



Lobbying Ordinance Requirements

The Orange County lobbying ordinance provides a definition for the term “lobbying” and sets forth certain required guidelines and restrictions which must be met and complied with by all those individuals who lobby Orange County government.

Who is a “lobbyist?”

For the purpose of the County’s lobbying ordinance, a “lobbyist” is defined as “any person, partnership, corporation or other business entity that receives compensation to lobby on behalf of a principal or an employee of a principal only when governmental relations, acting as a liaison, or communicating with governmental agencies is a primary or substantial part of the employee’s ongoing job responsibilities.”

Lobbyists do not include a county official, county employee, or any other person affiliated with the County while acting in his or her official capacity.

What is “lobbying?”

Lobbying is defined to include “any communication or act of communication directly with the county mayor, members of the board of county commissioners, or members of a procurement committee,” Such communications shall also include communications with any staff member of a county commissioner, any county employee assigned to the county mayor’s staff, the county administrator, any deputy or assistant county administrator, the county attorney, any county department director, or a division manager.

Lobbyists must register and pay a registration fee:

All lobbyists are required to register and pay a \$10.00 annual registration fee prior to performing any lobbying activities. If a lobbyist signs in to meet with the Mayor, a commissioner, or other applicable county employee or staff member and fails to register prior to the meeting, the lobbyist must register with the County immediately thereafter. Those lobbyists who knowingly continue to lobby the county without completing the necessary registration may be subject to investigation and penalties.

Please note: Individuals who do not receive any form of compensation to lobby the County are not required to register as Orange County lobbyists.

Requirements to record each contact:

The ordinance requires each person (including visitors and lobbyists) who meets with a county commissioner, the county mayor, or applicable employees or staff members, to record their contact by signing in through the electronic sign-in kiosk located in the county commission and Mayor reception areas. Individuals shall provide all of the necessary information, including the person with whom they are to meet, the represented principal/client, and the topic to be discussed. Upon completion of the electronic sign-in, each individual will be provided with a receipt acknowledging their completed sign-in. Sign-in for all meetings in any one day may be completed with the single sign-in entry. Assistance with such entries may be provided by the reception staff.

“Off-campus” record of contact:

Lobbyists and/or principals who engage in "off campus" lobbying (that is, any location for which the electronic sign-in system is not available) must report their contact within seven (7) days of such meeting in accordance with the ordinance requirements. To report an “off-campus” lobbying contact, the lobbyist may remotely login to the electronic sign-in program and report the contact or submit the information in writing to the County Attorney’s office and include the name of the lobbyist(s) or principal, the individual with whom they met (commissioner, mayor, etc.), the principal represented, the issue(s) discussed, as well as the date of the meeting. Notification of an “off-campus” contact must be made by the lobbyist or principal whether the lobbyist or principal initiates the contact.

Requirements to record expenditures:

All registered lobbyists are required to annually file an expenditure report. Such reports are to be filed with the County Attorney’s office no later than April 1st of the subsequent year and should identify expenditures for the previous calendar year. It should be noted that expenditure reports are required even if there are no reportable expenditures. Lobbyists should ensure that the expenditures noted in the report include any payment, distribution, loan, advance, reimbursement, deposit, or other thing of value made or given by a lobbyist for the purpose of lobbying. A separate expenditure report must be submitted for each client/principal for whom the lobbyist was registered during the previous calendar year. Lobbyists must submit signed and notarized original reports. Expenditure reports that have not been notarized or otherwise completed in their entirety will be returned as incomplete. **This requirement applies only to lobbyists.**

Prohibition on lobbying staff members on procurement committees:

Lobbyists, principals, or any other individual is prohibited from lobbying either (i) the Mayor or his / her respective staff; (ii) any member of the board of county commissioners or their respective staff; or (iii) any county employee assigned to the procurement committee during the black-out period. Failure to comply with this requirement may result in the rejection of a bid or proposal or possible voiding of a contract. **This prohibition applies to everyone, not just to lobbyists.**

Investigations of violations and associated penalties:

Alleged violations of the lobbying ordinance should be reported to the County Attorney. The County Attorney will review the allegations and conduct an investigation if appropriate. Upon completion of any such investigation if it is determined that a violation has occurred, the Board may opt to warn, reprimand, censure, or prohibit the violator from performing any lobbying activities for a period of up to two (2) years. For more information on the County's lobbying ordinance, please see Chapter 2, Article X, of the Orange County Code at www.municode.com. For more information on the County's procurement code, please see Chapter 17, Article III, of the Orange County Code at www.municode.com.

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