



Thus, any individual who earns \$5,000 in one year for attempting to influence either legislative or administrative City action will be required to register with the Board of Ethics as a "lobbyist". Generally speaking, any attempt to influence a matter pending or proposed in the City Council or

(i) who for compensation or on behalf of any person other than himself undertakes to influence any legislative or administrative action; or (ii) any part of whose duties as an employee of another includes undertaking to influence any legislative or administrative actions.

The Board of Ethics has reviewed your request for an advisory opinion concerning the status of the [redacted] Federation under the lobbyist registration and disclosure provisions of the Governmental Ethics Ordinance (Chapter 26.2 of the Municipal Code of Chicago).

Section 26.2-21 of the Ordinance requires each lobbyist whose lobbying related compensation or expenditures aggregate \$5,000 or more in the preceding or current calendar year to register and file disclosure reports with the Board of Ethics. As defined by Section 26.2-1(o) of the Ordinance a "lobbyist" is any person:

CASE NUMBER 88025.0

[redacted]

[redacted]

[redacted]

[redacted]

March 9, 1988

NOTE: This case was presented by 2000 amendments to § 2-156-010 (P)

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any City Council committee or subcommittee will constitute legislative lobbying. Similarly, attempts to influence the decisions of an employee or official of an executive department are classified as administrative lobbying. Thus, if you anticipate that any member of your agency will receive more than \$5,000 per year from the Federation for attempting to influence members of executive departments and/or City of Chicago aldermen or their staff, you will be required to file a Lobbyist Registration Form (Form 23) and Lobbyist Disclosure Reports (Form 25).

Please be advised that in order to determine whether members of your agency must register as lobbyists you must determine whether their compensation for lobbying aggregates \$5,000 or more. In making this determination, you will be required to make a "good faith" estimate of the amount of compensation that these individuals receive for lobbying-related activities. This means that you must determine what portion of your employees' salaries are attributable to lobbying City officials and employees. When pro-rating your employees' salaries, you should consider the hours spent in discussions with City officials, as well as all preparatory activities such as research and consultations that are directly related to influencing City actions as part of their lobbying-related compensation.

We would appreciate it if you would submit a written response to the Board stating whether any employee of the Federation earned \$5,000 for lobbying executive departments and/or City Council staff during the current or preceding calendar year. If you answer the preceding question in the affirmative, you must submit a completed Lobbyist Registration Form to the Board of Ethics within five days of engaging in any other lobbying activities (See Section 26.2-23; attached). If however you

1/ See definition of "legislative action" contained in Section 26.2-1(n); attached.

2/ See attached list of "Executive Departments".

3/ See definition of "administrative action" contained in Section 26.2-1(a); attached.

March 9, 1988

Page Three

answer the preceding question in the negative, you will not be required to register as a "lobbyist" with the Board of Ethics. If you have any further questions, please do not hesitate to contact the Board of Ethics at 744-9660.

Sincerely,

Judith Scully
Judith Scully
Deputy Director

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