

## Summary of New Provisions of City Law: Lobbying Entity and Contract Bidder Disclosure

Operative January 1, 2004 -- Prepared by the Los Angeles City Ethics Commission

	Lobbying Entities <sup>1</sup>	Elected Officials	Treasurers & Fundraisers	Contract Bidders/Proposers	City Departments
<b>Record Keeping</b>	If engaging in fundraising activities <sup>2</sup> at the behest of a City officeholder or candidate, maintain records for four years of all contributions to the officeholder/candidate that the lobbying entity knows or has reason to know were made as a result of the fundraising activity. (LAMC §48.05B)	Elected officials and their City staffs may use City time, equipment and supplies to comply with the disclosure requirements below. (LAMC §49.5.16F)	Prepare/retain records of contributions to any City officeholder or candidate controlled committee received as a result of a lobbying entity's <sup>1</sup> fundraising activity. <sup>2</sup> (LAMC §48.05A and C)		
<b>Disclosure</b>	<p><b>Fundraising activity</b><sup>2</sup></p> <ul style="list-style-type: none"> <li>- <b>Quarterly Reports.</b> Disclose fundraising activity performed on behalf of a City elected official. (LAMC §48.08)</li> <li>- <b>One Business Day Notice Form.</b> File if contributions resulting from fundraising activity and/or contributions the lobbying entity delivered or for which the entity acted as an intermediary, total more than \$15,000 to a Councilmember or \$35,000 to a Citywide officeholder. Refers to contributions to a City officeholder or City campaign committee controlled by a City officeholder that were made within any 12 month period. File within 1 business day of reaching the threshold. At the same time, a copy of the notice is sent to the City Clerk and relevant elected official. (LAMC §48.08.7)</li> </ul> <p><b>Political contributions</b></p> <ul style="list-style-type: none"> <li>- <b>Quarterly Reports.</b> Disclose</li> </ul>	<p>File a written disclosure within two business days when an official makes or participates in making a decision involving either a) a lobbying entity<sup>1</sup> that has attempted to influence him or her on that matter <b>or</b> b) a contract with a contract bidder or proposer;</p> <p><u>if any</u> of the following occurred:</p> <ol style="list-style-type: none"> <li>1. The official's officeholder and/or controlled City campaign committee(s) received contributions within the previous 12 months aggregating more than: <ul style="list-style-type: none"> <li>- \$7,000 from the lobbying entity or the bidder/proposer.</li> <li>- \$15,000 to a Councilmember or \$35,000 to a Citywide officeholder that a) resulted from fundraising activity<sup>2</sup> by a lobbying entity or contract</li> </ul> </li> </ol>	<p>Make above records available to lobbying entities. (LAMC §48.05A and C)</p>	<p><b>Contribution &amp; Fundraising Activity Disclosure Form</b> - Required for any person submitting a request for proposals/bids or other document submitted to enter into a City contract that requires approval by the City Council or Mayor, or subject to Council review pursuant to City Charter Section 245. (LAMC §49.5.15A)</p> <p><b>Disclosure:</b></p> <ul style="list-style-type: none"> <li>- The bidder/proposer entity's president; chief executive officer; any individual owning more than 50% interest; any officer, director, owner, employee or others authorized to represent the bid filer in the process. (LAMC §49.5.15A3)</li> <li>- Any subcontractor to the proposal. (LAMC §49.5.15A4)</li> <li>- Contributions to any City committee controlled by a City officer or candidate in the prior 12 months that: <ul style="list-style-type: none"> <li>* aggregated \$100 or more, or</li> <li>* aggregated \$100 or more and</li> </ul> </li> </ul>	<p><b>City Ethics Commission</b></p> <p>Make lobbying entity fundraising solicitations available to the public. (LAMC §48.08.5)</p> <p>Post on website within 1 business day:</p> <ul style="list-style-type: none"> <li>- Lobbying Entity 24 Hour Notices (Political contributions; Fundraising activity). (LAMC §48.08.6E and 7E)</li> <li>- Contract Bidder Contribution and Fundraising Disclosure Forms. (LAMC §49.5.15F)</li> <li>- Elected official disclosures. (LAMC §49.5.16E)</li> </ul>

<sup>1</sup> **Lobbying entity** means a lobbyist, lobbying firm, or lobbyist employer.

<sup>2</sup> **Fundraising activity** means soliciting a contribution; hosting or sponsoring a fundraising event; hiring a fundraiser or contractor to conduct a fundraising event. To host or sponsor an event is to provide free use of a home or business for a fundraising event; ask more than 25 persons to attend the event; pay for a majority of the costs of the event; or provide more than 25 names to be used for invitations to the event.

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	<p>contributions made at the behest of an elected official during a calendar quarter to any controlled committee of any other City elected official or candidate that total more than \$1,000 combined. (LAMC §48.08B8)</p> <p>- <b>One Business Day Notice Form.</b> File if the lobbying entity makes contributions that reach a combined total of more than \$7,000 to a City officeholder or campaign committee controlled by a City officeholder. Refers to contributions made within the prior 12 months of the date the form is filed. File within 1 business day of reaching the threshold and a copy of notice is sent to the City Clerk and relevant elected official. (LAMC §48.08.6B)</p> <p><b>Donation(s)</b></p> <p>Disclose on Quarterly Reports donations made at the behest of an elected official that in aggregate total \$1,000 or more in a calendar quarter to a religious, charitable or nonprofit organization. (LAMC §48.08B9)</p> <p><b>Fundraising solicitations</b></p> <p>If a lobbying entity produces, mails, pays for, or distributes more than 50 fundraising solicitations for a City officeholder, candidate or ballot measure committee, a copy of the solicitation is sent to the City Ethics Commission at the time of distribution and details about the solicitation are disclosed on the next Quarterly Report. (LAMC §48.08.5)</p>	<p>bidder/proposer; or b) delivered by a lobbying entity or contract bidder, or made with a lobbying entity or contract bidder/proposer acting as an intermediary. (LAMC §49.5.16A2, B2 and E)</p> <p>2. A lobbying entity who has attempted to influence a City elected official currently, or in the prior 12 months, provided:</p> <ul style="list-style-type: none"> <li>- compensated professional campaign (managing, fundraising, consultant, etc.) to the elected official or his or her City officeholder or City campaign committees; or</li> <li>- legal or other professional services relating to his or her status as an official aggregating more than \$1,000 in a calendar quarter; or</li> <li>- “activity expenses” aggregating more than \$1,000. (Includes, but is not limited to, free legal services.) (LAMC §49.5.16A3(a),(b) and (c))</li> </ul> <p>Note: Disclosures above are triggered only by contributions, fundraising activities, or business relations with lobbying entities engaged in on or after January 1, 2004. (LAMC §49.5.16 D)</p>		<p>were made at the behest of City officeholder or candidate to any <i>other</i> candidate controlled committee(s), or</p> <ul style="list-style-type: none"> <li>* resulted from fundraising activities by the contract bidder/proposer, or</li> <li>* were delivered by the bidder/proposer or made with the bidder/proposer acting as an intermediary. (LAMC §49.5.15A5 and 6)</li> </ul> <p>Note: the contract bidder/proposer may indicate on the required form that no reportable contributions were made. (LAMC §49.5.15A8)</p> <p><b>File the Form:</b></p> <ul style="list-style-type: none"> <li>- Within two business days of the deadline for submitting a proposal/bid or other document for a City contract; <i>and</i></li> <li>- If, after bid submission, but before contract award, the contact bidder or proposer makes additional contributions, or engages in fundraising activities that result in additional contributions, an amended statement is filed within one business day.</li> </ul> <p><b>Also, if awarded the contract:</b></p> <ul style="list-style-type: none"> <li>- Within 14 calendar days after the contract is awarded, the contract recipient files a new form covering the period between bid submission and the award date. (LAMC §49.5.15A; B and G)</li> </ul>	<p><b>City Clerk</b></p> <p>Make available for public review within 1 business day of receipt:</p> <ul style="list-style-type: none"> <li>- Lobbying Entity 24 Hour Notice Forms (Political contributions; Fundraising activity). (LAMC §48.08.6E and 48.08.7E)</li> <li>- Contract Bidder Contribution and Fundraising Disclosure Forms. (LAMC §49.5.15F)</li> <li>- Elected official disclosures. (LAMC §49.5.16E)</li> </ul> <p><b>All City Departments</b></p> <p>For all department contracts subject to approval by the City Council or Mayor, or subject to Council review pursuant to City Charter Section 245, include a Contract Bidder Contribution and Fundraising Disclosure Form with instructions in bid/proposal packets issued. (LAMC §49.5.15C)</p>