

Ethics Commission Fact Sheet:

Who is a Lobbyist?



This fact sheet describes who will qualify as a lobbyist under the San Francisco Lobbyist Ordinance. Lobbyists must register and comply with the Ordinance's requirements.

What Does a Lobbyist Do?

A lobbyist is someone who:

- Is paid to contact a City officer
- To influence local legislative or administrative action;
- On behalf of a client or employer.

Who Must Register as a Lobbyist?

You must register as a lobbyist if:

- You make **5** lobbying contacts in a calendar month on behalf of your employer; OR
- You make **1** lobbying contact on behalf of someone who pays (or becomes obligated to pay) you or your employer for lobbyist services (i.e., a client).

LAWYERS!

If you are a litigating a matter against the City and contact a City officer as part of that litigation, you do not have to register as a lobbyist; however, if you contact him or her to influence local legislative or administrative action, you do have to register.

You **DO NOT** have to register as a lobbyist if:

- You are not being paid to lobby;
- You contact a City officer on behalf of a business in which you own 20% or more; or
- You contact a City officer as an officer or employee of a 501(c)(3) organization or a small 501(c)(4) organization.

Who are City Officers?

Typically, City officers are high-ranking officials with significant decision-making authority. City officers include the Mayor, members of the Board of Supervisors and other City boards and commissions, and department heads.

For a full list of City officers, see the Ethics Commission's [Lobbyist Manual](#).

What Constitutes a Lobbying Contact?

A lobbying contact is any communication with a City officer to influence a local legislative or administrative action for which you are paid. Communication includes in-person meetings, telephone calls, video calls, texts, letters, emails, etc.

Some forms of communication are not considered contacts, such as:

- Making public comment or providing written testimony for a public hearing;
- Requesting to meet with a City officer, without making an attempt to influence;
- Making statements or providing testimony, as compelled by law;
- Providing information to the public by making a speech, appearing on TV, etc.
- Distributing information to members of your organization;
- Responding to RFPs or RFQs, without other contacts; or
- Communicating on behalf of a labor union for City employees regarding a collective bargaining agreement.

For more information about what qualifies as a lobbying contact, see the Ethics Commission's ["Lobbying Contacts" Fact Sheet](#).

What are Local Legislative and Administrative Actions?

Local legislative and administrative action generally refers to discretionary acts by City officers, including introducing legislation, making nominations, and considering permits and contracts. If you are trying to influence these actions for your employer or client, you are probably a lobbyist.

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