



## Lobbyist Ordinance FAQs

### 1. Who is a lobbyist?

- “Lobbyist” shall mean any individual or entity who is employed, retained or contracts for economic consideration to communicate with any elective official or any officer or employee of the City of El Monte for the purpose of influencing legislative or administrative action.
  - “Legislative action” means the drafting, introduction, consideration, modification, enactment or defeat of any motion, minute order, resolution, ordinance, amendment, report, nomination, or other matter by the City Council, the Redevelopment Agency, the Planning Commission, or by any committee or subcommittee thereof, or by a City officer or member of the City staff regularly working with or preparing reports or recommendations to or for any such body.
  - “Administrative action” means the proposal, drafting, development, consideration, amendment, enactment or defeat by any board or commission, or, when authorized, by the City Manager or department head, of plans, proposals, conditions, maps, or other administrative projects carried out in the ordinary course of municipal operations by staff members and employees of the City, or proposed for adoption or approval by the planning commission of the City, or any other City agency or body, or any action subject to approval by the City Manager or any department head.

### 2. Who is not a lobbyist?

- Any public official acting in his or her official capacity, and any government employee acting within the scope of his or her employment;
- Any newspaper or other regularly published periodical, radio or television station (including any individual who owns, publishes, or is employed by any such newspaper or periodical, radio or television station) which in the ordinary course of business publishes news items, editorial or other comments, or paid advertisements, which directly or indirectly urge action upon municipal legislation;
- A person when representing a bona fide church or religious society solely for the purpose of protecting the public’s right to practice the doctrine of such church or society;
- A person when representing a not-for-profit charitable, religious, civic, patriotic or community service organization, granted tax exempt status under Section 501(c)(3) of the Internal Revenue Code, unless such person is lobbying for a specific project, issue or person for which the organization has received compensation or a contribution to lobby for or against a specific project, issue or person; or

- A person invited by the City Council or any of its committees, or by any board or commission, or any committee of a board or commission, or by any officer or employee of the City charged by law with the duty of conducting a hearing and making a decision as to a pending or proposed matter, for the purpose of giving testimony to aid the body or person extending the invitation.

3. What are registration requirements?

- Registration shall be filed with the City Clerk on an annual basis between January 1<sup>st</sup> and January 31<sup>st</sup> of each year or upon initial employment if that occurs after the annual filing period. Should the registration be filed upon initial employment after the filing period, such registration shall be filed within fifteen (15) days of such initial employment. Registration shall be valid for one (1) year.
- The initial registration must contain business information, clients or organizations represented and payments received. The registration must be updated with every new client or any change(s) to the lobbyist's registration information. Lobbyists must register with the City Clerk within fifteen (15) days after qualifying as a lobbyist. Should a lobbyist have a change to his or her registration information, including, but not limited to, the legislative or administrative action for the City to which the lobbyist has been engaged, after the annual registration period, such lobbyist must file an amended registration with the City Clerk within fifteen (15) days of such change with the changed information.

4. Are lobbyists required to file periodic reports?

- Lobbyists are required to file semi-annual reports by January 31<sup>st</sup> and July 31<sup>st</sup>.
- The failure to file a semi-annual report with the required disclosures is subject to penalty.

5. What are the fees?

- Registration fee: \$120.00 (fee increases by \$10.00 each year)
- Prorated fee for first time registrations after June 30<sup>th</sup>: \$60.00
- Amendment to existing registration fee: \$50.00
- Late Registration fee: \$25.00 per day with a maximum of \$500.00 penalty
- Renewal fee: \$60.00
- Registration fees are reviewed at the end of each fiscal year and are adjusted if necessary.

6. Where do I submit the forms and payments?

- Forms and checks (made payable to City of El Monte) can be submitted to the City Clerk's Office counter or by mail at:

City of El Monte  
City Clerk's Office  
11333 Valley Boulevard  
El Monte, CA 91731

7. Does an Unregistered Lobbyist have to identify himself or herself and client at City meetings?
  - Yes. The ordinance requires unregistered lobbyists to identify themselves as such and disclose the client(s) and/or organization(s) that he or she represents at any meetings held with City staff, City officials and public meetings.
  - Unregistered Lobbyist are required to file the required registration form and pay the registration fee and any penalty fee to the City Clerk within seven (7) days of such presentation.
  
8. What are the repercussions of a Lobbyist Ordinance violation?
  - Violations are subject to administrative fines, late penalty fees and interest charges, may be subject to civil action by the City Attorney's Office. Violators may also be restricted from lobbying before the City of El Monte for a year.
  
9. Can a lobbyist give a gift to City Officials?
  - No lobbyist shall make to a City official and no City official shall knowingly receive from a registered lobbyist a gift or gifts aggregating more than fifty (\$50) dollars in any calendar month. No lobbyist shall act as an agent or intermediary in the making of any such gift or arrange for the making of any such gift by any other person.
  
10. When would the filing date be if the deadline landed on a weekend?
  - The following Monday.
  
11. Will the filing be deemed late if it is post-marked on the due date but arrive after the due date?
  - No, the filing will not be deemed delinquent if it is post-marked on the due date but arrives after the due date.
  
12. Do I need a business license to be a lobbyist?
  - Yes, you will need a license to do business in the City of El Monte. Please note that if you are a business/organizational lobbyist for an entity that already has a business license in the City of El Monte, you may operate under that license. Please contact the Municipal Services, Business Tax and License Division for more information:
  - Click here: <https://www.ci.el-monte.ca.us/DocumentCenter/View/4945/Application-for-Business-License>)

**Business License Division**

Phone (626) 580-2031

fax (626) 443-2304

[license@elmonteca.gov](mailto:license@elmonteca.gov)

Monday-Thursday 8:00am to 5:00pm