

CITY OF PHOENIX

LOBBYIST FAQs

1. WHAT IS LOBBYING?

"Lobbying" is communication by a lobbyist with any City official for the purpose of influencing official action. "Lobbyist" means any person who is compensated to lobby for a person other than himself. With the exception of an employee hired and primarily compensated by an employer as a lobbyist, an employee communicating on behalf of an employer is NOT a lobbyist for purposes of the lobbying ordinance.

2. WHO IS A CITY OFFICIAL?

A "City official" means the Mayor and members of the Council of the City of Phoenix, whether serving by election or appointment and any person who serves in the administrative office of the Mayor or a Council member, or any person who serves on a City of Phoenix board, committee, or commission, or the City Manager, executive staff, and all City of Phoenix department and function heads. The executives, department and function heads referenced in the definition of City official can be found [here](#). Generally, these persons are in a position to make recommendations to the City Council related to a City policy or administrative or legislative act. A list of City of Phoenix boards and commissions and their members can be found [here](#).

3. WHO SHOULD REGISTER?

Any individual or organization who is compensated to lobby a City official for a person other than himself. Others who in the course of their job may receive compensation from another person to lobby a City official should also consider registering. A citizen, business owner or company official who communicates with a City official on an issue affecting them or their business, not on behalf of someone else, and who is not paid to lobby, does not need to register as a lobbyist.

4. WHO IS NOT A LOBBYIST?

- A developer, business owner or corporate officer who provides information about their project or issue and who does not ordinarily lobby on other policy or legislative issues.
- An accountant who responds to the Department of Finance request to produce his client's business records for purposes of a tax audit.
- A supplier of goods who responds to an RFP (request for proposals).
- A software developer who responds to a RFQ (request for qualifications) issued by the Information and Technology Department.
- An attorney who appears before an administrative hearing on behalf of his client to contest a notice of violation.

- A property owner who testifies before the City Council or a City Council subcommittee against a proposed building project in his neighborhood.
- An individual who calls the Department of Planning and Development to inquire whether a particular business activity is authorized at a specific location.
- A lawyer, architect or other representative of a building or land developer who testifies before a City Council subcommittee in support of a proposed development, and who is identified as testifying on behalf of the developer.
- A constituent who calls her councilmember to request an additional stop sign on her street.
- A group of developers who, at the invitation of a department head or councilmember, tours a neighborhood.
- An engineering consulting firm that seeks from City employees a status report on a client's project or license application.
- An attorney who files a notice of appearance in a case in which the City is a co-defendant.
- An attorney representing the City's adversary in litigation who comes to the Law Department to try to work out a compromise and reach a settlement.
- An attorney who represents a client before the Development Advisory Board.
- A consultant hired by a manufacturer who assists the company in responding to an RFP. (The consultant receives a fee if the company's proposal is accepted).

5. DOES EACH INDIVIDUAL LOBBYIST HAVE TO REGISTER SEPARATELY?

The City of Phoenix allows lobbyists to register individually, but also allows organizations to register on behalf of their lobbyists. An organization is not required to register if all of the lobbyists register individually. A registration for an organization must identify and provide information on each individual who will lobby.

6. WHEN SHOULD A LOBBYIST REGISTER?

Lobbyists must register prior to lobbying or within five business days after lobbying. Lobbyists must re-register for each calendar year by January 15.

7. COULD I HIRE SOMEBODY TO LOBBY AND PROMISE TO PAY THEM ONLY IF THEY ARE SUCCESSFUL?

No. Hiring someone to lobby on a contingency fee basis is prohibited.

8. COULD I OFFER TO LOBBY AND PROMISE TO RECEIVE PAYMENT ONLY IF I WERE SUCCESSFUL?

No. Lobbying on a contingency fee basis is prohibited.

9. HOW DO I REGISTER, AND IS THERE A REGISTRATION FEE?

All registration is done online in the Lobbyist Registration and Reporting Database found at <https://lobbyist.phoenix.gov/>. To use this system, a user account with a unique email address will need to be created. For additional information, please see the user guide found [here](#). There is no fee to register. Lobbyists must re-register each calendar year.

10. WHAT INFORMATION MUST BE INCLUDED ON THE REGISTRATION FORM?

There are separate forms for registering as an individual or as an organization. The name of each registered lobbyist must be provided, along with the business and email address. For an organization, identifying information about the organization is required. Also, each registered individual or organization must provide the name, business and e-mail address of all persons who compensate the lobbyist to lobby and on whose behalf lobbying is performed.

11. WHAT IF THERE ARE CHANGES IN REGISTRATION INFORMATION?

Changes in any registration information must be reported to the City Clerk using the registration amendment form within 30 days of the change. The registration amendment is made electronically through the Lobbyist Registration and Reporting Database at <https://lobbyist.phoenix.gov/>.

12. WHAT DO I HAVE TO DO ONCE I AM REGISTERED?

Registered lobbyists must disclose to each city official with whom the lobbyist communicates that he or she is acting in the capacity of a lobbyist. Registered lobbyists must also file reports on a quarterly basis electronically through the Lobbyist Registration and Reporting Database at <https://lobbyist.phoenix.gov/>.

13. WHAT REPORTS ARE REQUIRED?

Expenditure and campaign contribution reports must be filed quarterly. The reports are due January 15, April 15, July 15 and October 15. If a due date falls on a Saturday, Sunday or holiday the reports will be due on the next business day. Individual lobbyists do not have to file separate reports if they are registered as part of an organization. The organization can file a report for all of the lobbyists on its registration.

14. WHAT IF NO EXPENDITURES WILL BE MADE?

At the time of registration, or any time thereafter, a lobbyist may submit via the Lobbyist Registration Database, a signed statement certifying that the lobbyist does not intend to make any expenditures. Upon filing the statement, the lobbyist is not required to file quarterly lobbying expenditure reports unless an unanticipated expenditure occurs. If an expense is incurred after filing this statement, the lobbyist must amend the exemption statement within 10 days through the Lobbyist Registration and Reporting Database found at <https://lobbyist.phoenix.gov/>.

15. AM I REQUIRED TO REPORT THE AMOUNT THAT I PAY FOR LOBBYIST SERVICES?

No, an entity that hires a lobbyist is not required to report lobbyist employee salaries or the amount paid on a contract for lobbyist services.

16. WHO DO I CONTACT FOR MORE INFORMATION?

The City Clerk Department by email at lobbyist@phoenix.gov or by phone at 602-534-0490.

17. WHAT ARE THE PENALTIES?

Lobbyists who fail to register, file quarterly reports, file statements with false information or that omit material information, or fail to comply with any other requirements are subject to penalties that can include fines and suspension from lobbying. For repeated violations within specified periods of time, fines and suspensions increase, and for a third violation an lobbyist may be guilty of a class 1 misdemeanor. For more detailed information on violations and enforcement, please refer to Phoenix City Code Chapter 2-1005 and 2-1005.01.

18. HOW DO I REPORT A SUSPECTED VIOLATION?

Suspected violations may be reported to City Clerk via email at lobbyist@phoenix.gov.

19. WHAT IS THE DEFINITION OF QUASI-JUDICIAL BODY?

A **quasi-judicial** body is an entity such as an arbitrator or tribunal board, generally of a public administrative agency, which has powers and procedures resembling those of a court of law or judge, and which is obliged to objectively determine facts and draw conclusions from them so as to provide the basis of an official action. An illustrative non-exhaustive list in the City of Phoenix includes: the License Appeal Board, the Board of Adjustment, the Phoenix Employment Relations Board.