



## **Lobbyist Information Packet**

The City of Tampa Ethics Code requires all lobbyists to register with the City Ethics Officer as follows:

- Lobbying Activity Registration - All lobbyists are required to register at the time of lobbying or no later than three days after the date of the lobbying activity. Registration is required whether the lobbying activity takes place in City offices or outside of City offices.
- All lobbyists who have registered during the calendar year shall also submit the Lobbyist Annual Expenditure Reporting form to the City Ethics Office annually or before January 31 of each year.

Enclosed with this Lobbyist Information Packet is a copy of the Lobbyist Activity Registration form and the Lobbyist Annual Expenditure Reporting form. Additionally, a copy of the applicable portions of the City of Tampa Ethics Code is provided. Copies of these forms are also available from the City's web site, [www.tampagov.net](http://www.tampagov.net). Please review the Ethics Code carefully to ensure that you comply. Failure to comply results in fines and penalties.

**Read carefully the definitions below. It is your responsibility to determine if your meeting or communication with a City employee or elected official is considered to be lobbying and/or that you are a lobbyist as defined by the City of Tampa Ethics Code.**

***Lobbying*** means meeting privately in person or by telephonic or other electronic means with a member of City Council, the Mayor, City Attorney, Assistant City Attorney or any department head or any City employee or representative who makes a final decision or final recommendation to the person or board who makes the final decision regarding the expenditure of City funds (hereinafter "City official") in order to encourage the passage, defeat, or modification of any item pending before such a City official. "Meeting" as used in this definition does not include email or other written communications subject to disclosure pursuant to public records law.

***Lobbyist*** means any person who shall, for compensation of any kind, including but not limited to, salary, payment, retainer, commission, consideration of any type, forbearance, forgiveness or any combination thereof, either received or expected, engage in lobbying as defined herein. For purposes of this section, compensation shall only include something of monetary value.

***Lobbying principal*** means any person providing compensation to a lobbyist in consideration of his or her performance of lobbying activities, regardless of the technical or legal form of the relationship between the principal and the lobbyist. Principal specifically includes a person whose employee or agent lobbies on behalf of the employer for the benefit, or in the name of the employer.

## Sec. 2-580. Lobbying

(a) *Disclosure of Lobbying.* All lobbyists shall file a Lobbyist Disclosure Form with the City Ethics Officer at the time of lobbying or no later than three (3) days from the date of such lobbying activity. Such Lobbyist Disclosure Forms shall be provided by the City and shall include the lobbyist's name and business address and the name and business address of the person, firm, corporation, principal or other entity providing compensation to the lobbyist, the general and specific area of discussion concerning City business, the City official with whom such discussion was held and the nature and extent of any direct business association or partnership with any City official. Such Lobbyist Disclosure Forms shall be maintained in the offices of the City Ethics Officer for storage and public inspection. This lobbyist disclosure requirement shall apply to all lobbying activity whether it takes place in City offices or outside City offices.

(b) *Annual Expenditure Reporting.* A lobbyist shall annually on or before January 31 of each year submit to the City Ethics Officer's office a signed statement, executed under oath, listing all lobbying expenditures for the preceding calendar year, the source of the funds and an itemization of the amount expended for each City official by each registered lobbyist. It shall be the responsibility of the lobbyist to obtain this form from the City Ethics Officer's office. The City Ethics Officer shall maintain such filings available and open for public inspection.

The City Ethics Officer shall notify any lobbyist who fails to timely file an expenditure report on or before February 28 of any year. In addition to any other penalties which may be imposed, a fine of fifty dollars per day shall be assessed for reports filed after the due date. The City Ethics Officer shall notify the Ethics Commission of the failure of a lobbyist to file a report and/or pay the assessed fines after notification. A lobbyist may appeal a fine and may request a hearing before the Ethics Commission. A request for a hearing on the fine must be filed with the Ethics Commission within fifteen (15) calendar days of receipt of the notification of the failure to file the required disclosure form.

In addition to any other penalty provided for herein, a lobbyist shall not be permitted to engage in any lobbying activity until the required report is filed. Where a fine of fifty dollars (\$50.00) per day has already been assessed, the Ethics Commission shall not impose another fine.

(c) *Exceptions.* The following persons and activities shall be exempted from the requirement of registration and annual reporting:

- (1) Appointed officers or employees of the City of Tampa discussing matters relevant to their official duties;
- (2) Employees or representatives of federal, state, county, municipal or independent authority discussing the business of their government or authority;
- (3) An elected official or government employee acting in his official capacity or in connection with his job responsibilities;
- (4) Law enforcement personnel conducting an active investigation;
- (5) Persons or representatives of organizations contacted by City official when such contact is initiated by the City official;
- (6) A person who appears under compulsion or subpoena by the City Council, board or staff member of a board;
- (7) Any person in contractual privity with the City who appears only in his or her official contractual capacity to discuss issues related to their services under contract.
- (8) Any person who only appears in his or her individual capacity for the purpose of self-representation without compensation or reimbursement, whether direct, indirect or contingent, to express support of or opposition to any item, shall not be required to file a Lobbying Disclosure Form.

(d) *Violations/penalties.* Violation of any provision of this section may be punishable as provided in section 1-6, City of Tampa Code.

(e)(1) The Ethics Commission shall investigate any person engaged in lobbying activities who may be in violation of this subsection. In the event that a violation is found to have been committed the Ethics Commission may, in addition to any other penalties, prohibit such person from lobbying before the City or any committee, board or personnel of the City as provided herein. Every lobbyist who is found to be in violation of this section shall be prohibited from registering as a lobbyist or lobbying in accordance with the following schedule:

1<sup>st</sup> violation for a period of 90 days from the date of determination of violation;

2<sup>nd</sup> violation for a period of one (1) year from the date of determination of violation;

3<sup>rd</sup> violation for a period of five (5) years from the date of determination of violation;

- (2) A bidder or proposer shall be subject to the debarment where the bidder or proposer has violated this section, either directly or indirectly or any combination thereof, on three (3) or more occasions. As used herein, a "direct violation" shall mean a violation committed by the bidder or proposer and an "indirect violation" shall mean a violation committed by a lobbyist representing said bidder or proposer.
- (3) All members of the City Council, and all City employees, shall be diligent to ascertain whether persons required to file a Lobbying Disclosure Form pursuant to this subsection have complied.
- (4) The validity of any action or determination of the City Council or City employees, board or committee shall not be affected by the failure of any person to comply with the provisions of this subsection.