

**06-O-19
ORDINANCE**

Sponsored by

THE HONORABLE LARRY SUFFREDIN, COUNTY COMMISSIONER

Co-Sponsored by

**THE HONORABLE MIKE QUIGLEY, JERRY BUTLER, FORREST CLAYPOOL,
EARLEAN COLLINS, JOHN P. DALEY, ELIZABETH ANN DOODY GORMAN,
GREGG GOSLIN, CARL R. HANSEN, ROBERTO MALDONADO,
JOSEPH MARIO MORENO, JOAN PATRICIA MURPHY, ANTHONY J. PERAICA,
PETER N. SILVESTRI, DEBORAH SIMS AND BOBBIE L. STEELE
COUNTY COMMISSIONERS**

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF COOK COUNTY, ILLINOIS:

SECTION A. The Cook County Lobbyist Registration Ordinance is amended to read as follows:

Section 1. Short Title.

This Ordinance shall be known as the Cook County Lobbyist Registration Ordinance.

Section 2. Definitions.

As used in this Ordinance, unless the context otherwise requires:

- (a) "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.
- (b) "Board" means the Cook County Board of Commissioners and any and all of its standing or special committees or subcommittees.
- (c) "Clerk" means the duly elected or appointed Clerk of Cook County, Illinois.
- (d) "Commissioner" means any of the duly elected or duly appointed Cook County Commissioners.
- (e) "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 lobbying. This includes a contract, promise or agreement, whether or not legally enforceable, to provide or arrange for compensation for services rendered or to be rendered.
- (f) "County" means the County of Cook, Illinois.
- (g) "County agency" means any board, commission, department or authority under the jurisdiction of the President or Board or any other county official.

(h) "County employee" means an individual employed by the county whether part-time or full-time.

(i) "County matter" means any executive action, legislative action or administrative action.

(j) "County official" means the Assessor, members of the Board of (Tax) Appeals, Clerk of the Circuit Court, Clerk, Commissioners, President, Recorder of Deeds, Sheriff, State's Attorney, Regional Superintendent of Schools and Treasurer of Cook County, and any county agency or member thereof.

(k) "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.

(l) "Expenditure" means anything having a value of \$10.00 or more including, but not limited to, a payment, distribution, loan, advance, deposit, political contribution, 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 expenditure, for services rendered or to be rendered.

(m) "file," "filed", or "filing" means:

(i) delivery to an office of the Clerk by the close of business of the prescribed filing date, or;

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

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

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

(p) "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. 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.

(q) "Lobby" or "lobbying" means to, for compensation attempt to influence a county official or county employee with respect to any county matter.

(r) "Lobbyist" means any person who lobbies.

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

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

(u) "President" means the President of the Cook County Board of Commissioners.

Section 3. Persons Required to Register.

The following persons shall register with the Clerk as provided in this Ordinance:

(a) Any person who lobbies.

(b) Any person whose duties as an employee of another person include lobbying.

(c) Any person who employs or contracts with another person for the purpose of lobbying, unless the existence of the employer or contractor and all expenditures made by the employer or contractor are fully disclosed by a lobbyist required to register under subsection (a) or (b).

Section 4. Persons Not Required to Register.

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

(a) Persons 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 matter. This exemption shall not be applicable to such an individual insofar as he or she receives additional compensation or expenses from some source other than the bona fide news medium for the purpose of influencing any county matter. This exemption does not apply to newspapers and periodicals owned by or published by trade associations and profit corporations engaged primarily in endeavors other than the dissemination of news.

(b) Persons providing professional services in drafting bills or in advising and rendering opinions to clients as to the construction and effect of proposed or pending legislation where such professional services are not otherwise, directly or indirectly, connected with legislative action.

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

(d) Persons who, by reason of their special skills or knowledge of any matter pending before the Board, are requested in writing by a Commissioner or the President to discuss such matter before the Board, regardless of whether or not such persons receive compensation for so appearing. This exemption shall only be applicable to the extent that such persons appear in the foregoing capacity. To the extent that such persons also engage in activities with respect to which this Ordinance otherwise requires them to register, they shall so register with respect to those activities.

(e) 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.

(f) Persons seeking to do business with Cook County whose lobbying activities 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 expenditures which would otherwise be reportable under Section 6 of this Ordinance.

(g) Persons representing clients before county agencies which conduct adversarial, assessment or quasi-judicial 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 persons appear in the foregoing capacity. To the extent that such persons also engage in activities with respect to which this Ordinance otherwise requires them to register, they shall so register with respect to those activities.

(h) Persons 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 persons also engage in activities with respect to which this Ordinance otherwise requires them to register, they shall so register with respect to those activities.

(i) Persons lobbying on behalf of a neighborhood, community or civic organization who receive no compensation and who make no expenditures to or for the benefit of a county official or county employee in connection with such lobbying. This exemption shall only be applicable to the extent that such persons appear in the foregoing capacity. To the extent that such persons also engage in activities with respect to which this ordinance otherwise requires them to register, they shall so register with respect to those activities.

(j) County officials and county employees acting in their official capacity.

(k) Persons providing recommendations for other persons seeking employment with the county. This exemption shall only be applicable to the extent that such persons are involved in such activities. To the extent that such persons also engage in activities with respect to which this Ordinance otherwise requires them to register, they shall so register with respect to those activities.

(l) Persons who are owners, directors, officers or full-time employees of a business, which person's lobbying activities are limited to fewer than two county matters per calendar year which would otherwise require registration under Section 3 and who make no expenditures which would otherwise be reportable under Section 6 of this Ordinance.

Section 5. Information Required of Registrants.

Within 30 days of engaging in any activity which requires such person to register, and subsequently between January 1 and January 20 of each year, every person required to register under Section 3 shall file in the office of the Clerk a written statement, subscribed under oath before a notary public, containing the following information:

(a) The registrant's name, permanent address and temporary address (if any) while lobbying.

(b) The registrant's business affiliation and business address, or, if none, the statement that the registrant is a sole proprietor.

(c) With respect to each person on behalf of which the registrant acts as a lobbyist:

- (i) the name, business address, permanent address and nature of the business of the person;
 - (ii) whether the relationship is expected to involve compensation or expenditures or both; and
 - (iii) a brief description of the county matter in reference to which such service is to be rendered.
- (d) The name, business address, and permanent address of each person employed by the registrant to perform such lobbying services or who appears on behalf of the registrant.
- (e) A picture of the registrant.
- (f) In the event any substantial change or addition occurs with respect to the information required by this Ordinance to be contained in the registration statement, including the addition or subtraction of a client, an amendment to the statement shall be filed with the Clerk within 14 days.

In addition to other penalties provided in this Ordinance, any person filing a late registration under this Section shall be assessed a late filing fee of \$10 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 \$100 per day, to be levied as set forth in Section 9.

Section 6. Reports.

Every person so registering shall, so long as his or her activity continues, file with the Clerk between the first and twentieth day of January and between the first and twentieth day of July a report under oath of all expenditures made by him or her 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 calendar months. The report shall show in detail the county official or county employee to whom or for whose benefit such expenditures were made. Expenditures made by the registrant shall include expenditures made by the registrant's employer and/or contractor for whom the registrant is performing lobbying services unless the employer or contractor independently registers and reports pursuant to Section 3(c). If the registrant lobbies for more than one person, he or she shall identify which expenditures were made on behalf of each such person. Any expenditure over \$100 shall disclose not only the amount of the expenditure and to whom or for whose benefit such expenditure was made, but also disclose the date of the expenditure, the use and purpose for which the expenditure was made, and the county matter in connection with which said expenditure was made. If the registrant made no such expenditures during the reporting periods herein described, he or she shall file and state herein that he or she had no such expenditures.

Individual expenditures which aggregate \$100 or less otherwise required to be reported hereunder may be reported in aggregate amounts without detail, provided that any gift solicited by a county official or county employee must be reported in detail as set forth above, additionally listing the recipient of such gift.

Such reports shall include for each client the following aggregate expenses attributable to lobbying 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; political contributions; and gifts.

With respect to each client of the registrant, the registrant shall report the following: (i) the name, business and permanent address and nature of business of the client and any other business entities on whose behalf lobbying was performed for the same compensation; (ii) a statement of the amount of compensation; (iii) the name of each person lobbied and a brief description of the county matter involved.

A registrant who terminates employment or duties which required him or her to register under this Ordinance 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 expenditures described herein, covering the period of time since the filing of his or her last report to the date of termination of employment. Such notice and report shall be final and relieve such registrant of further reporting under this Ordinance unless and until he or she later takes employment or assumes duties requiring him or her to again register under this Ordinance.

Failure without just cause to file any such report within the time designated herein or the knowing reporting of false or incomplete information shall constitute a violation of this Ordinance. In addition to other penalties provided in this Ordinance, any person filing a late report under this Section shall be assessed a late filing fee of \$10 per day the report is late, payable to the Clerk upon filing. 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 \$100 per day, to be levied as set forth in Section 9. Any registrant who is required to file a report hereunder may effect one 30-day extension of time for filing the report by filing with the Clerk, not less than 10 days before the date on which the statement is due, a declaration of his intention to defer the filing of the report. The filing of such declaration shall suspend application of the penalty provisions contained herein for the duration of the extension. Failure to file by the extended date shall constitute a violation of this Ordinance and shall subject the registrant to the penalty described herein.

Section 7. Duties of the Clerk.

(a) It shall be the duty of the Clerk to provide appropriate forms for the registration and reporting of information required by this Ordinance and to keep such registrations and reports on file in his or her office for ten years from the date of filing. The Clerk shall also maintain a listing of registered lobbyists. Such records and listing shall be considered public information and open to public inspection during normal business hours.

(b) The Clerk shall administer this Ordinance. The Clerk shall review all forms that are filed for completeness. The Clerk shall report all violations and suspected violations of this Ordinance to the State's Attorney of Cook County.

Section 8. Restricted Activities.

(a) No person shall retain or employ another to lobby for compensation contingent in whole or in part upon the result obtained or the final disposition of any matter, and no person shall accept any such employment or render any such service for contingent compensation.

(b) No county official or county employee may solicit any personal gift from a registrant. Personal gifts 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 filed under this Ordinance.

(d) No county official or county employee shall receive compensation for lobbying County government other than from the County.

Section 9. Enforcement.

(a) Any person found by a court to be guilty of filing 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 per day late.

(b) In addition to the penalties provided for in subsection (a) of this Section, any person convicted of any violation of any provision of this Ordinance is prohibited for a period of three years from the date of the conviction from engaging, directly or indirectly, in any lobbying activities.

Section 10. Right To Petition County Officials.

Nothing in this ordinance shall be construed to infringe in any way the right of a citizen to lawfully petition a Commissioner or any other county official as guaranteed by the constitutions of the United States and the State of Illinois.

Section 11. Venue.

Any violation of this Ordinance may be prosecuted in the Circuit Court of Cook County, Illinois, by the State's Attorney of Cook County.

Section 12. Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 13. Effective Date.

This Ordinance shall take effect immediately after passage and the disclosure and reporting requirements outlined in Sections 5 and 6 shall apply to all persons who, at any time after May 1, 1991, came or come within the scope of Section 3, as limited by Section 4. Initial reports required to be filed under Section 6 of this Ordinance shall be due within sixty days of passage.

SECTION B. This amendatory Ordinance shall be effective July 1, 1993. All reports filed with respect to the time period prior to July 1, 1993 shall comply with the requirements in effect prior to the effective date of this amendatory Ordinance.

Approved and adopted this 3rd day of May 2006.

**08-O-09
ORDINANCE**

Sponsored by

**THE HONORABLE TODD H. STROGER
PRESIDENT OF THE COOK COUNTY BOARD OF COMMISSIONERS**

LOBBYIST REGISTRATION FEE

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 2 Administration, Article VII Ethics, Division 3 Lobbyists, Sec. 2-633 of the Cook County Code is hereby amended as follows:

Sec. 2-633. Information and fees required of registrants.

(a) Within 30 days of engaging in any activity which requires such person to register, and subsequently between January 1 and January 20 of each year, every person required to register under Section 2-631 shall file in the office of the Clerk a written statement, subscribed under oath before a notary public, containing the following information:

- (1) The registrant's name, permanent address and temporary address (if any) while lobbying.
- (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 person on behalf of which the registrant acts as a lobbyist:
 - a. The name, business address, permanent address and nature of the business of the person; and
 - b. Whether the relationship is expected to involve compensation or expenditures or both; and
 - c. A brief description of the County matter in reference to which such service is to be rendered.
- (4) The name, business address, and permanent address of each person employed by the registrant to perform such lobbying services or who appears on behalf of the registrant.
- (5) A picture of the registrant.
- (6) Registrants shall pay an annual, non-refundable, non-transferable filing fee as set out in Section 32-1, per entity and a separate fee per exclusive lobbyist, payable to the Clerk upon filing.

(b) 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 filed with the Clerk within 14 days.

(c) In addition to other penalties 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 \$100.00 per day, to be levied as set forth in Section 2-637.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners that Chapter 32 Fees, Sec. 32-1 of the Cook County Code is hereby amended as follows:

Sec. 32-1. Fee schedule.

The fees or charges provided for or required by the below listed sections shall be as shown below:

<i>Code Section</i>	<i>Description</i>	<i>Fees, Rates, Charges (in dollars)</i>
CHAPTER 2, ADMINISTRATION		
2-633(a)(6)	Annual lobbyist registration fee, per entity and per exclusive lobbyist	350.00

Effective Date: This Ordinance amendment shall be effective upon adoption.

Approved and adopted this 9th day of January 2008.