

LOBBYING DECODED:

A Nonprofit's Roadmap to the Rules for Influencing Policy in Los Angeles County

LOS ANGELES COUNTY



The five members of the Los Angeles County Board of Supervisors command an immense budget and oversee the most populated county in the United States — presenting nonprofits with an unparalleled opportunity to advocate for countywide policies that impact 10 million residents.

Use this factsheet to familiarize yourself with the registration and reporting requirements in the Los Angeles County Lobbyist Ordinance.

The rules discussed in this resource are only applicable if you are lobbying Los Angeles County officials. If you plan to do advocacy at various cities in LA County, LAUSD (Los Angeles Unified School District), or LA Metro, please consult those respective government entities or agencies¹.

¹: See AFJ factsheets on Lobbying in the **City of LA** and **LAUSD**.

What Is Lobbying Under The Lobbyist Ordinance?

If you or your nonprofit organization advocate in Los Angeles County, you may be required to register as a lobbyist and report your activities to the county if your activities qualify for the lobbying thresholds under the **Los Angeles County Lobbyist Ordinance**.

The Lobbyist Ordinance² is designed to target the 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 considered lobbying under the Lobbyist Ordinance.

Example: Lobbying

Alex is the community outreach director at Angelenos Together, a 501(c)(3) nonprofit working to end homelessness in Los Angeles County. As part of their job, Alex urged the Board of Supervisors to increase funding in the county budget for the Affordable Housing Initiative and recommended that the County's Department of Mental Health streamline its services for people experiencing homelessness.

Alex's activities to influence the county budget allocations are lobbying but their recommendations to the Department of Mental Health to improve services are not lobbying.

Although some of their activities meet the definition of lobbying, there is not enough information here to know if Alex or Angelenos Together need to register and report as a county lobbyist or a county lobbyist employer respectively. We need to know whether Alex met the compensation or contact test, and/or whether Angelenos Together spent \$5,000 or more to influence the county supervisors in their budget vote. These additional topics are discussed in more detail below.

2: Los Angeles County Code § 2.160.010

When Does An Individual Or An Organization Need To Register?

County Lobbyist

You must register as a **county lobbyist** if you meet either a compensation test or a contact test:

Compensation Test

You receive or become entitled to receive *at least \$1,000* in compensation in any calendar month to influence official county action.

The compensation test does not apply to full-time employees who primarily perform services other than lobbying the county. It also does not include compensation received for administrative testimony or reimbursement for reasonable travel expenses.

Example: Compensation Test

Mo earns \$3,000 per month as a full-time employee of the Alliance to Protect Immigrant Rights (APIR), a 501(c)(4) organization. His primary job duties are to conduct research and analyze the challenges immigrants face and then educate the public on his findings.

From September to March, Mo spent 25% of his work time conducting research and developing a comprehensive report examining the barriers immigrants face in accessing healthcare services in Los Angeles County. He submitted this report on behalf of APIR to the Board of Supervisors, urging them to increase the funding for healthcare services to immigrants living in LA County.

Mo is not required to register as a county lobbyist under the compensation test. Each month, he was paid \$750 (25% of \$3,000) to influence official county action, below the \$1,000 threshold for this test.

Contact Test

You receive or become entitled to receive *any amount* of compensation to directly communicate with county officials for the purpose of influencing official county action on at least five separate occasions in any three consecutive calendar months.

Compensation received for administrative testimony or reimbursement for reasonable travel expenses does not count under the contact test either.

County officials include any county officer, commissioner, or employee whose duties are not primarily clerical or manual. Examples include the board of supervisors, the sheriff, the assessor, and the district attorney.

Example: Contact Test

Building on Mo's research at the Alliance to Protect Immigrant Rights (APIR), after he submitted the report to the Board of Supervisors in March, he met with three supervisors' staff on three separate occasions in April to determine strategic resource allocation needed to support the increased spending on healthcare for immigrants. After learning that the final budget vote could be delayed, Mo emailed the chair of the supervisors in May to urge that they move the budget vote to the top of the agenda in the next board meeting.

Mo now meets the criteria under the contact test to be considered a county lobbyist. Did you catch the five direct communications Mo had with county officials for the purpose of influencing official county action?

- **Contact 1:** In March, he submitted a report to the Board of Supervisors urging the increase in funding for healthcare services to immigrants;
- **Contacts 2-4:** In April, Mo met with three supervisors' staff on three separate occasions to determine strategic resource allocation;
- **Contact 5:** In May, he emailed the chair of the supervisors to urge that they vote on the budget in the next board meeting.

Since these five contacts were within three consecutive calendar months (March to May), Mo meets the contact test to become a county lobbyist.

He must register as a county lobbyist within 10 days after his fifth direct communications, pay the \$450 registration fee, and file quarterly disclosure reports. Mo remains a county lobbyist until the end of the year or until he notifies the county of his intent to stop lobbying.

Who is Not Considered to Be a County Lobbyist?

Public officials or employees acting in their official capacity, newspapers or media outlets publishing routine editorials or paid advertisement, and attorneys and advocates representing a party at an administrative proceeding are all not county lobbyists³.

County Lobbying Firm

An organization qualifies and must register as a **county lobbying firm**⁴ if it receives any compensation, excluding travel expense reimbursement, for the purpose of lobbying on behalf of any other person, and:

- Is a partner, owner, officer, **or** employee is a county lobbyist; **or**
- The organization meets the contact test **or** the compensation test as described above.

County Lobbyist Employer

An organization qualifies and must register as a county **lobbyist employer**⁵ if any of its employees qualify as a lobbyist, or if it hires a contract lobbyist or lobbying firm to lobby the county on its behalf.

Example: County Lobbyist Employer

Since Mo is an employee of the Alliance to Protect Immigrant Rights (APIR), it must register as a county lobbyist employer within 10 days after Mo qualifies as a county lobbyist, pay the \$75 registration fee, and file quarterly disclosure reports. APIR remains a county lobbyist employer until the end of the year or until it terminates its lobbying registration.

Registration Timeline

Within 10 days of qualifying as a county lobbyist, county lobbying firm, or county lobbyist employer, you are required to register with the County of Los Angeles⁶.

3: Los Angeles County Code § 2.160.010(d)

4: Los Angeles County Code § 2.160.010(e)

5: Los Angeles County Code § 2.160.010(f)

6: Los Angeles County Code §§ 2.160.020; 2.160.030; 2.160.040

Registration Fees

The initial registration fee for a county lobbyist is \$450 and is prorated to \$337 if you register during the last quarter of a calendar year⁷. Subsequent annual registration fee is \$450.

There is no fee for the initial or annual registration for a county lobbying firm.

The initial registration fee for a lobbyist employer is \$75 and is prorated to \$56 if registers during the last quarter of a calendar year. Subsequent annual registration fee is \$75.

Termination

A county lobbying entity (county lobbyist, county lobbying firm, or county lobbyist employer) can terminate its lobbyist status within 10 days of stopping all lobbying activities by indicating this on its last lobbying report⁸. Otherwise, registration automatically terminates at the end of the calendar year or must be renewed by January 10th of the following year⁹.

When And How Often Are Lobbying Reports Due?

County lobbyists, county lobbying firms, and county lobbyist employers **must file quarterly reports electronically** and disclose, among other information, lobbying activities and payments received or incurred for lobbying. Quarterly reports are due on April 30, July 31, October 31, and January 31. There are no fees to file these disclosure reports. You may apply for log in credentials to file and search for reports on the [county's website](#).

Who Else Must File Lobbying Reports?

If an organization is not registered as a county lobbying firm or county lobbyist employer, it may still be required to file quarterly disclosure 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 county lobbying firm or a county lobbyist employer¹⁰.

7: Los Angeles County Code § 2.160.140

8: Los Angeles County Code § 2.160.050

9: Los Angeles County Code §§ 2.160.020(b); 2.160.030(b); 2.160.040(b)

10: Los Angeles County Code § 2.160.080

Examples: \$5,000 Filer

Between January and March, the Living Wage Center's paid for online advertisements urging residents to tell the Board of Supervisors to raise the minimum wage. The Living Wage Center did not engage in any other lobbying activity during this time. The total cost of the advertisements was \$6,500.

The Living Wage Center qualifies as a \$5,000 filer. While it does not need to register, it must file a report of its lobbying activity by April 30th.

Another instructive example comes from the county's own guidance:

In October, the Association of Valley Growers pays a telephone solicitor \$10,000 to call constituents of a Supervisorial District regarding a County ordinance. The solicitor routes or otherwise directs the constituent to a County Official's office so that the constituent can speak directly to the County Official's staff regarding the ordinance. The Association qualifies as a \$5,000 filer and must file a report for the fourth quarter, October 1-December 31.

Is MY Lobbying Information Public?

Yes! The forms filed by any registered county lobbyist, county lobbying firm, and county lobbyist employer are publicly available. You may access this information on the [public search portal](#).

What Happens if My Organization Fails to Register and Report Timely?

Failure to register or file the required report to the county will result in a notice of noncompliance. The notice will include a warning that additional fees may be imposed if the required registration or reports, including any payment of required fees, are not filed by a specified deadline. Continued noncompliance may lead to restrictions on your ability to address county commissions or boards, restrictions on your ability to re-register as a lobbying entity, and denial of any action before the county that was the subject of the lobbying activity. Additionally, the county may issue sanctions and penalties up to \$5,000 per violation or chose to impose administrative fines of up to \$5,000, and a noncompliance fee of up to \$5,000¹¹.

Prohibitions On County Lobbyists And County Lobbying Firms

County lobbyists and county lobbying firms (but not county lobbyist employers) are prohibited from¹²:

- Making gifts, as defined under California state law, totaling 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 county lobbyist or county lobbying firm was last registered.

The information contained in this fact sheet and any attachments is for informational purposes only and is not part of an attorney-client relationship. The information is not a substitute for expert legal, tax, or other professional advice tailored to your specific circumstances, and may not be relied upon for the purposes of avoiding any penalties that may be imposed under the Internal Revenue Code or state or local law. Alliance for Justice publishes plain-language guides on nonprofit advocacy topics, offers educational workshops on the laws governing the advocacy of nonprofits, and provides technical assistance for nonprofits engaging in advocacy. For additional information, please feel free to contact Alliance for Justice via our [technical assistance form](#) or email at advocacy@afj.org.

11: Los Angeles County Code § 2.160.150

12: Los Angeles County Code § 2.160.130