for compensation, regardless of whether or when the compensation is actually received and regardless of whether payment is contingent on the lobbying entity accomplishing the client’s purposes.
- P. **“Fundraiser”** means a person who receives compensation to engage in fundraising activity.
- Q. **“Fundraising activity”** means soliciting a contribution to an elective City officer, candidate, controlled committee, or ballot measure committee; hosting or sponsoring a fundraising event; or hiring a fundraiser to solicit contributions or conduct a fundraising event.

- R. **“Fundraising event”** means an event designed primarily for soliciting, delivering, or making contributions to or for an elective City officer, candidate, controlled committee, or ballot measure committee.
- S. **“Hosting or sponsoring”** means engaging in one or more of the following activities regarding a fundraising event:
1. Providing a home or business at which to hold the event without charging at least fair market value for the use of that location;
 2. Asking 25 or more persons to attend the event;
 3. Paying 20 percent or more of the costs of the event;
 4. Permitting one’s name to be included on the invitation to or other written materials associated with the event; or
 5. Providing 25 or more names to be used for invitations to the event.
- T. **“In-house lobbyist”** means an individual who is entitled to receive compensation for lobbying on behalf of the individual’s employer and has engaged in five direct communications for that purpose in a calendar quarter.
- U. **“Lobbying”** means engaging in a direct communication for the purpose of attempting to influence a municipal decision on behalf of another person for compensation.
- V. **“Lobbying entity”** means a lobbyist, a lobbying firm, or a lobbying organization.
- W. **“Lobbying firm”** means a person, other than a lobbying organization, that has a partner, owner, shareholder, officer, or employee who qualifies as a traditional lobbyist. The term includes an individual who is self-employed and qualifies as a traditional lobbyist.
- X. **“Lobbying organization”** means a person that has one or more partners, owners, shareholders, officers, or employees who are entitled to receive compensation for lobbying on the organization’s behalf and have collectively engaged in five direct communications for that purpose in a calendar quarter.
- Y. **“Lobbyist”** means either a traditional lobbyist or an in-house lobbyist.
- Z. **“Ministerial”** means not requiring the exercise of discretion concerning the outcome or a course of action.

- AA. **“Municipal decision”** means a determination regarding a legislative or administrative matter that is proposed or pending before a City official or agency, including a charter amendment, ordinance, resolution, rule, regulation, policy, nomination, contract, expenditure, regulatory proceeding, quasi-judicial proceeding, enforcement action, personnel action, license, permit, entitlement for use, project, report, or other matter acted upon by a City official or agency. The term does not include a ministerial act.
- BB. **“Payment benefiting a City official”** means a payment, including a gift, made by a lobbying entity to or in direct benefit of a City official or a member of the City official’s immediate family.
- CC. **“Person”** means an individual, business entity, trust, corporation, association, committee, or any other organization or group of persons acting in concert.
- DD. **“Soliciting”** means asking, personally or through an agent, that another person make either a donation or a contribution to an elective City officer, candidate, controlled committee, or ballot measure committee. The term includes allowing one’s signature to be used on a written request for funds. The term does not include making a public request for funds to at least a majority of the persons in attendance at a public gathering or making a request that is published in a newspaper or broadcast through radio, television, or other mass media.

A lobbying entity solicits a contribution for an elective City officer, candidate, or controlled committee only when the lobbying entity does so in one of the following scenarios:

1. At the behest of the elective City officer or candidate, the campaign treasurer or campaign manager for the elective City officer or candidate, or a person who engages in fundraising activity on behalf of the elective City officer or candidate; or
2. By informing an elective City officer or candidate, either personally or through an agent, that contributions are being solicited on that individual’s behalf.

- EE. **“Traditional lobbyist”** means an individual, other than an in-house lobbyist, who is entitled to receive compensation for lobbying and has engaged in one direct communication for that purpose.

SEC. 48.03 Exemptions

The following persons are exempt from the requirements of this Article:

- A. Public officials acting in their official capacities and government employees acting within the scope of their employment.

- B. A newspaper, a regularly published periodical, a radio or television station or network, or a public site on the Internet that publishes or broadcasts news, editorials or other comments, or paid advertising that attempts to influence a municipal decision. This exemption also applies to individuals who own or are employed by those entities and engage in that activity. This exemption does not apply to any other activity by those entities or their owners or employees.
- C. An organization that is exempt from federal taxation pursuant to Section 501(c)(3) of the Internal Revenue Code, if it is created primarily to provide personal services directly to individuals and does not require economically disadvantaged individuals to pay full market value for those services. This exemption also applies to persons who are employed by the organization and are acting within the scope of their employment. This exemption does not apply to lobbying related to funding, property, or a permit that the organization is seeking from the City.
- D. A person who is entitled to receive compensation for providing consulting services to an agency when acting on that agency's behalf under the terms of the consulting arrangement.

SEC. 48.04 Contract Bidder Certification of Compliance With Lobbying Laws.

- A. Any bidder for a contract, as those terms are defined in Los Angeles Administrative Code Section 10.40.1, must submit with its bid a certification, on a form prescribed by the Commission, that the bidder acknowledges and agrees to comply with the disclosure requirements and prohibitions established in this Article if the bidder qualifies as a lobbying entity under Section 48.02. The form must be maintained with the bid documents by the agency that solicited the bid. The exemptions contained in Section 48.03(B), Section 48.03(C), and Los Angeles Administrative Code Section 10.40.4 do not apply to this subsection.
- B. Each agency must include this Article in each invitation for bids, request for proposals, request for qualifications, or other solicitation related to entering into a contract with the City. The ordinance must be provided in at least 10-point font and may be provided on paper, in an electronic format, or through a link to an online version of the ordinance. The ordinance is not required to be printed in a newspaper notice of the solicitation.
- C. This subsection does not apply to the renewal, extension, or amendment of an existing contract, as long as the solicitation for the original contract met the requirements in Paragraphs 1 and 2 above and the renewal, extension, or amendment does not involve a new solicitation.

- D. For purposes of this section only, “agency” does not include a state agency operating solely within the City, such as the Community Redevelopment Agency or Los Angeles City Housing Authority.

SEC. 48.05 Prohibitions

Lobbying entities may not do the following:

- A. Perform an act with the purpose or intent of placing a City official under personal obligation to the lobbying entity or the lobbying entity’s client.
- B. Fraudulently deceive or attempt to deceive a City official with regard to a material fact pertinent to a pending or proposed municipal decision.
- C. Cause or influence the introduction of a municipal decision for the purpose of thereafter being employed or retained to secure its passage or defeat.
- D. Cause a communication to be sent to a City official in the name of a nonexistent person or in the name of an existing person without the person’s consent.
- E. Make, arrange for, or act as an intermediary in a payment or a gift to a City official if doing so would violate the City's Governmental Ethics Ordinance (Sections 49.5.1 *et seq.*).
- F. Make a contribution to an elective City officer, a candidate, or a controlled committee if the lobbying entity is required to register to lobby the elective City office sought by or the current agency of the elective City officer or candidate. A lobbying entity makes a contribution when payment is made from the lobbying entity’s personal funds or assets. A lobbyist also makes a contribution when the lobbyist participates in the decision to make the contribution and payment is made by one of the following entities:
 - 1. A business entity in which the lobbyist holds an ownership interest of 20 percent or more; or
 - 2. A committee that receives 20 percent or more of its funding from one or more lobbyists.

SEC. 48.06 Record Keeping Responsibilities

- A. Lobbying entities must prepare and retain detailed records needed to comply with the requirements of this Article, including but not limited to written communications to certified neighborhood councils under Section 48.16 and records detailing contributions and donations that result from their fundraising activities.

- B. Treasurers and fundraisers for elective City officers, candidates, controlled committees, and ballot measure committees must prepare and retain detailed records regarding contributions that result from a lobbying entity's fundraising activities. Treasurers and fundraisers must make the records available to the lobbying entity and to the Commission upon request.
- C. A record required by this Article must be retained for at least four years following either the date of the record or the date of the filing that includes information contained in the record, whichever is later.

SEC. 48.07 Filing Methods

- A. All registrations, reports, and other statements required by this Article must be submitted under penalty of perjury and filed in a format prescribed by the Commission. The Commission must provide public access to all filings.
- B. A paper document properly addressed and bearing the correct postage is considered filed on the date of the postmark or on the date of receipt by the Commission, whichever is earlier.
- C. Lobbying entities must file registration statements, amendments, terminations, quarterly report statements, solicitations, and written communications with neighborhood councils in an electronic method and format prescribed by the Commission.

SEC. 48.08 General Registration Requirements

- A. A person who has qualified as a lobbying entity must register with the Commission within five business days of qualifying. A person who has qualified as a lobbying entity may not lobby another City official until after registering to lobby the City official's agency.
- B. A person who registers as a lobbying entity retains that status through December 31 of that year unless the person terminates that status under Subsection D.
- C. Lobbying entities must file amendments to their registration statements whenever a change occurs in the information reported on the registration statement.
- D. Lobbying entities must file a termination of their registration statements within 20 days of ceasing all activity governed by this Article. The quarterly report statement for the quarter in which the termination occurs must be filed at the same time the termination is filed.

- E. Lobbying entities must pay a registration fee. Registration is not complete until the Commission has received the required fee.
1. The fee for a 501(c)(3) lobbying organization's in-house lobbyist is \$100. The fee for all other lobbyists is \$450.
 2. The fee for a lobbying firm is \$75 for every client from which the lobbying firm is entitled to receive compensation valued at \$250 or more. If a lobbying firm becomes entitled to receive compensation valued at \$250 or more from a client after registration is complete, the lobbying firm must amend its registration to identify the client and pay the fee for the client within 10 business days after becoming entitled to receive the compensation.
 3. The fee for a 501(c)(3) lobbying organization is \$100. The fee for all other lobbying organizations is \$450.

SEC. 48.09 Registration of Lobbyists

- A. A lobbyist's registration statement must contain the following information:
1. The lobbyist's name, address, telephone number, and electronic mail address.
 2. Each lobbying firm or lobbying organization of which the lobbyist is an employee, partner, officer, or owner.
 3. Each agency that the lobbyist is registering to lobby.
 4. Each act of lobbying that occurred prior to registration, including the following:
 - a. The date of the direct communication;
 - b. The agency that was lobbied; and
 - c. A description of the municipal decision that the lobbyist attempted to influence, including any City reference number that is associated with the decision.
 5. If the lobbyist is a former City official, each agency at which the lobbyist served and the dates of that service.
 6. A statement that the lobbyist has reviewed and understands the requirements of this Article.

7. Any other information required by the Commission.
- B. A lobbyist must take an ethics course provided by the Commission within 60 days of the lobbyist's first registration after January 1, 2010.

SEC. 48.10 Registration of Lobbying Firms

A lobbying firm's registration statement must contain the following information:

- A. The name, address, and telephone number of the lobbying firm.
- B. The name, address, telephone number, and electronic mail address of the person who is responsible for preparing the statement.
- C. The name of each lobbyist who is a partner, owner, shareholder, officer, or employee of the firm.
- D. The name, address, telephone number, and electronic mail address of each client on whose behalf the firm has the authority to lobby.
- E. Each agency that the lobbying firm is registering to lobby. At a minimum, the firm must register to lobby each agency that its lobbyists have registered to lobby.
- F. Each act of lobbying that occurred prior to registration, including the following:
 1. The client on whose behalf the lobbying occurred;
 2. The date of the direct communication;
 3. The individuals who engaged in the direct communication on behalf of the client;
 4. The agency that was lobbied; and
 6. A description of the municipal decision that the lobbying firm attempted to influence, including any City reference number that is associated with the decision.
- G. A statement that a person responsible for the lobbying firm has reviewed and understands the requirements of this Article.
- H. Any other information required by the Commission.

SEC. 48.11 Registration of Lobbying Organizations

A lobbying organization's registration statement must contain the following information:

- A. The name, address, and telephone number of the lobbying organization.
- B. The name, address, telephone number, and electronic mail address of the person who is responsible for preparing the statement.
- C. The name of each lobbyist who is a partner, owner, shareholder, officer, or employee of the organization.
- D. Each agency that the lobbying organization is registering to lobby on its own behalf. At a minimum, the organization must register to lobby each agency identified in Subsection E(4).
- E. Each act of lobbying that occurred prior to registration, including the following:
 - 1. The date of the direct communication;
 - 2. The individuals who engaged in the direct communication on behalf of the lobbying organization;
 - 3. The agency that was lobbied; and
 - 4. A description of the municipal decision that the lobbying organization attempted to influence, including any City reference number that is associated with the municipal decision.
- F. A statement that a person responsible for the lobbying organization has reviewed and understands the requirements of this Article.
- G. Any other information required by the Commission.

SEC. 48.12 Quarterly Reports by Lobbyists

- A. An individual must file a quarterly report statement for every calendar quarter during which the individual is a registered lobbyist. An individual who qualifies as both a lobbyist and a lobbying firm must file under Section 48.13 only.
- B. Quarterly reports must be filed by the last day of the month following each calendar quarter. If the last day of the month falls on a Saturday, Sunday, or holiday, the report is due the following business day.
- C. Quarterly reports by lobbyists must contain the following information:

1. The lobbyist's name, address, telephone number, and electronic mail address.
2. Each lobbying firm and lobbying organization of which the lobbyist is a partner, owner, shareholder, officer, employee, or consultant during the reporting period.
3. For each act of lobbying during the reporting period:
 - a. A description of the municipal decision at issue, including any City reference number that is associated with it;
 - b. The date of the direct communication;
 - c. Each agency that was lobbied;
 - d. Each client on whose behalf the lobbying was conducted;
 - e. Each lobbying firm the lobbyist represented; and
 - f. Each person who claims an exemption under Section 48.02(L)(12) as a result of the lobbyist's participation in the direct communication.
4. For payments benefiting a City official made during the reporting period:
 - a. The total amount of all payments benefiting a City official; and
 - b. For each payment benefiting a City official valued at \$25 or more:
 - i. The date, amount, and description of the payment;
 - ii. The name and title of the City official benefiting from the payment;
 - iii. The name and address of the payee; and
 - iv. The client, if any, on whose behalf the payment was made. A payment is made on behalf of a client if the client requested or authorized the payment or if the payment was made in connection with lobbying conducted on the client's behalf.
5. For contributions of \$100 or more that the lobbyist made or delivered or for which the lobbyist acted as an intermediary:
 - a. The date and amount of the contribution.

- b. The name of the elective City officer, candidate, controlled committee, or ballot measure committee that received the contribution; and
 - c. If the contribution was made by a person other than the lobbyist, the name and address of that person and whether the lobbyist solicited the contribution.
6. For contributions aggregating \$100 or more made by the lobbyist at the behest of an elective City officer during the reporting period:
 - a. The date and amount of each contribution;
 - b. The name and address of each elective City officer, candidate, controlled committee, or ballot measure committee that received the contributions; and
 - c. The name of each elective City officer or candidate who behested the contributions and the dates of the behests.
7. For donations aggregating \$100 or more made by the lobbyist at the behest of an elective City officer or candidate during the reporting period:
 - a. The date and amount of each donation;
 - b. The name and address of each organization that received the donations; and
 - c. The name of each elective City officer or candidate who behested the donations and the dates of the behests.
8. For fundraising activity during the reporting period:
 - a. The date of the activity;
 - b. The name of the elective City officer, candidate, controlled committee, or ballot measure committee that benefited from the fundraising activity;
 - c. Whether the lobbyist solicited one or more of the clients of a lobbying firm that must be identified on the lobbyist's registration statement;
 - d. Whether the lobbyist distributed one or more written solicitations and, if so, the date that each solicitation was filed with the Commission under Section 48.15; and

- e. Whether the fundraising activity resulted in a contribution of \$100 or more that the lobbyist delivered or for which the lobbyist acted as an intermediary and, if so, the date the contribution was delivered or the lobbyist acted as an intermediary.
9. For services, including consulting services, that were provided to a campaign for an elective City officer or candidate or a campaign for or against a City ballot measure and for which the lobbyist became entitled to receive compensation during the reporting period:
- a. The name of the elective City officer, candidate, or City ballot measure committee;
 - b. The elective City office sought or the number or letter of the ballot measure;
 - c. The date of the election;
 - d. A description of the services provided; and
 - e. The amount of compensation the lobbyist became entitled to receive for the services.

This information must be reported if the lobbyist personally provided the services or if the services were provided by a business entity in which the lobbyist holds an ownership interest of ten percent or more.

10. For services, including consulting services, that were provided to an agency under contract and for which the lobbyist became entitled to receive compensation during the reporting period:
- a. The contract number;
 - b. The agency to which the services were provided;
 - c. A description of the services provided; and
 - d. The amount of compensation the lobbyist became entitled to receive for the services.

This information must be reported if the lobbyist personally provided the services or if the services were provided by a business entity in which the lobbyist holds an ownership interest of ten percent or more.

11. Whether the lobbyist participated in preparing or distributing a written communication to a neighborhood council and, if so, the date the communication was filed with the Commission under Section 48.16
12. Any other information required by the Commission.

SEC. 48.13 Quarterly Reports by Lobbying Firms

- A. A lobbying firm must file a quarterly report statement for every calendar quarter during which the firm is a registered lobbying firm.
- B. Quarterly reports must be filed by the last day of the month following each calendar quarter. If the last day of the month falls on a Saturday, Sunday, or holiday, the report is due the following business day.
- C. Quarterly reports by lobbying firms must contain the following information:
 1. The lobbying firm's name, address, and telephone number.
 2. The name, address, telephone number, and electronic mail address of the person who is responsible for preparing the quarterly report.
 3. The name of each lobbyist who is a partner, owner, shareholder, officer, or employee of the lobbying firm during the reporting period.
 4. For each client for whom lobbying was performed during the reporting period:
 - a. The name, address, telephone number, and electronic mail address.
 - b. A description of each act of lobbying during the reporting period, including the following:
 - i. The municipal decision at issue, including any City reference number that is associated with it;
 - ii. The date of the direct communication;
 - iii. Each individual who engaged in the direct communication on behalf of the client; and
 - iv. Each agency that was lobbied.
 - c. Compensation and expense reimbursements that the lobbying firm became entitled to receive from the client.

5. Total compensation and expense reimbursements related to lobbying that the lobbying firm became entitled to receive from all clients during the reporting period.
6. For each expense, other than overhead and payments to employees, that is attributable to lobbying and valued at \$5,000 or more:
 - a. The date, amount, and description of the expense;
 - b. The name and address of the payee;
 - c. The municipal decision associated with the expense, if applicable; and
 - d. The client on whose behalf the expense was incurred, if applicable. An expense is made on behalf of a client if the client requested or authorized the expense or if the expense was incurred in connection with lobbying conducted on the client's behalf.
7. For payments benefiting a City official made during the reporting period:
 - a. The total amount of all payments benefiting a City official; and
 - b. For each payment benefiting a City official valued at \$25 or more:
 - i. The date, amount, and description of the payment;
 - ii. The name and title of the City official benefiting from the payment;
 - iii. The name and address of the payee; and
 - iv. The client, if any, on whose behalf the payment was made. A payment is made on behalf of a client if the client requested or authorized the payment or if the payment was made in connection with lobbying conducted on the client's behalf.
8. For contributions of \$100 or more that the lobbying firm made or delivered or for which the lobbying firm acted as an intermediary:
 - a. The date and amount of the contribution.
 - b. The name of the elective City officer, candidate, controlled committee, or ballot measure committee that received the contribution; and

- c. If the contribution was made by a person other than the lobbying firm, the name and address of that person and whether the lobbying firm solicited the contribution.
9. For contributions aggregating \$100 or more made by the lobbying firm at the behest of an elective City or officer during the reporting period:
 - a. The date and amount of each contribution;
 - b. The name and address of each elective City officer, candidate, controlled committee, or ballot measure committee that received the contributions; and
 - c. The name of each elective City officer or candidate who behested the contributions and the dates of the behests.
10. For donations aggregating \$100 or more made by the lobbying firm at the behest of an elective City officer or candidate during the reporting period:
 - a. The date and amount of each donation;
 - b. The name and address of each organization that received the donations; and
 - c. The name of each elective City officer or candidate who behested the donations and the dates of the behests.
11. For fundraising activity during the reporting period:
 - a. The date of the activity;
 - b. The name of the elective City officer, candidate, controlled committee, or ballot measure committee that benefited from the fundraising activity;
 - c. Whether the lobbying firm solicited one or more of its clients;
 - d. Whether the lobbying firm distributed one or more written solicitations and, if so, the date that each solicitation was filed with the Commission under Section 48.15; and
 - e. Whether the fundraising activity resulted in a contribution of \$100 or more that the lobbying firm delivered or for which the lobbying firm acted as an intermediary and, if so, the date the contribution was delivered or the lobbying firm acted as an intermediary.

12. For services, including consulting services, that were provided to a campaign for an elective City officer or candidate or a campaign for or against a City ballot measure and for which the lobbying firm became entitled to receive compensation during the reporting period:
 - a. The name of the elective City officer, candidate, or City ballot measure campaign;
 - b. The elective City office sought or the number or letter of the ballot measure;
 - c. The date of the election;
 - d. A description of the services provided; and
 - e. The amount of compensation the lobbying firm became entitled to receive for the services.

For a lobbyist who qualifies as a lobbying firm, this information must be reported if the lobbyist personally provided the services or if the services were provided by a business entity in which the lobbyist holds an ownership interest of ten percent or more.

13. For services, including consulting services, that were provided to an agency under contract and for which the lobbying firm became entitled to receive compensation during the reporting period:
 - a. The contract number;
 - b. The agency to which the services were provided;
 - c. A description of the services provided; and
 - d. The amount of compensation the lobbying firm became entitled to receive for the services.

For a lobbyist who qualifies as a lobbying firm, this information must be reported if the lobbyist personally provided the services or if the services were provided by a business entity in which the lobbyist holds an ownership interest of ten percent or more.

14. Whether the lobbying firm made a written communication to a neighborhood council and, if so, the date the communication was filed with the Commission under Section 48.16

15. Any other information required by the Commission.

SEC. 48.14 Quarterly Reports by Lobbying Organizations

- A. A lobbying organization must file a quarterly report statement for every calendar quarter during which the organization is a registered lobbying organization.

- B. Quarterly reports must be filed by the last day of the month following each calendar quarter. If the last day of the month falls on a Saturday, Sunday, or holiday, the report is due the following business day.

- C. Quarterly reports by lobbying organizations must contain the following information:
 - 1. The lobbying organization's name, address, and telephone number.

 - 2. The name, address, telephone number, and electronic mail address of the person who is responsible for preparing the quarterly report.

 - 3. The name of each lobbyist who is an employee of the lobbying organization during the reporting period.

 - 4. For each act of lobbying that was performed during the reporting period:
 - a. A description of the municipal decision at issue, including any City reference number that is associated with it;

 - b. The date of the direct communication;

 - c. Each individual who engaged in the direct communication on behalf of the lobbying organization; and

 - d. Each agency that was lobbied.

 - 5. For expenses, other than overhead, attributable to lobbying during the reporting period, including expenses for activities undertaken in support or anticipation of or in response to a direct communication:
 - a. Total expenses; and

 - b. For each expense, other than payments to employees, that is valued at \$5,000 or more:
 - i. The date, amount, and description of the expense;

 - ii. The name and address of the payee; and

 - iii. The municipal decision associated with the expense, if applicable.

6. For payments benefiting a City official made during the reporting period:
 - a. The total amount of all payments benefiting a City official; and
 - b. For each payment benefiting a City official valued at \$25 or more:
 - i. The date, amount, and description of the payment;
 - ii. The name and title of the City official benefiting from the payment;
 - iii. The name and address of the payee; and
 - iv. The client, if any, on whose behalf the payment was made. A payment is made on behalf of a client if the client requested or authorized the payment or if the payment was made in connection with lobbying conducted on the client's behalf.
7. For contributions of \$100 or more that the lobbying organization made or delivered or for which the lobbying organization acted as an intermediary:
 - a. The date and amount of the contribution.
 - b. The name of the elective City officer, candidate, controlled committee, or ballot measure committee that received the contribution; and
 - c. If the contribution was made by a person other than the lobbying organization, the name and address of that person and whether the lobbying organization solicited the contribution.
8. For contributions aggregating \$100 or more made by the lobbying organization at the behest of an elective City or officer during the reporting period:
 - a. The date and amount of each contribution;
 - b. The name and address of each elective City officer, candidate, controlled committee, or ballot measure committee that received the contributions; and
 - c. The name of each elective City officer or candidate who behested the contributions and the dates of the behests.

9. For donations aggregating \$100 or more made by the lobbying organization at the behest of an elective City officer or candidate during the reporting period:
 - a. The date, amount, and description of each donation;
 - b. The name and address of each organization that received the donations; and
 - c. The name of each elective City officer or candidate who behested the donations and the dates of the behests.
10. For fundraising activity during the reporting period:
 - a. The date of the activity;
 - b. The name of the elective City officer, candidate, controlled committee, or ballot measure committee that benefited from the fundraising activity;
 - c. Whether the lobbying organization distributed one or more written solicitations and, if so, the date that each solicitation was filed with the Commission under Section 48.15; and
 - d. Whether the fundraising activity resulted in a contribution of \$100 or more that the lobbying organization delivered or for which the lobbying organization acted as an intermediary and, if so, the date the contribution was delivered or the lobbying organization acted as an intermediary.
11. For services, including consulting services, that were provided to a campaign for an elective City officer or candidate or a campaign for or against a City ballot measure and for which the lobbying organization became entitled to receive compensation during the reporting period:
 - a. The name of the elective City officer, candidate, or City ballot measure campaign;
 - b. The elective City office sought or the number or letter of the ballot measure;
 - c. The date of the election;
 - d. A description of the services provided; and

- e. The amount of compensation the lobbying organization became entitled to receive for the services.
12. For services, including consulting services, that were provided to an agency under contract and for which the lobbying organization became entitled to receive compensation during the reporting period:
- a. The contract number;
 - b. The agency to which the services were provided;
 - c. A description of the services provided; and
 - d. The amount of compensation the lobbying organization became entitled to receive for the services.
13. Whether the lobbying organization made a written communication to a neighborhood council and, if so, the date the communication was filed with the Commission under Section 48.16.
14. Any other information required by the Commission.

SEC. 48.15 Copies of Solicitations

- A. Each lobbying entity that produces, pays for, mails, or distributes a written fundraising solicitation for an elective City officer, candidate, controlled committee, or ballot measure committee must file a copy of the solicitation with the Commission within five business days of the date the solicitation is first distributed. The Commission may not comment upon or edit the contents of the solicitation.
- B. At the time a solicitation is filed with the Commission, the lobbying entity must report the dates on which the solicitation was distributed, a general description of the solicitation, the number of pieces distributed, and the name of the elective City officer, candidate, controlled committee, or ballot measure committee for which the funds were solicited.

Sec. 48.16 Written Communications to Neighborhood Councils

- A. A written communication made by a lobbying entity on behalf of a client to a certified neighborhood council must include a disclaimer that the communication was distributed by a lobbying entity.

- B. The disclaimer must be printed clearly and legibly on the written communication in no less than 8-point type and in a color that contrasts with the background. The disclaimer must include all of the following information:
1. The name of each lobbyist who participated in preparing or distributing the written communication;
 2. The name of each lobbying firm or lobbying organization responsible for preparing or distributing the communication; and
 3. For traditional lobbyists and lobbying firms, each client on whose behalf the communication was made.
- C. A copy of the communication must be filed with the Commission within five business days of the date of the communication. The Commission may not comment upon or edit the contents of the written communication.

SEC. 48.17 Compliance Measures and Enforcement

- A. **Audits.** The Commission may audit reports, documents, and statements that are required and conduct that is regulated pursuant to this Article.
- B. **Criminal Penalties.**
1. A person who knowingly or willfully violates this Article is guilty of a misdemeanor. A person who knowingly or willfully causes another person to violate this Article or who knowingly or willfully aides or abets another person in violating this Article is guilty of a misdemeanor.
 2. Prosecution must be commenced within four years after the date on which the violation occurred.
 3. An individual convicted of a misdemeanor under Section 48.05 may not act as a lobbyist or otherwise attempt to influence a municipal decision for compensation for four years after the conviction. An individual convicted of a misdemeanor under any other provision of this Article may not act as a lobbyist for four years after the conviction.
- C. **Civil Enforcement.**
1. A person is liable in a civil action brought by the City Attorney or the Commission for either of the following:
 - a. Knowingly violating Section 48.05; or

- b. Intentionally or negligently violating any other provision of this Article.
2. Failure to properly report a receipt or expenditure may result in civil penalties up to \$5,000 or three times the amount not properly reported, whichever is greater. Other violations may result in civil penalties up to \$5,000. In determining the amount of liability, the court must consider the seriousness of the violation and the defendant's degree of culpability.
 3. If the court determines that a violation was intentional, the court may order that the defendant be prohibited from acting as a lobbying entity for four years. If the defendant knowingly violated Section 48.05, the court may order that the defendant be prohibited from acting as a lobbying entity and from otherwise attempting to influence a municipal decision for compensation for four years.
 4. If two or more persons are responsible for a violation, they are jointly and severally liable.
 5. A civil action may not be filed more than four years after the date the violation occurred.
- D. **Injunction.** The City Attorney may seek injunctive relief to enjoin violations of or to compel compliance with this Article.
- E. **Administrative Penalties.** The Commission may impose penalties and issue orders for violations of this Article pursuant to its authority under Charter Section 706 and Los Angeles Administrative Code Section 24.1.2.
- F. **Late Filing Fees.** In addition to any other penalty or remedy available, a person who fails to timely file a report or statement required by this Article is liable to the Commission for late filing fees in the amount of \$25 per day after the deadline until the statement or report is filed. Liability need not be enforced by the Commission if its executive director determines that the late filing was not willful and that enforcement of the penalty would not further the purposes of this Article. However, liability may not be waived if a statement or report is not filed within 10 days after the Commission has given the filer written notice of the filing requirement.
- G. **Restriction on Person Who Violates Certain Laws.** A person may not act as a lobbying entity or otherwise attempt to influence a municipal decision for compensation for four years after that person has been found by the Commission, either following an administrative hearing pursuant to Charter Section 706 or through a stipulation, to have violated Charter Section 470(k).

SEC. 48.18 Ethics Commission Reports

The Commission must provide reports regarding lobbying activity at least annually, in a form that, in the opinion of the Commission, best describes the activities, receipts, and expenditures of persons subject to the requirements of this Article.

SEC. 48.19 Severability

The provisions of this Article are severable. If a court holds that a provision of this Article or its application to any person or circumstance is invalid, the remainder of this Article and the invalidated provision's application to other persons and circumstances are not affected by such invalidity and remain in effect.