

Nonprofit Lobbying in Los Angeles County

Are you required to register as a lobbyist & report your lobbying activities?

Do you or your nonprofit organization advocate in Los Angeles County? If so, you may be required to register as a lobbyist and report your activities to the county if your activities qualify as lobbying under the Los Angeles County Lobbyist Ordinance (LACLO).

What is lobbying under the LACLO?

Under the LACLO, lobbying means promoting, supporting, influencing, modifying, opposing or delaying any county:

- Ordinance;
- Board of Supervisors' motion or resolution; or
- Contract, permit, grant, license, or franchise.

Efforts to impact county administrative actions, other than the ones listed above, are not lobbying under the LACLO.

Example: Lobbying

Alex is community outreach director and an employee of Angelenos Together, a nonprofit organization working to end homelessness in Los Angeles County. As part of her job responsibilities, Alex urges the Board of Supervisors to increase funding in the budget for the Homeless Initiative and also recommends that the Los Angeles County Department of Mental Health streamline its services for people experiencing homelessness. Alex's activities to influence the budget are lobbying but her conversations with the Department to improve the administration of its programs are not.

When do I or the nonprofit I work for have to register?

If nonprofit organizations or their employees are lobbying in Los Angeles County, they are required to register within 10 days of qualifying as a county lobbyist, county lobbying firm, or a county lobbyist employer.

A nonprofit employee must register as a county lobbyist if the employee meets either a "contact" test OR a "compensation" test:

- **Contact Test.** The employee receives *any* amount of compensation to directly communicate with county officials¹ for the purpose of lobbying, and directly communicates with them on at least five separate occasions in any three consecutive calendar months.

Example: County Lobbyist – Contact Test

In January, Pat — an employee of the Alliance to Protect Immigrant Rights (APIR) — writes a letter to the Board of Supervisors supporting a resolution reaffirming the county’s commitment to welcoming and protecting immigrants and refugees. In February, Pat meets with Supervisors’ staff on three separate occasions to develop specific language. In March, after hearing that approval of the resolution could get delayed, Pat calls an undecided county supervisor to urge swift approval of the resolution.

Pat has directly communicated with county officials on five separate occasions in three consecutive calendar months and is compensated (through her regular salary) to do so. Pat must register as a county lobbyist because Pat has met the contact test, regardless of the amount of compensation Pat receives.

- **Compensation Test.** The employee receives at least \$1,000 in compensation² in any calendar month to lobby the county. However, this test does not apply to full-time employees who primarily perform services other than county lobbying.

Example: County Lobbyist – Compensation Test

Mo is compensated \$3000 per month as a full-time APIR employee. Mo primarily conducts research and analysis on challenges immigrants face in California. Between May and July, Mo produces a report for the Los Angeles County Board of Supervisors on access to counsel in the county and urges them to increase funding for legal services to immigrants facing deportation.

Mo spends a quarter of his time in May and June, and one-third of his time in July, conducting research for the report. During that time, he only communicates with county officials or employees on one occasion, when submitting the report. Mo is not required to register as a county lobbyist because he does not meet the contact test and although he is compensated \$1000 to lobby in July, he is primarily engaged in services other than influencing official county action.

¹ County officials include any county officer, commissioner, or employee whose duties are not primarily clerical or manual.

² Compensation does not include reimbursement for reasonable travel expenses.

The registration fee for a county lobbyist is \$450 and is prorated if the person initially registers between October and December. Public officials or employees acting in their official capacity, newspapers or media outlets when publishing editorials or paid advertising, or attorneys and advocates when representing a party at an administrative proceeding are not lobbyists.

A nonprofit organization must register as a **county lobbying firm** if it receives any compensation³ for the purpose of lobbying on behalf of any other person, and:

- An officer or employee is a lobbyist; OR
- The organization meets the contact test or compensation test. This means the organization receives:
 - *Any* amount of compensation to directly communicate with county officials for the purpose of lobbying, and directly communicates with them on at least five separate occasions in any three consecutive calendar months; or
 - At least \$1,000 in compensation in any calendar month to lobby the county.

A nonprofit organization must register as a **county lobbyist employer** if any of its employees qualify as a lobbyist, or if it hires a contract lobbyist or lobbying firm to lobby the county. The registration fee for a lobbyist employer is \$75 and is prorated if the organization initially registers between October and December.

Registration automatically terminates at the end of the calendar year and if necessary, must be renewed on an annual basis by January 10. A lobbying entity can also terminate its status within 10 days of ceasing all lobbying activities by so indicating on its last report.

When do we have to report lobbying activities?

County lobbyists, lobbying firms, and lobbyist employers must file quarterly reports [electronically](#) and disclose, among other information, lobbying activities and payments received or incurred for lobbying. The quarterly deadlines are April 30, July 31, October 31, and January 31.

If an organization is not registered as a lobbying firm or lobbyist employer, it may still be required to file quarterly reports in quarters in which it qualifies as a **\$5,000 filer**. A \$5,000 filer is an organization that spends \$5,000 or more in a calendar quarter to lobby the county but does not qualify as a lobbying firm or a lobbyist employer.

³ Compensation does not include reimbursement for reasonable travel expenses.

Example: \$5,000 Filer

Between January and March, the Living Wage Center's only activities to influence Los Angeles County actions are to pay for online advertisements urging residents to tell the Los Angeles County Board of Supervisors to raise the minimum wage. The total cost of the advertisements is \$6,500. The Coalition qualifies as a \$5,000 filer and must file a report for the first quarter, January 1 – March 30.

Prohibitions

County lobbyists and lobbying firms are prohibited from:

- Making gifts, as defined under state law, aggregating more than \$50 in any calendar month to a county official; and
- Making any contribution to a county official or candidate for county office, including at any time in the 12 months after the lobbyist or lobbying firm was last registered.

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