



## Board of Ethics City of Chicago

### A PLAIN ENGLISH GUIDE TO DEALING WITH LOBBYISTS OR BEING LOBBIED

Chicago's lobbying law is one of the broadest in the U.S. Almost any private sector person who meets with or contacts City employees or officials to "talk business" could be lobbying. It's acceptable for people to lobby; it's a right guaranteed by the Constitution. But it's a regulated activity.

▶ Few people outside of K Street in Washington call themselves lobbyists. But under City law, a lobbyist is any person (*whatever* his title) who attempts to influence City decisions **on behalf of another**, like a client or employer, regarding City administrative or legislative matters, such as zoning or procurement issues, contract specs, City contracts, grants, loans, Tax Increment Financing deals, or City Council matters. Homeowners representing themselves are not lobbying.

▶ City law requires all persons who lobby to register with the Board of Ethics every year, and twice each year to file reports of their lobbying activity, compensation and expenditures and list all gifts given to City personnel and their recipient(s). Chicago charges a \$350 annual lobbyist registration fee and a \$75 fee per client after the first.



▶ The law exempts certain persons from having to register as lobbyists: those simply responding to an already-issued RFP or RFQ, or who are officers, directors or employees of not-for-profits. Lawyers are also exempt when they represent clients in proceedings, arbitrations or mediations.

▶ Only lobbyists are required to register--their clients and the City employees and officials they lobby do not need to register. ***City personnel are not required to talk to anyone just because he says he's a registered lobbyist.***



▶ ***City employees and officials don't violate the law by meeting with someone who isn't registered. But persons who lobby then have 5 days to register. So, City officials and employees who think they're being lobbied should advise the possible lobbyist to contact the Board, or just send the person's contact info to the Board.*** Registration is pretty easy. The Board does not, however, issue any kind of "identification badge" for lobbyists, unlike some states. The list of lobbyists is on the Board's website, at [http://www.cityofchicago.org/city/en/depts/ethics/provdrs/lobby/svcs/lobbyist\\_list.html](http://www.cityofchicago.org/city/en/depts/ethics/provdrs/lobby/svcs/lobbyist_list.html)

▶ By Mayoral Executive Order, for two years after they leave City service, former department heads and mayoral staff may not lobby the City and other Shakman-exempt employees may not lobby their former department.

▶ City policy-makers must report to the Board the names of anyone they believe has lobbied them and who they know haven't yet registered. A phone call or email to the Board with the possible lobbyist's name will do it. The Board follows up on every name.

- ▶ The Board posts a searchable list of all registered lobbyists and their clients on its website, and updates it each month. The Mayor's Data Portal posts additional information about their compensation.
- ▶ Lobbyists may not make political contributions to the Mayor or his political committee, or be retained for or receive any contingency fees. Any gift that a lobbyist gives to a City employee or official must be reported in a public document, with the recipient's name.
- ▶ Penalties up to \$2,000 per day can be imposed on persons who don't register--and on their clients. The City can cancel any contract entered into from or void any permits based on unregistered lobbying.



▶ **Bottom line: it's best practice to refer any potential lobbyist to the Board of Ethics.** It's not your responsibility to decide whether someone must register (that's ours), but everyone should be aware that all lobbyists must register.

Questions? Think you've been lobbied? Please contact us: [sberlin@cityofchicago.org](mailto:sberlin@cityofchicago.org) 312-744-9660