

1 employed for governmental affairs by another person or governmental entity to lobby on behalf
2 of that other person or governmental entity.

3 (c) "Lobbying firm" means a business entity, including an individual contract
4 lobbyist, that receives or becomes entitled to receive any compensation for the purpose of
5 lobbying, where any partner, owner, officer, or employee of the business entity is a lobbyist.

6 (d) *Principal* shall mean a person, firm, corporation, or other legal entity which has
7 employed or retained a lobbyist.

8 (e) *Employee* shall mean the County Administrator, County Attorney, Executive
9 Director of Tourist Development, Commission Staff, and all persons employed by the Board of
10 County Commissioners.

11 (f) *Decision-making body* shall mean any body established by the Board of County
12 Commissioners.

13 **Sec. 2-701. Registration of lobbyists.**

14 All lobbyists, as defined herein, shall register with the Clerk of the Board of County
15 Commissioners on an annual basis, including payment of a non-refundable \$25.00 fee for each
16 principal so represented, prior to engaging in any lobbying. Registration shall be updated
17 annually to add or withdraw principals, and at least each time a lobbyist ~~before a lobbyist~~
18 commences lobbying on behalf of any new principle. Each lobbyist shall be required to register
19 on forms prepared by the Clerk of the Board. The lobbyist shall state under oath his or her name,
20 business address, the name and business address of each principal represented, that the principal
21 has actually retained the lobbyist, the general and specific areas of legislative interest, and the
22 nature and extent of any direct business association or partnership with any current member of
23 the Board of County Commissioners, County employee, or person sitting on a decision-making

1 body. Each lobbying firm may register in the name of such firm, corporation or legal entity,
2 provided the registration and the payment of the lobbyist fees shall be for each of the ~~shall list~~
3 ~~the names of all~~ persons who engage in lobbying as defined in this Article. Failure to register, or
4 providing false information in the lobbyist registration form, shall constitute a violation of this
5 Article.

6 **Sec. 2-702. Exemptions.**

7 The following persons are not lobbyists as defined in Section 2-700(b), and shall not be
8 required to register as lobbyists or to keep records as lobbyists:

9 (1) Leon County employees discussing government business;

10 (2) Law enforcement personnel conducting an investigation;

11 (3) Persons who communicate with Board members or employees in an individual
12 capacity for the purpose of self-representation, or on behalf of a family member, without
13 compensation or reimbursement;

14 (4) Consultants under contract with Leon County who communicate with
15 Commissioners or County employees regarding issues related to the scope of services in their
16 contract;

17 (5) Any government officials or employees who are acting in their official capacity or
18 in the normal course of their duties, unless they are proposing in a competitive procurement, or
19 are government employees principally employed for, or whose substantial duties pertain to,
20 governmental affairs lobbying;

21 (6) Persons who make purely factual informational requests to a member of the Board
22 of County Commissioners, member of a decision-making body, or employee with no intent to
23 affect a decision or recommendation on any item; and

1 (7) Persons or representatives of organizations contacted by a member of the Board
2 of County Commissioners, member of a decision-making board, or employee when the contact is
3 initiated by that Board member, decision-making board member, or employee in his or her
4 official capacity in the normal course of his or her duties to obtain factual information only.

5 **Sec. 2-703. Validity of Action.**

6 The validity of any decision, action, or determination made by the Commission, decision-
7 making board or employee shall not be affected by the failure of any person to comply with the
8 provisions of this Article.

9 **Sec. 2-704. Quarterly Compensation Report.**

10 Each lobbying firm shall file a compensation report, signed under oath, with the Clerk of
11 the Board of County Commissioners for each calendar quarter during any portion of which such
12 a lobbyist or lobbyist firm was registered under this Article to represent a principal (hereinafter
13 "Reporting Period").

14 (1) Each lobbying firm shall file a quarterly compensation report with the Clerk of the
15 Board for each calendar quarter during any portion of which the lobbyist or one or more of the
16 firm's lobbyists were registered to represent a principal. The report shall include the:

- 17 a. Full name, business address, and telephone number of the lobbying firm;
18 b. Name of each of the firm's lobbyists; and
19 c. Total compensation provided or owed to the lobbying firm from all principals
20 for the reporting period, reported in one of the following categories: \$0; \$1 to
21 \$49,999; \$50,000 to \$99,999; \$100,000 to \$249,999; \$250,000 to \$499,999;
22 \$500,000 to \$999,999; \$1 million or more.

1 (2) For each principal represented by one or more of the firm's lobbyists, the quarterly
2 compensation report shall also include the:

- 3 a. Full name, business address, and telephone number of the principal; and
- 4 b. Total compensation provided or owed to the lobbying firm for the reporting
5 period from such principal, reported in one of the following categories: \$0; \$1 to
6 \$9,999; \$10,000 to \$19,999; \$20,000 to \$29,999; \$30,000 to \$39,999; \$40,000 to
7 \$49,999; or \$50,000 or more. If the category "\$50,000 or more" is selected, the
8 specific dollar amount of compensation must be reported, rounded up or down to
9 the nearest \$1,000.

10 (3) The quarterly compensation reports shall be filed no later than 30 days after the end
11 of each reporting period. The four reporting periods are from January 1 through March 31, April
12 1 through June 30, July 1 through September 30, and October 1 through December 31,
13 respectively. The quarterly compensation reports shall be filed in the form provided by the Clerk
14 of the Board of County Commissioners, and the quarterly reporting shall commence on January
15 1 of each year.

16 (4) Failure to file a required quarterly compensation report with the Clerk of the Board
17 shall result in the imposition of a penalty equal to twice the annual lobbyist registration fee.

18 **Sec. 2-705. Maintaining Registrations and Compensation Reports.**

19 The Clerk of the Board of County Commissioners shall accept and maintain the lobbyist
20 registrations and quarterly compensation reports, which shall be open for public inspection.

1 **Sec. 2-706. Prohibited Conduct of County Officials and Employees.**

2 No member of the Board of County Commissioners or employee of Leon County shall
3 solicit or accept as compensation, payment, favor, service, or thing of value from a lobbyist or
4 principal when such member of the Board of County Commissioners or employee, as specified
5 above, knows, or with the exercise of reasonable care, should know, that it was given to
6 influence a vote or recommendation favorable to the lobbyist or principal.

7 **Sec. 2-707. Prohibited Communication.**

8 (a) Any form of communication, except for written correspondence, shall be
9 prohibited regarding a particular request for proposal, request for qualification, bid, or any other
10 competitive solicitation between:

- 11 1. Any person or person's representative seeking an award from such
12 competitive solicitation; and
- 13 2. Any County Commissioner or Commissioner's staff, or any County
14 employee authorized to act on behalf of the Commission to award a
15 particular contract.

16 (b) For the purpose of this section, a person's representative shall include, but not be
17 limited to, the person's employee, partner, officer, director, consultant, lobbyist, or any actual or
18 potential subcontractor or consultant of the person.

19 (c) The prohibited communication shall be in effect as of the deadline to submit the
20 proposal, bid, or other response to a competitive solicitation. ~~Each request for proposal, request~~
21 ~~for qualification, bid, or any other competitive solicitation shall provide notice of the provisions~~
22 ~~of this section.~~

1 (d) The provisions of this section shall not apply to oral communications at any
2 public proceeding, including pre-bid conferences, oral presentations before selection committees,
3 contract negotiations during any public meetings, presentations made to the Board, and protest
4 hearings. Further, the provisions of this section shall not apply to contract negotiations between
5 any employee and the intended awardee, any dispute resolution process following the filing of a
6 protest between the person filing the protest and any employee, or any written correspondence
7 with any employee, County Commissioner, or decision-making board member or selection
8 committee member, unless specifically prohibited by the applicable competitive solicitation
9 process.

10 (e) The provisions of this section shall not apply to any purchases made in an amount
11 less than the competitive bid threshold of \$20,000.00, as set forth in Leon County Purchasing
12 Policy No. 96-1, as amended.

13 (f) The provisions of this section shall terminate at the time the Board, or a County
14 department authorized to act on behalf of the Board, awards or approves a contract, rejects all
15 bids or responses, or otherwise takes action which ends the solicitation process.

16 **Sec. 2-708. Penalties.**

17 The penalties for an intentional violation of this article shall be those specified in
18 §125.69(1), Florida Statutes, as amended, and shall be deemed supplemental to the penalties set
19 forth in Section 1-9 of this Code.

20 **Section 2. Severability.** If any provisions or portions of this Ordinance are declared by
21 any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all
22 remaining provisions and portions of this Ordinance shall remain in full force and effect.

