



## **EXECUTIVE & LEGISLATIVE BRANCH LOBBYING REGISTRATION BEGINS JANUARY 1, 2010**

### **Lobbying Registration for the City of Indianapolis/Marion County**

In 2009, the City-County Council adopted Mayor Greg Ballard's lobbying reform proposal. Effective January 1, 2010, the new ordinance requires all lobbyists engaging in executive or legislative branch lobbying activity with an agency of the City of Indianapolis or Marion County to register with the Department of Code Enforcement.

### **REGISTRATION AND FILING REQUIREMENTS**

#### **How do I register?**

Lobbyists can register with the Department of Code Enforcement at [www.indy.gov/lobbyist](http://www.indy.gov/lobbyist).

#### **When do I need to register?**

Within fifteen (15) business days following an initial contact with an agency in an attempt to influence an action or decision related to a proposal, contract, lease, financial arrangement, rule, regulation, or policy, a lobbyist shall file a Lobbyist Registration Statement with the Department of Code Enforcement.

#### **When do I need to file annual report?**

Between January 1<sup>st</sup> and 15<sup>th</sup> of each year, a registered lobbyist, who is primarily employed and receives payment, or who contracts for financial consideration, exceeding \$1,000 in any calendar year, shall file an annual report with the Department of Code Enforcement regarding lobbying activity for the prior year.

#### **What must I disclose in the annual report?**

The report requires disclosure of total payments received for each engagement, as well as a description of, and the costs associated with any item of entertainment, food, drink, honoraria, travel expenses, or registration fees given or provided to a city or county official, appointee, or employee.

#### **Do I need to report changes in information or termination of engagement?**

If there is a material change to any information contained in a registration statement or annual report, the lobbyist shall file an appropriate written amendment with the Department of Code Enforcement within fifteen (15) days after the change occurs.

Each lobbyist shall file a written notice of termination with the Department of Code Enforcement within fifteen (15) days after the end of an engagement; however, this does not relieve the lobbyist of the duty to file an annual report.

#### **What are the fees?**

There is no fee to register as a lobbyist; however, there is a \$100 annual reporting fee.

## 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**

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