

City of Santa Ana Lobbyist Registration Ordinance

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What is lobbying?

- Communicating with any public official or staff in the legislative or executive branch of government to influence any legislative or administrative action.
- ***Not everyone who engages in lobbying is a lobbyist!***
For example, many definitions exclude legislators, constituents, or government employees.

Background

- Santa Ana has adopted regulations that affect lobbyists:
 - Persons doing business with the City may not make gifts to City officers or employees within 12 months of decisions
 - Public access to information related to campaign contributions is made available through a link on the City's website
- The City Council strives to be transparent and supports efforts to bring further transparency to government decision-making.

Why Adopt Lobbying Regulations?



Moderate “influence” in government decision-making



Prevent special interests from controlling political processes



Encourage ethical behavior from lobbyists and government officials

California law specifies what lobbyists may need to disclose:



Name and contact
information for
lobbyist and/or
lobbying firm



Name and
contact
information for
each client



All gifts or
payments made
by the lobbyist to
officials



All campaign
contributions
made by the
lobbyist



Peer Agency Cities and Population

Anaheim
(353,468)

Bakersfield
(397,392)

Los Angeles
(3,923,341)

Long Beach
(467,730)

Riverside
(324,302)

San Diego
(1,411,034)

Santa Monica
(92,968)

Stockton
(320,876)

Peer Agency Research

- Peer Agency regulations frequently include:
 - Definition of “Lobbyist,” including Exclusions
 - Requirements for Registration
 - Fines and Penalties
- Bakersfield, Riverside and Stockton have not adopted regulations requiring registration by lobbyists

Definition of Lobbyist

- Definitions frequently include:
 - Monetary Compensation
 - Frequency
 - Duration
 - Exclusions



Definition of Lobbyist (Anaheim)

- Any individual or entity ***who receives \$500 or more*** in consideration ***in a calendar month***, other than reimbursement for reasonable travel expenses, ***to communicate with any elective or appointed official*** of the city, member of the Executive Team, or Legislative Body, board or commission ***for the purpose of influencing legislative or administrative action*** of the City or any regional agency in which Anaheim has a voting role.
- **Exclusions:** public officials acting in official capacity, press, licensed professionals, persons invited to give testimony, city employee acting in official capacity.

Requirements for Registration

- Peer Agency regulations frequently include:
 - Deadline for Registration
 - Required Information
 - Reporting Frequency



Requirements for Registration (Long Beach)

- Registration required within 15 days of qualifying as a lobbyist
- Annual registration shall be renewed by January 15
- Must disclose clients, legislative/administrative item they want to influence, and payments received
- Must refile disclosure every six months
- Must retain records related to lobbying
- No gifts to City officials

Fees, Fines, and Penalties

- Peer Agency regulations frequently include:
 - Fee for initial registration
 - Fine for failure to register
 - Potential penalties



Fees, Fines, and Penalties (Los Angeles)

- Annual registration fee is \$450 plus \$75/client
- Violation may be prosecuted as a misdemeanor. May not act as a lobbyist for one year after conviction.
- Civil penalties may not exceed \$2,000
- Late filing penalty is \$25 per day, not to exceed \$500

For Discussion

- Is a lobbyist ordinance desired?
- How should “lobbyist” be defined?
- What exclusions do you want to include?
- What information should be reported?
- What should fines and penalties be?



Thank You

Contact Information

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