



Chapter 5: Municipal (“Local”) Lobbying Overview

The reporting requirements set forth in the Lobbying Act also apply to individuals and organizations who engage in **Lobbying** or **Lobbying Activity** on a Municipal level. Thus, if a Lobbyist reasonably anticipates incurring, expending or receiving, or actually incurs, expends or receives more than \$5,000 annually in **Reportable Compensation** and **Reportable Expenses** for **Lobbying Activities** (cumulatively across all Clients whether it be before the State and/or a Municipality), the Lobbyist and the Client of the Lobbyist are generally required to file disclosure Reports with JCOPE.

NOTE: Municipalities may have their own reporting requirements, separate and apart from State reporting requirements.

What is a Municipality?

A Municipality is defined as any jurisdictional subdivision of the State, including but not limited to:

1. Counties, cities, towns, villages, improvement districts, and special districts with a population of more than 5,000;
2. Industrial development agencies in jurisdictional subdivisions with a population of more than 5,000*;
3. Public authorities;
4. Public Corporations, except for those types of entities with a population of 5,000 or less referenced in (1) and (2) above; and
5. School districts of any size.

Who is considered a “Public Official” on the Municipal level?

- An officer or employee of a Municipality, whether paid or unpaid;
- Local elected officials;
- Members of a board (other than an Advisory Board), commission or other agency of a Municipality; and
- In the case of a county, an officer or employee paid from county funds.

NOTE: No individual shall be deemed a Municipal Officer and Employee solely based on service on an Advisory Board or by reason of being a volunteer fireman or civil defense volunteer, except a fire chief or assistant fire chief.

What is considered "Lobbying" or "Lobbying Activities" on the Municipal level?

The definition of **Lobbying** differs under State and City law, and certain activities may constitute lobbying

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at the Municipal level, but not the State, or vice versa. Regardless, the Commission administers and enforces the State Lobbying Act; thus, you may end up reporting the activity on both State and Municipal levels.

Requirements under the State Lobbying Act relating to *local lobbying* includes Attempts to Influence:

- the passage or defeat of any local law, ordinance, resolution, or regulation by any Municipality or subdivision thereof;
- the adoption, issuance, rescission, modification or terms of an executive order issued by the chief executive officer of a Municipality;
- the adoption or rejection of any rule, regulation, or resolution having the force and effect of a local law, ordinance, resolution, or regulation;
- the outcome of any rate making proceeding by any Municipality or subdivision thereof; or
- any determination related to a governmental procurement, including:
 - real property purchase, sale, or lease agreements, including purchase-leaseback, lease-leaseback, and other hybrid agreements, by Industrial Development Agencies (representing populations exceeding 5,000). *
 - resolutions of an Industrial Development Agency (representing a population of more than 5,000). *
 - This includes the inclusion of, or terms to an agreement for Payments In lieu of Taxes.

NOTE: See **Addendum A** for a List of Municipalities subject to reporting requirements under the Lobbying Act.