



EXECUTIVE AND LEGISLATIVE BRANCH LOBBYING FREQUENTLY ASKED QUESTIONS

Am I a lobbyist?

The ordinance defines a lobbyist as any individual who is employed and receives payment, or who contracts for financial consideration, exceeding one thousand dollars (\$1,000) in any calendar year, for the purpose of engaging in executive or legislative branch lobbying activity with an agency within the City of Indianapolis/Marion County.

Who is NOT considered a lobbyist under the ordinance?

The ordinance specifically excludes the following groups from the definition of a lobbyist:

- (1) An official, appointee, or employee who attempts to influence an agency action that is within the scope of the individual's official duties or employment;
- (2) An attorney or any other individual who represents a client in:
 - a. A public hearing; or
 - b. The investigation of a criminal or civil matter or ordinance violation;
- (3) A person who represents a religious organization for the purpose of protecting the organization's constitutional rights;
- (4) Any newspaper or other periodical of general circulation, book publisher, news wire service, or radio or television station (including any individual who owns, publishes, or is employed by any such newspaper or periodical or radio or television station) that in the ordinary course of business publishes news items, editorials, or other comments or paid advertisement that directly or indirectly urge agency action if such newspaper, periodical, book publisher, radio or television station, or individual engages in no additional activities in connection with agency action;
- (5) A person whose communication with an agency is for the sole purpose of gathering information relating to a bid, procurement, permit, or public work that is produced in a public record;
- (6) An individual acting on his or her own behalf; or under Article 1, Section 31 of the Constitution of the State of Indiana who assembles together with other individuals for the common good or petitions an agency for redress of grievances;
- (7) An individual employed as a salesperson to sell goods and services; or
- (8) An individual who is invited by an agency or an official for the purpose of giving advice.

What is considered to be lobbying activity?

The ordinance defines lobbying activity as any action or communication made to promote, delay, oppose, or otherwise influence agency action. The ordinance specifically excludes the following from the definition of lobbying activity:

- (1) The application or negotiation of an award for any state or federal grant;
- (2) The resolution of any outstanding tax matter, including audits, assessments, administrative appeals, claims for refund, or collection activity;
- (3) Communication regarding the award of incentives related to an economic development project;
- (4) Paid advertising communications that are disseminated to the public by radio, television, or a newspaper or periodical of general circulation;
- (5) Any communications, including testimony submitted during public hearing or submitted in writing, at a meeting conducted pursuant to IC 5-14-1.5;
- (6) A response to a request for proposal, a bid, a request for quote, or other solicitation made by an agency in conformance with applicable public works or procurement statutes or rules promulgated thereunder;
- (7) Other public or private testimony or communications solicited by an agency; or
- (8) Action or communication made as a member of an advisory body.

FOR MORE INFORMATION PLEASE CONTACT

**The Office of Corporation Counsel
1601 City County Building
200 E. Washington St.
Indianapolis, IN 46204
317.327.4055
ethics@indy.gov**