

# Board of Commissioners of Cook County

# Legislation Details (With Text)

File #:	14-3306	Version: 2	Name:	14-5-21 Lobbyist Registration Ordinance Amendment
Туре:	Ordinance Amendment		Status:	Approved
File created:	5/21/2014		In control:	Board of Commissioners
On agenda:	5/21/2014		Final action:	11/19/2014

Title: PROPOSED ORDINANCE AMENDMENT

AN AMENDMENT TO THE COOK COUNTY LOBBYIST REGISTRATION ORDINANCE

NOW THEREFORE BE IT ORDAINED, by the Cook County Board of Commissioners that Part I. General Ordinances, Chapter 2. Administration, Article VI. Ethics, Division 3. Lobbyists, Sections 2-622, 2-632, 2-633and 2-637 through 2-643 are hereby amended as follows:

Sec. 2-622. Definitions.

The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Administrative action means the execution or rejection of any rule, regulation, legislative rule, standard, fee, rate, contractual agreement, purchasing agreement or other delegated legislative or quasi-legislative action to be taken or withheld by any County official or County employee.

Board means the County Board and any and all of its standing or special committees or subcommittees.

Clerk means the duly elected or appointed Clerk of the County.

Commissioner means any of the duly elected or duly appointed County Board members.

Compensation means money, thing of value or other pecuniary benefits received or to be received in return for, or as reimbursement for, or as a result of, services rendered or to be rendered, for ILobbying. This includes a contract, promise or agreement, whether or not legally enforceable, to provide or arrange for cCompensation for services rendered or to be rendered.

County aAgency means any board, commission, department or authority under the jurisdiction of the President or Board or any other County oOfficial.

County Appointee means an individual appointed by the President to:

(a) any board or Commission created under County Ordinance or Illinois State Statute; or

(b) any units of local government (as defined in Article VII, Section 1 of the Constitution of the State of Illinois) created by Illinois state or County ordinance.

County eEmployee means an individual employed by the County whether part-time or full-time.

County mMatter or County Matters means any executive action, legislative action or administrative action.

1. the approval, drafting, development, consideration, amendment, modification, review, introduction, proposal, postponement, adoption, approval, passage, enactment, promulgation, execution, issuance, defeat, rejection, or veto of any rule, resolution, regulation, standard, fee, rate, contractual agreement, purchasing agreement, order, decision, determination, proceeding or motion, or a portion thereof, by a County Official, County Appointee or County Employee;

2. the action of any County Official, County Appointee or County Employee in the development of a proposal for introduction before the Board.

County oOfficial means the Assessor, members of the Board of Review, Clerk of the Circuit Court, Clerk, Commissioners, President, Recorder of Deeds, Sheriff, State's Attorney, and Treasurer of the County, and any County aAgency or member thereof.

Direct affiliation means relationship with any natural person or spouse, father, mother, son or daughter possessing or owning an interest in a Lobbying Enterprise.

Executive action means the proposal, drafting, development, consideration, amendment, adoption, approval, promulgation, issuance, modification, rejection or postponement by a County

official or County employee of a rule, regulation, order, decision, determination, contractual agreement, purchasing agreement or other quasi-legislative or quasi-judicial action or proceeding.

Expenditure means anything having a value of \$10.00 or more including, but not limited to, a payment, distribution, loan, advance, deposit, pPolitical cContributions, honoraria, travel or entertainment expense, meal or beverage expense, or gift of money. This includes a contract, promise, or agreement, whether or not legally enforceable, to make an eExpenditure, for services rendered or to be rendered.

File, fFiled, or fFiling means submitting an electronic report via the Clerk's website. Online submissions received by 11:59 on the prescribed filing date will be considered on time.

(1) Delivery to an office of the Clerk by the close of business of the prescribed filing date; or

(2) Deposit with the United States Postal Service, postage prepaid, in sufficient time so that the mailed documents arrive at an office of the Clerk by the close of business of the prescribed filing date.

Gift means anything having a value of \$10.00 or more given without consideration or expectation of return.

Legislation means ordinances, resolutions, amendments, nominations, appointments, reports, contracts or proposed contracts, and other County matters pending or proposed in the Board or which require Board approval.

Legislative action means the development, drafting, introduction, consideration, modification, adoption, rejection, review, enactment, or passage or defeat of any ordinance, amendment, motion, resolution, report, nomination, administrative rule or other matter by any County official or County employee. The term "legislative action" also means the action of the President in approving or vetoing any ordinance, resolution or motion or portion thereof, and the action of any County official or County employee in the development of a proposal for introduction before the Board.

Lobby or Lobbying means to, for Compensation and on behalf of another Person, attempt to influence a County Official, County Appointee or County Employee with respect to any County matter, including, but not limited to:

(1) A bond inducement ordinance;

(2) A zoning matter;

(3) A concession agreement;

(4) The creation of a tax increment financing district;

(5) The establishment of a Class 6(b), Class 7(a), Class 7(b), Class 9, Class C, Class L, Class S and/or any Cook County property tax classification established under Section 74-63 of the Cook County Code;

(6) The introduction, passage or other action to be taken on an ordinance, resolution, motion, order, appointment or other matter before the Board;

(7) The preparation of contract specifications;

(8) The solicitation, award or administration of a contract;

(9) The award or administration of a grant, loan, or other agreement involving the disbursement of public monies; or

(10) Any other determination made by a County Official, Appointee or Employee with respect to the procurement of goods, services or construction.

Provided, however, that solely submitting an application for a county permit or license or responding to a county request for proposals or qualifications is not an attempt to influence a County Official, Appointee or Employee with respect to a County Matter.

Lobbyist means any Pperson who, on behalf of any person other than himself, or as any part of his duties as an employee of another, undertakes to influence any County Matter legislative or administrative action, including, but not limited to: engages in Lobbying as defined in Section 2-622.

- (1) A bond inducement ordinance;
- (2) A zoning matter;
- (3) A concession agreement;
- (4) The creation of a tax increment financing district;
- (5) The establishment of a Class 6(b) Cook County property tax classification;
- (6) The introduction, passage or other action to be taken on an ordinance,

resolution, motion, order, appointment or other matter before the Cook County Board of Commissioners;

- (7) The preparation of contract specifications;
- (8) The solicitation, award or administration of a contract;

(9) The award or administration of a grant, loan, or other agreement involving the disbursement of public monies; or

(10) Any other determination made by an elected or appointed county official or employee of the county with respect to the procurement of goods, services or construction.

Provided, however, that a Pperson shall not be deemed to have undertaken to influence any legislative or administrative action County Matter solely by submitting an application for a county permit or license or by responding to a county request for proposals or qualifications.

The term "lobbyist" shall include, but not be limited to, any Attorney, accountant, or consultant engaged in the above-described activities; provided, however, that an Attorney shall not be considered a lobbyist while representing clients in a formal adversarial hearing, unless said Attorney is also an elected official of the county; and provided further that the term "lobbyist" shall not include a person who, on an unpaid basis, seeks to influence legislative or administrative action County Matter on behalf of an entity that is not engaged in a profit-seeking enterprise; further provided that an employee, officer or director of a not-for-profit entity who seeks to influence legislative or administrative action County Matter on behalf of such an entity shall not be considered a lobbyist for purposes of this chapter.

Lobbying Enterprise means any entity that hires, retains, employs, or compensates a natural person to lobby local, state or federal governments or agencies.

Lobbying Activity Report means a log, set forth in Section 2-634, maintained by each Lobbyist and submitted to the Cook County Clerk that records all Lobbying contacts by a Lobbyist with any County Official or County Employee.

Lobbying Expenditure Report means a log, set forth in Section 2-634, maintained by each Lobbyist and submitted to the Clerk that records all Expenditures made by the Person to or for the benefit of a County Official or County Employee, notwithstanding whether Lobbying was occurring at the time of the Expenditure, during the previous six months.

Occasional Sales-Related Inquiries or Solicitations means any contact by a Person with a County Employee and/or County Official for no more than five times in a year to discuss the solicitation, award, administration, technical requirements or clarification of a potential contract. The term "Occasional Sales-Related Inquiries or Solicitations" shall only apply to any activity by a Person who has not retained a Lobbyist to influence any County Matter.

Person means any individual, entity, corporation, partnership, firm, association, union, trust, estate, as well as any parent or subsidiary of any of the foregoing, and whether or not operated for profit.

Political cContribution means any money or thing of value given to a political committee, as defined in 10 ILCS 5/9-1.9 (political committee defined), in the County.

Sponsors: TIMOTHY O. SCHNEIDER, LARRY SUFFREDIN, JOHN P. DALEY, JOHN A. FRITCHEY, EARLEAN COLLINS, PETER N. SILVESTRI

#### Indexes:

#### Code sections:

#### Attachments:

Date	Ver.	Action By	Action	Result
11/19/2014	2	Board of Commissioners	approve	
11/19/2014	1	Legislation and Intergovernmental Relations Committee	accept as substituted	Pass
11/19/2014	1	Legislation and Intergovernmental Relations Committee	recommend for approval as substituted	Pass
10/8/2014	1	Board of Commissioners	defer	
10/8/2014	1	Legislation and Intergovernmental Relations Committee	recommend for deferral	Pass
9/10/2014	1	Board of Commissioners	defer	
9/8/2014	1	Legislation and Intergovernmental Relations Committee	recommend for deferral	Pass

### 5/21/2014 1 Board of Commissioners

refer

Pass

# PROPOSED ORDINANCE AMENDMENT

# AN AMENDMENT TO THE COOK COUNTY LOBBYIST REGISTRATION ORDINANCE

**NOW THEREFORE BE IT ORDAINED**, by the Cook County Board of Commissioners that Part I. General Ordinances, Chapter 2. Administration, Article VI. Ethics, Division 3. Lobbyists, Sections 2-622, 2-632, 2-633and 2-637 through 2-643 are hereby amended as follows:

# Sec. 2-622. Definitions.

The following words, terms and phrases, when used in this division shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

# *Administrative action* means the execution or rejection of any rule, regulation, legislative rule, standard, fee, rate, contractual agreement, purchasing agreement or other delegated legislative or quasi-legislative action to be taken or withheld by any County official or County employee.

Board means the County Board and any and all of its standing or special committees or subcommittees.

*Clerk* means the duly elected or appointed Clerk of the County.

Commissioner means any of the duly elected or duly appointed County Board members.

Compensation means money, thing of value or other pecuniary benefits received or to be received in return for, or as reimbursement for, or as a result of, services rendered or to be rendered, for  $\mathbf{L}$  obbying. This includes a contract, promise or agreement, whether or not legally enforceable, to provide or arrange for  $\mathbf{e}\mathbf{C}$  ompensation for services rendered or to be rendered.

*County* **a**<u>A</u>gency means any board, commission, department or authority under the jurisdiction of the President or Board or any other County **o**<u>O</u>fficial.

# *County Appointee* means an individual appointed by the President to:

(a) any board or Commission created under County Ordinance or Illinois State Statute; or

# (b) <u>any units of local government (as defined in Article VII, Section 1 of the Constitution of the State of Illinois) created by Illinois state or County ordinance.</u>

County eEmployee means an individual employed by the County whether part-time or full-time.

County mMatter or County Matters means any executive action, legislative action or administrative action.

- 1. <u>the approval, drafting, development, consideration, amendment, modification, review,</u> <u>introduction, proposal, postponement, adoption, approval, passage, enactment, promulgation,</u> <u>execution, issuance, defeat, rejection, or veto of any rule, resolution, regulation, standard, fee, rate,</u> <u>contractual agreement, purchasing agreement, order, decision, determination, proceeding or motion, or</u> <u>a portion thereof, by a County Official, County Appointee or County Employee;</u>
- 2. <u>the action of any County Official, County Appointee or County Employee in the development of a</u> proposal for introduction before the Board.

County official means the Assessor, members of the Board of Review, Clerk of the Circuit Court, Clerk,

### File #: 14-3306, Version: 2

Commissioners, President, Recorder of Deeds, Sheriff, State's Attorney, and Treasurer of the County, and any County *aA gency* or member thereof.

*Direct affiliation* means relationship with any natural person or spouse, father, mother, son or daughter possessing or owning an interest in a Lobbying Enterprise.

*Executive action* means the proposal, drafting, development, consideration, amendment, adoption, approval, promulgation, issuance, modification, rejection or postponement by a County official or County employee of a rule, regulation, order, decision, determination, contractual agreement, purchasing agreement or other quasi-legislative or quasi-judicial action or proceeding.

*Expenditure* means anything having a value of \$10.00 or more including, but not limited to, a payment, distribution, loan, advance, deposit, <u>**pP**</u>olitical <u>**eC**</u>ontributions, honoraria, travel or entertainment expense, meal or beverage expense, or gift of money. This includes a contract, promise, or agreement, whether or not legally enforceable, to make an e<u>E</u>xpenditure, for services rendered or to be rendered.

*File*, fF*iled*, or fF*iling* means submitting an electronic report via the Clerk's website. Online submissions received by 11:59 on the prescribed filing date will be considered on time.

# (1) Delivery to an office of the Clerk by the close of business of the prescribed filing date; or

# (2) Deposit with the United States Postal Service, postage prepaid, in sufficient time so that the mailed documents arrive at an office of the Clerk by the close of business of the prescribed filing date.

Gift means anything having a value of \$10.00 or more given without consideration or expectation of return.

*Legislation* means ordinances, resolutions, amendments, nominations, appointments, reports, contracts or proposed contracts, and other County matters pending or proposed in the Board or which require Board approval.

*Legislative action* means the development, drafting, introduction, consideration, modification, adoption, rejection, review, enactment, or passage or defeat of any ordinance, amendment, motion, resolution, report, nomination, administrative rule or other matter by any County official or County employee. The term "legislative action" also means the action of the President in approving or vetoing any ordinance, resolution or motion or portion thereof, and the action of any County official or County employee in the development of a proposal for introduction before the Board.

<u>Lobby or Lobbying means to, for Compensation and on behalf of another Person, attempt to influence a County</u> <u>Official, County Appointee or County Employee with respect to any County matter, including, but not limited to:</u>

- (1) <u>A bond inducement ordinance;</u>
- (2) <u>A zoning matter;</u>
- (3) <u>A concession agreement;</u>
- (4) The creation of a tax increment financing district;

# (5) The establishment of a Class 6(b), Class 7(a), Class 7(b), Class 9, Class C, Class L, Class S and/or any Cook County property tax classification established under Section 74-63 of the Cook County Code;

#### (6) The introduction, passage or other action to be taken on an ordinance, resolution, motion, order,

# appointment or other matter before the Board;

(7) The preparation of contract specifications;

(8) The solicitation, award or administration of a contract;

(9) The award or administration of a grant, loan, or other agreement involving the disbursement of public monies; or

(10) Any other determination made by a County Official, Appointee or Employee with respect to the procurement of goods, services or construction.

Provided, however, that solely submitting an application for a county permit or license or responding to a county request for proposals or qualifications is not an attempt to influence a County Official, Appointee or Employee with respect to a County Matter.

Lobbyist means any **Pp**erson who, on behalf of any person other than himself, or as any part of his duties as an employee of another, undertakes to influence any County Matter legislative or administrative action, including, but not limited to: engages in Lobbying as defined in Section 2-622.

- (1)A bond inducement ordinance;
- (2) **A zoning matter;**
- (3) A concession agreement;
- (4) The creation of a tax increment financing district;
- (5) The establishment of a Class 6(b) Cook County property tax classification;
- The introduction, passage or other action to be taken on an ordinance, <del>(6)</del>

resolution, motion, order, appointment or other matter before the Cook

**County Board of Commissioners;** 

- (7) The preparation of contract specifications;
- (8) The solicitation, award or administration of a contract;

#### <del>(9)</del> The award or administration of a grant, loan, or other agreement involving the disbursement of public monies; or

#### Any other determination made by an elected or appointed county official (10)or employee of the county with respect to the procurement of goods,

services or

#### construction.

Provided, however, that a **P**<del>p</del>erson shall not be deemed to have undertaken to influence any legislative or administrative action County Matter solely by submitting an application for a county permit or license or by responding to a county request for proposals or qualifications.

The term "lobbyist" shall include, but not be limited to, any Attorney, accountant, or consultant engaged in the above-described activities; provided, however, that an Attorney shall not be considered a lobbyist while representing clients in a formal adversarial hearing, unless said Attorney is also an elected official of the county;

and provided further that the term "lobbyist" shall not include a person who, on an unpaid basis, seeks to influence legislative or administrative action <u>County Matter</u> on behalf of an entity that is not engaged in a profitseeking enterprise; further provided that an employee, officer or director of a not-for-profit entity who seeks to influence legislative or administrative action <u>County Matter</u> on behalf of such an entity shall not be considered a lobbyist for purposes of this chapter.

*Lobbying Enterprise* means any entity that hires, retains, employs, or compensates a natural person to lobby local, state or federal governments or agencies.

Lobbying Activity Report means a log, set forth in Section 2-634, maintained by each Lobbyist and submitted to the Cook County Clerk that records all Lobbying contacts by a Lobbyist with any County Official or County Employee.

Lobbying Expenditure Report means a log, set forth in Section 2-634, maintained by each Lobbyist and submitted to the Clerk that records all Expenditures made by the Person to or for the benefit of a County Official or County Employee, notwithstanding whether Lobbying was occurring at the time of the Expenditure, during the previous six months.

<u>Occasional Sales-Related Inquiries or Solicitations means any contact by a Person with a County Employee</u> and/or County Official for no more than five times in a year to discuss the solicitation, award, administration, technical requirements or clarification of a potential contract. The term "Occasional Sales-Related Inquiries or Solicitations" shall only apply to any activity by a Person who has not retained a Lobbyist to influence any County Matter.

*Person* means any individual, entity, corporation, partnership, firm, association, union, trust, estate, as well as any parent or subsidiary of any of the foregoing, and whether or not operated for profit.

*Political* **e**<u>C</u>*ontribution* means any money or thing of value given to a political committee, as defined in 10 ILCS 5/9-1.9 (political committee defined), in the County.

# Sec. 2-632. <u>P</u>ersons not required to register.

This division is not intended and shall not be construed to apply to the following:

(1)  $\underline{\mathbf{Pp}}$ ersons who own, publish, or are employed by a newspaper or other regularly published periodical, or who own or are employed by a radio station, television station, or other bona fide news medium which in the ordinary course of business disseminates news, editorial or other comment, or paid advertisements for the purpose of influencing any County  $\underline{\mathbf{mM}}$  atter. This exemption shall not be applicable to such an individual insofar as they receive additional  $\underline{\mathbf{eC}}$  ompensation or expenses from some source other than the bona fide news medium for the purpose of influencing any County  $\underline{\mathbf{mM}}$  atter. This exemption does not apply to newspapers and periodicals owned by or published by trade associations and <u>for</u> profit corporations engaged primarily in endeavors other than the dissemination of news.

(2) <u>P</u>persons providing professional services in <u>the</u> drafting <u>of ordinances, resolutions or</u> bills or in advising and rendering opinions to clients as to the construction and effect of proposed or pending legislation, <u>ordinances</u> <u>or resolutions</u> where such professional services are not otherwise, directly or indirectly, connected with <u>legislative</u> <u>action a County Matter</u>.

(3) Elected officials and employees of other units of government acting in their official capacity.

(4) **Pp**ersons who, by reason of their special skills or knowledge of any **County mM**atter pending before the Board, are requested in writing by a Commissioner or the President to discuss such **County mM**atter before the Board, regardless of whether or not such **Pp**ersons receive **eC**ompensation for so appearing. This exemption shall only be applicable to the extent that such **Pp**ersons appear in the foregoing capacity. To the extent that such **Pp**ersons also engage in activities with respect to which this division otherwise requires them to register, they shall so register with respect to

# File #: 14-3306, Version: 2

those activities.

(5) Any full-time employee of a bona fide church or religious organization who represents that organization solely for the purpose of protecting the right of the members thereof to practice the religious doctrines of such church or religious organization.

(6) <u>P</u>persons seeking to do business with Cook County, who are not Lobbyists as defined in Section 2-622, whose lobbying activities contacts with County <u>Officials, County Apointees and/or County eEmployees</u> are limited to Occasional Sales-Related Inquiries or Solicitations, the submission of bids, or responses to requests for proposals or requests for qualifications, and who make no <u>eExpenditures which would otherwise be reportable under Section 2-634</u>

(7)  $\underline{\mathbf{P}}_{\mathbf{P}}$ ersons representing clients before County agencies which conduct adversarial, assessment or quasijudicial hearings and the decisions of which may ultimately be appealed to the Circuit Court of Cook County or the Board, representing clients in court proceedings and in anticipation of court proceedings, and representing clients at internal disciplinary hearings. This exemption shall only be applicable to the extent that such  $\underline{\mathbf{P}}_{\mathbf{P}}$ ersons appear in the foregoing capacity. To the extent that such  $\underline{\mathbf{P}}_{\mathbf{P}}$ ersons also engage in activities with respect to which this division otherwise requires them to register, they shall so register with respect to those activities.

(8) **Pp**ersons who are negotiating the terms of a collective bargaining agreement or other contract. This exemption shall only be applicable to the extent of such activity. To the extent that such **Pp**ersons also engage in activities with respect to which this division otherwise requires them to register, they shall so register with respect to those activities.

(9)  $\underline{P}_{\overline{P}}$ ersons, including employees, officers, or directors  $\underline{I}_{\underline{L}}$ obbying on behalf of a <u>not-for-profit</u> neighborhood, community or civic organization who receive no e<u>C</u>ompensation <u>for Lobbying</u> and who make no e<u>E</u> xpenditures to or for the benefit of a County <u>eO</u>fficial or County <u>eE</u>mployee in connection with such <u>IL</u>obbying. This exemption shall only be applicable to the extent that such <u>P</u>persons appear in the foregoing capacity. To the extent that such <u>P</u>persons also engage in activities with respect to which this division otherwise requires them to register, they shall so register with respect to those activities.

(10) County **<u>oO</u>**fficials, <u>County Appointees</u> and County <u><u>eE</u>mployees acting in their official capacity.</u>

(11) **Pp**ersons providing recommendations for other **Pp**ersons seeking employment with the County. This exemption shall only be applicable to the extent that such **Pp**ersons are involved in such activities. To the extent that such **Pp**ersons also engage in activities with respect to which this division otherwise requires them to register, they shall so register with respect to those activities.

(12) <u>**P**</u>persons who are owners, directors, officers or full-time employees of a business, which <u>**P**</u>person's <u>**I**</u> obbying activities are limited to fewer than two County <u>**m**</u><u>M</u> atters per calendar year which would otherwise require registration under <u>Section 2-631</u> and who make no <u>**e**</u><u>E</u>xpenditures which would otherwise be reportable under <u>Section 2-631</u>

# Sec. 2-633. - Information required of registrants.

(a) Within 30 days of engaging in any activity, which requires such  $\underline{Pp}$  erson to register, and subsequently between January 1 and January 20 of each year, every  $\underline{Pp}$  erson required to register under Section 2-631 shall  $\underline{fF}$  ie in the office of the Clerk a written statement, subscribed under oath, containing the following information:

- (1) The registrant's name, permanent address and temporary address (if any) while <u>**IL**</u>obbying.
- (2) The registrant's business affiliation and business address, or, if none, the statement that the registrant is a sole proprietor.

(3) With respect to each <u>P</u>person on behalf of which the registrant acts as a <u>**IL**</u>obbyist:

a. The name, business address, permanent address and nature of the business of the **Pp**erson;

b. Whether the relationship is expected to involve eC ompensation or eE xpenditures or both; and

c. A brief description of the County  $\mathbf{m}\mathbf{M}$  atter in reference to which such service is to be rendered.

(4) The name, business address, and permanent address of each  $\underline{Pp}$  erson employed by the registrant to perform such  $\underline{IL}$  obbying services or who appears on behalf of the registrant.

(5) A picture of the registrant.

(6) Registrants shall pay an annual, nonrefundable, nontransferable filing fee as set out in Section 32-1, per entity and a separate fee per exclusive  $\mathbf{L}$  obbyist, payable to the Clerk upon  $\mathbf{fF}$  iling.

(b) The separate fee, per exclusive  $\underline{\mathbf{H}}_{\underline{\mathbf{L}}}$  obbyist, as set forth in Subsection (a)(6) of this section, shall be waived for employees of nonprofit organizations that are exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, provided such organizations  $\underline{\mathbf{H}}_{\underline{\mathbf{L}}}$  obby only with their own employees and the employees who  $\underline{\mathbf{H}}_{\underline{\mathbf{L}}}$  obby work a minimum of 1,000 hours per year for the organization.

(c) In the event any substantial change or addition occurs with respect to the information required by this division to be contained in the registration statement, including the addition or subtraction of a client, an amendment to the statement shall be  $\mathbf{fF}$  iled with the Clerk within 14 days.

(d) All reports  $\mathbf{fF}$  iled pursuant to this section and Section 2-634 shall be  $\mathbf{fF}$  iled electronically and under oath, according to rules and regulations to be established by the Clerk, as of the date such rules and regulations are promulgated. Reports  $\mathbf{fF}$  iled electronically shall be timely if  $\mathbf{fF}$  iled by 11:59 p.m. on the established due date. The Clerk shall post the  $\mathbf{fF}$  iled reports on the Clerk's website within three business days from the established due date.

(e) In addition to other penaltics provided in this division, any person filing a late registration under this section shall be assessed a late filing fee as set out in Section 32-1 per day the registration is late, payable to the Clerk upon filing. Any person filing a late registration after January 31 shall also be subject to a penalty of \$150.00 per day, to be levied as set forth in Section 2-637

(f) (c) Within 48 hours of being retained, hired or employed by any  $\underline{Pp}$ erson to  $\underline{IL}$  obby on that  $\underline{Pp}$ erson's behalf, a registrant shall amend the report  $\underline{fE}$  iled pursuant to this section to include the information required under (a)(3) of this section, as to the  $\underline{Pp}$ erson newly retaining the registrant. The Clerk shall post the  $\underline{fE}$  iled amended reports on the Clerk's website within three business days from the established due date.

# Sec. 2-634. Reports.

(a) Every <u>**P**</u>person so registering shall, so long as the <u>**P**</u>person's activity continues, <u>**f**</u>Eile with the Clerk between January 1 and January 20 and between July 1 and July 20, two reports under oath: a <u>**H**</u>Lobbying <u>**e**</u>Expenditure <u>**r**</u>Report and a <u>**H**</u>Lobbying <u>**a**</u>Activity <u>**r**</u>Report.

(1) The <u>**H**obbying eE</u>xpenditure r<u>R</u>eport shall state all <u>expenses Expenditures</u> made by the <u>**P**</u>erson to or for the benefit of a County <u>eO</u>fficials or County <u>eE</u>mployee, notwithstanding whether <u>H</u>obbying was occurring at the time of the <u>eE</u>xpenditure, during the previous six months. The report shall show in detail the County <u>eO</u> fficials or County <u>eE</u>mployee to whom or for whose benefit such <u>eE</u>xpenditure were made. Expenditures made by the registrant shall include <u>eE</u>xpenditure s made by the registrant's employer and/or contractor for whom the registrant is performing <u>H</u>obbying services unless the employer or contractor independently registers and reports pursuant to Section 2-631(3). If the registrant <u>H</u>obbies for more than one <u>P</u>person, they shall identify which <u>eE</u> xpenditures were made on behalf of each such <u>P</u>person. Any <u>eE</u>xpenditure over \$100.00 shall disclose not only the amount of the <u>eE</u>xpenditure and to whom or for whose benefit such <u>eE</u>xpenditure was made, but also disclose the date of the <u>eE</u>xpenditure, the use and purpose for which the <u>eE</u>xpenditure was made, and the County <u>mM</u>atter in connection with which the  $\underline{eE}$  xpenditure was made. If the registrant made no such  $\underline{eE}$  xpenditures during the reporting periods herein described, the registrant shall  $\underline{fE}$  and state herein that the registrant had no such  $\underline{eE}$  xpenditures.

(2) The Lobbying <u>aA</u>ctivity <u>FR</u>eport shall include all <u>lobbying</u> <u>Lobbying</u> contacts made with County <u>oO</u> fficials, <u>County Appointees</u> or County <u>eE</u>mployees. For each such contact, the report shall list the date of the contact, the County <u>O</u>fficial, <u>County Appointees</u> or County <u>Employee</u> with whom the <u>ILobbying</u> contact was made, the entity on whose behalf the <u>ILobbying</u> contact was made, the location of the <u>Lobbying</u> contact, the subject matter of the <u>ILobbying</u> contact, including any County contact, involved in the contact. If the <u>ILobbyist</u> has a relationship by birth or marriage with the County <u>oO</u>fficial, <u>County Appointee</u> or <u>County</u> <u>eE</u>mployee <u>IL</u> obbied, such relationship shall be stated. If the registrant made no such <u>ILobbying</u> contacts during the reporting periods herein described, the registrant shall <u>fF</u>ile and state herein that the registrant had no such contacts.

(b) Individual **e**<u>E</u>xpenditures which aggregate \$100.00 or less otherwise required to be reported under (a)(1) of this section may be reported in aggregate amounts without detail, provided that any <u>gG</u>ift solicited by a County **e**<u>E</u>mployee must be reported in detail as set forth above, additionally listing the recipient of such <u>gG</u>ift.

(c) Reports required under (a)(1) of this section shall include for each client the following aggregate expenses **Expenditures** attributable to **L**obbying activities, to be identified as such: advertising and publications; lodging and travel that are not reported by another registrant; educational or advocacy expenses; honoraria; meals, beverages, and entertainment expenses; **pP**olitical eContributions; and gGift.

(d) With respect to each client of the registrant, the registrant shall report the following in the <u>**Lobbying eE**</u> xpenditure **\mathbf{rR}** eport:

(1) The name, business and permanent address and nature of business of the client and any other business entities on whose behalf  $\underline{\mathbf{IL}}$  obbying was performed for the same  $\underline{\mathbf{eC}}$  ompensation.

- (2) A statement of the amount of eC ompensation.
- (3) The name of each  $\underline{Pp}$  erson  $\underline{IL}$  obbied and a brief description of the County  $\underline{mM}$  atter involved.

(e) A registrant who terminates employment or duties which required registration under this division shall give the Clerk, within 30 days after the date of such termination, written notice of such termination and shall include therewith a **report of the lobbying expenditures** Lobbying Activity Report and a Lobbying Expenditure Report described herein, covering the period of time since the **f**Eiling of the registrant's last report to the date of termination of employment, and a report of the date of termination of employment. The Clerk shall post the **f**Eiled reports on the Clerk's website within three business days from the established due date. Such notices and reports shall be final and relieve such registrant of further reporting under this division unless and until the **P**person later takes employment or assumes duties that require to again register under this division.

(f) Failure without just cause to  $\mathbf{fF}$  ile any such report within the time designated herein or the knowing reporting of false or incomplete information shall constitute a violation of this division. In addition to other penalties provided in this division, any **Pp**erson **fF** iling a late report under this section shall be assessed a late filing fee as set out in Section 32-1 per day the report is late, payable to the Clerk upon **fF** iling. Any person filing a late report after January 31 (for reports due by January 20) or after July 31 (for reports due by July 20) shall also be subject to a penalty of \$150.00 per day, to be levied as set forth in Sec 2-637. Any registrant who is required to **fF** ile a report hereunder may effect one 30-day extension of time for **fF** iling the report by **fF** iling with the Clerk, not less than ten days before the date on which the statement is due, a declaration of intention to defer the **fF** iling of the report. The **fF** iling of such declaration shall suspend application of the penalty provisions contained herein for the duration of the extension. Failure to **fF** ile by the extended date shall constitute a violation of this division and shall subject the registrant to the penalty described herein.

#### Sec. 2-635. - Duties of Clerk.

(a) It shall be the duty of the Clerk to provide appropriate forms for the registration and reporting of information required by this division and to keep such registrations and reports on file in the Clerk's office for ten years from the date of  $\mathbf{fF}$ iling. The Clerk shall also maintain a listing of registered  $\mathbf{IL}$  obbyists. Such records and listing shall be considered public information and open to public inspection during normal business hours.

(b) The Clerk shall administer this division. The Clerk shall review all forms that are <u>fF</u>iled for completeness <u>and</u> <u>potential violations including late Filed reports</u>. The Clerk shall report all violations and suspected violations of this division to the <u>State's Attorney of Cook County</u> <u>Cook County Board of Ethics and any other appropriate law</u> <u>enforcement agency.</u>

# Sec. 2-636. - Restricted activities.

(a) No <u>**P**</u>person shall retain or employ another to <u>**IL**</u>obby for <u>eC</u>ompensation contingent in whole or in part upon the result obtained or the final disposition of any matter, and no <u>**P**</u>person shall accept any such employment or render any such service for contingent <u>eC</u>ompensation.

(b) No County  $\Theta O$  fficial. County Appointee or County e E mployee may solicit any personal g G ift from a registrant. Personal g G ifts do not include contributions required to be reported under Article 9 of the Election Code or under Federal election law, or contributions solicited for bona fide humanitarian, civic, charitable or religious organizations, events or efforts.

(c) No registrant shall knowingly make a false statement in any report required to be **f**<u>F</u>iled under this division.

(d) No County  $\underline{\mathbf{e}}\underline{\mathbf{O}}$  fficial or County  $\underline{\mathbf{e}}\underline{\mathbf{E}}$  mployee shall receive  $\underline{\mathbf{e}}\underline{\mathbf{C}}$  ompensation for  $\underline{\mathbf{H}}\underline{\mathbf{D}}$  obying County government other than from the County.

(e) No registered <u>IL</u>obbyist retained on behalf of a client seeking <u>executive action, legislative action or administrative</u> action on a County <u>mM</u>atter shall attempt to communicate with a member of the Cook County Board of Commissioners for purposes of discussing <u>any matter of County business a County Matter</u> in the Cook County Board Room, commonly known as Room 569 of the County Building, while said member is present on the floor of the Cook County Board Room and during such time as an active session of the Cook County Board of Commissioners, or any committee thereof, is convened and in progress.

# Sec. 2-637. Enforcement, penalties and procedures.

(a) Any <u>Pp</u>erson found by a court to be guilty of f<u>F</u>iling a late registration or report after January 31 (in the case of reports due after by January 20) or after July 31 (in the case of reports due by July 20) shall be assessed a fine of \$100.00 per day late. The Clerk shall collect the fine from any Person Filing a late registration or report.

(b) In addition to the penalties provided for in Subsection (a) of this section, any <u>Pp</u>erson convicted of any violation of violating any provision subsection of this division <u>other than Section 2-637(a)</u> shall be fined \$250.00 per occurrence by the <u>Cook County Clerk Board of Ethics and is shall be</u> prohibited for a period of three years from the date of the conviction from engaging, directly or indirectly, in any lLobbying activities. <u>The Cook County Clerk shall create</u> procedures for the imposition and collection of any fines.

(c) The determination as to the imposition of penalties under this Section shall be made pursuant to Chapter 2, Article IX, Administrative Hearings. The Executive Director of the Board of Ethics shall have the authority to issue notices of violation to enforce provisions of this division, as applicable, and institute enforcement proceedings under Chapter 2, Article IX. Persons Filing a late report or registration may contest that violation pursuant to this section. The Cook County Clerk shall publicly display notice of any violations of this section.

# Sec. 2-638. - Right to petition County *e*Officials.

Nothing in this division shall be construed to infringe in any way the right of a citizen to lawfully petition a

### File #: 14-3306, Version: 2

Commissioner or any other County  $\Theta O$  fficial as guaranteed by the constitutions of the United States and the State.

### Sec. 2-639. - Venue.

Any violation of this division may be prosecuted <u>in the Cook County Department of Administrative Hearings</u> <u>pursuant to Chapter 2, Article IX, of the Cook County Code</u> in the Circuit Court of Cook County, Illinois, by the State's Attorney of Cook County.

# Sec. 2-640. Lobbyist Ethics Education Seminar.

Each Lobbyist shall attend an online ethics education seminar offered on a regular basis by the Cook County Clerk and the Board of Ethics within 120 days of registering as a Lobbyist pursuant to Section 2-633. The seminar shall educate **Pp**ersons as to their duties and responsibilities under this article.

# Sec. 2-641. Prohibition from *IL*obbying activities.

The President of the Cook County Board, the Assessor, the Clerk of the Circuit Court, the County Clerk, the Board of Review, the Recorder of Deeds, the Sheriff, the State's Attorney, the Public Defender, the Treasurer and any Cook County Commissioner are hereby prohibited, while serving in such elected or appointed position, from <u>Lobbying</u> (as defined under Chapter 2, Section 2-622 of Article I of the County Code) or having any direct affiliation with any Lobbying Enterprise.

# Sec. 2-642. Duty to Display Lobbyist Registration Identification.

<u>All registered Lobbyists shall display Lobbyist registration identification while engaging in all Lobbyist</u> activities on County premises. The Cook County Clerk shall issue the Lobbyist registration identification to <u>Lobbyists</u>.

# Effective Date: January 1, 2015