

San Jose Code of Ordinances, Title 12, Chapter 12.12 - SAN JOSÉ MUNICIPAL LOBBYING^{[171](#)}

12.12.410 - Lobbyist registration report.

- A. A lobbyist who meets the threshold requirements of one or more of the categories (contract lobbyist, in-house lobbyist, or expenditure lobbyist) must fill out one registration report with all the applicable information including the following:
 - 1. Name.
 - 2. Business address.
 - 3. Telephone and fax numbers.
 - 4. Names of all owners if the lobbyist is a sole proprietorship or partnership of fewer than five persons.
 - 5. Names of the officers and agent for service of process, if any, if the lobbyist is a corporation.
 - 6. If applicable, a description of the nature of, the business, corporation, association, committee or any other organization in sufficient detail to inform the reader of its nature and purpose.
- B. All contract lobbyists must also provide the following information for each client:
 - 1. Name, business address, telephone number of each client;
 - 2. Nature of each client's business;
 - 3. A brief description of the legislative or administrative action(s) the lobbyist seeks to influence on behalf of each client; and
 - 4. Name of each person employed or retained by the lobbyist to engage in lobbyist activity on behalf of each client.
- C. All in-house lobbyists must also provide the following information:
 - 1. Names of each owner, officer and employee conducting lobbying activities on its behalf; and
 - 2. A brief description of the legislative or administrative action(s) the lobbyist seeks to influence.
- D. All expenditure lobbyists must also provide the following information:
 - 1. Names of all owners, officers and employees conducting lobbying activities; and
 - 2. A brief description of the legislative or administrative action(s) the lobbyist seeks to influence.

(Ord. 28074.)

12.12.420 - Additional required information and disclosures.

The lobbyist registration report must also contain the following information:

- A. Campaign and officeholder contributions that a lobbyist made, delivered or acted as an intermediary for, to an elected city official or candidate for city office made during the preceding calendar quarter. A person is an "intermediary" for a contribution if the recipient of the contribution would consider that person to be the contributor without the disclosure of the identity of the true source of the contribution. Also, a lobbyist acts as an "intermediary" if the lobbyist makes a contribution on behalf of another person, and that other person is acknowledged as the contributor, and the lobbyist is reimbursed for the contribution.
- B. Campaign and officeholder contributions made at the behest of an elected city official or candidate to any other elected public official or candidate for public office during the preceding calendar quarter.
- C. All independent expenditures made for or on behalf of a city official or candidate for city office made during the preceding calendar quarter.
- D. Fundraising activity for any city official, candidate for elective city office or any controlled committee of the elected city official or candidate for city office or for any political action committee, political party or candidate for elective office of a governmental organization made at the behest of a city official during the preceding calendar quarter. Required information and disclosures must include the name of the city official, candidate, committee or party on whose behalf the lobbyist engaged in fundraising activities, or delivered or acted as intermediary for one or more contributions. The information and disclosures must also include the name of the city official requesting the fundraising activity, the date of the fundraising activity, the name of the contributors and the amount of contributions raised, delivered and/or made in connection with which the lobbyist acted as an intermediary.
- E. Donations to for profit or nonprofit organizations made at the behest of a city official or candidate for elective city office of any contribution or payment of more than one thousand dollars in the aggregate made during the preceding calendar quarter.
- F. Payments received for services as a consultant or in any other capacity for services rendered to any city department or redevelopment agency, city official, or any city official-elect, their controlled committees or officeholder committees.
- G. Contacts made with city officials or city officials-elect during the preceding calendar quarter for the purpose of influencing or attempting to influence legislative or administrative action. Contact information must include a brief description of the item(s) of legislative or administrative action the lobbyist is seeking to influence, the date(s) of contact, the method(s) of contact, and the number of contacts in the following ranges: (one), (two to five), (six to ten) or (eleven or more).
- H. Activity expenses such as payments that directly benefit any city official, city official-elect or member of his or her immediate family or domestic partner made during the preceding calendar quarter. Activity expenses include gifts as defined by Chapter 12.08, honoraria, consulting fees, salaries and other forms of compensation, but do not include campaign contributions.

(Ords. 28074, 29812.)

12.12.430 - Weekly Reports.

- A. All Lobbyists must file a weekly report with the City Clerk, on a form provided by the City Clerk, for each calendar week they are registered as a Lobbyist with the City and have engaged in Lobbying Activity as defined in this Chapter. For the purposes of this Section, a "calendar week" begins at 12:00 a.m. on Monday and ends at 11:59 p.m. on the following Sunday.
- B. Each weekly report must contain the same information required to be disclosed in the registration report for those activities occurring in the calendar week being reported.
- C. Each weekly report for Contract Lobbyists must indicate the total compensation promised or received from each client listed during the reporting period for Lobbying Activity within the following ranges: (\$0.00 - \$500), (\$501 - \$1,000), (\$1,001 - \$10,000), (\$10,001 - \$100,000), (\$100,001 - \$200,000), (\$200,001 - \$300,000), (\$300,001 - \$400,000), and (Over \$400,001).
- D. Each weekly report must indicate whether the Lobbyist has any agreement, arrangement, or understanding regarding compensation for services set forth in Section 12.12.300.C and D for those activities occurring in the calendar week being reported and identify the name of the person that filed the disclosure form and the date it was filed with the City Clerk.
- E. Weekly reports must be filed with the City Clerk by 5:00 p.m. on Monday for the prior calendar week, and are delinquent thereafter. If the filing date in this Section is a holiday, the weekly report must be filed by 5:00 p.m. the next business day.

(Ords. 28074, 29812, 29959.)