

ORDINANCE

WHEREAS, according to the City of Chicago's Board of Ethics' Mission Statement "City employees and officials owe the city a fiduciary duty: their duty is to put the city's interests ahead of their own;" and,

WHEREAS, the City of Chicago's ethics ordinance was enacted to "ensure that city employees, appointed and elected officials, lobbyists, those with or seeking city business, or who make political contributions to city officials or candidates, act to maintain integrity in the operation of city government; and,

WHEREAS, in furtherance of the foregoing and our responsibility as officials elected by the residents of the city it is necessary for the city to enact this ordinance, that shall be referred to as the "Lobbyist Ethics Overhaul;" and,

WHEREAS, it is in the best interest of the residents of the city to amend the city's ethics ordinance to limit the definition of "lobbyist" in order to maintain the integrity of lobbying activity, uphold the rules of professional conduct and deter the foregoing behavior that has been exercised by lobbyists and corporations for decades from taking place in the future, by enacting the Lobbyist Ethics Overhaul; and,

WHEREAS, the Lobbyist Ethics Overhaul revises the definition of "lobbyist" and restricts individuals that lack certain criteria from performing lobbying activities; and,

WHEREAS, the Lobbyist Ethics Overhaul prohibits lobbying activity for the following:

Individuals that are not admitted to the Illinois bar or bar association of any other territory within the United States, a Certified Public Accountant, an expert certified by the Illinois Department of Professional and Financial Regulation or a full-time employee of the company or corporation on behalf of which said individual is lobbying.

WHEREAS, the Lobbyist Ethics Overhaul must be adopted in order to maintain the integrity of lobbying activity, uphold the rules of professional conduct and reverse the negative reputation of Illinois and city government; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Title 2 of the Municipal Code of Chicago is hereby amended by deleting the struck through language and by inserting the language underscored, as follows:

2-156-010 – Definitions.

(p) "Lobbyist" means any attorney, accountant, professional certified by the Illinois Department of Financial and Professional Regulation, or full-time employee of the company or corporation on behalf of which he or she is advocating ~~person~~ who, on behalf of any person other than himself, or as any part of their duties as an employee of another, undertakes to influence any legislative or administrative action, including but not limited to:

- (1) A bond inducement ordinance;
- (2) A zoning matter;
- (3) A concession agreement;
- (4) The creation of a tax increment financing district;
- (5) The establishment of a Cook County property tax incentive classification;
- (6) The introduction, passage or other action to be taken on an ordinance, resolution, motion, order, appointment or other matter before the City Council;
- (7) The preparation of contract specifications;
- (8) The solicitation, award or administration of a contract;
- (9) The award or administration of a grant, loan, or other agreement involving the disbursement of public monies; or
- (10) Any other determination made by an elected or appointed City official or employee of the City with respect to the procurement of goods, services or construction.

Provided, however, that a person shall not be deemed to have undertaken to influence any legislative or administrative action solely by submitting an application for a City permit or license or by responding to a City request for proposals or qualifications. It shall not constitute lobbying as defined here for an individual who is paid on a contingent or commission basis for the good faith sale of goods or services to contact a City official or employee regarding the purchase by the City of such goods or services, provided that such individual is contacting only those City officials or employees who have responsibility for making purchasing decisions regarding such goods or services in the normal course of business.

The term "lobbyist" shall include, but is not limited to, an attorney, accountant, or consultant engaged in the above-described activities; provided, however, that an attorney shall not be considered a lobbyist while representing clients in a formal adversarial hearing. A person who seeks to influence legislative or administrative action on behalf of a not-for-profit entity shall be deemed a lobbyist only if such person: (i) is paid or otherwise compensated for those efforts; or (ii) undertakes those efforts as a matter of professional engagement, regardless of pay or other compensation.

The term "lobbyist" shall not include: (i) any employee or official of another government unit who engages in the above-described activities on behalf of that government unit; or (ii) a person who: (a) attends a meeting with an employee or official simply to provide technical information or address technical questions; (b) attends a meeting to provide clerical or administrative assistance (including audio/visual, translation or interpretation and sign language); (c) attends a meeting to observe for educational purposes; or (d) plays no role in the strategy, planning, messaging, or other substantive aspect of the overall lobbying effort.

Individuals that are not admitted to the Illinois bar or bar association of any other territory within the United States, a Certified Public Accountant, an expert certified by the Illinois Department of Professional and Financial Regulation accredited in a particular area or a full-time employee of the company or corporation on behalf of which said individual is lobbying, are strictly prohibited from lobbying or registering as a "Lobbyist" as defined by ordinance.

2-156-135 Prohibited political activities.

(a) No employee shall intentionally perform any prohibited political activity during any compensated time.

(b) No official, employee, or candidate for City office shall intentionally use any City property or resources of the City in connection with any prohibited political activity; provided, however, any official, employee, or candidate for City office may reserve and rent a City-owned facility at a fair market value before any such activity or event connected therewith.

(c) No official or employee shall intentionally require at any time any other official or employee to perform any prohibited political activity: (i) as part of the other official's or employee's duties; (ii) as a condition of employment; or (iii) during any compensated time off.

(d) No official or employee shall be required at anytime to participate in any prohibited political activity in consideration of additional compensation or any other benefit, including a salary adjustment, bonus, compensatory time off, or continued employment.

(e) No official or employee shall be awarded additional compensation or any benefit for such official's or employee's participation in any prohibited political activity.


(f) Nothing in this section shall be construed to prohibit activities that an official or employee undertakes as part of such official's or employee's official duties or such activities that the official or employee may undertake on a voluntary basis, and which are not otherwise prohibited by this chapter.

(g) No person either: (i) in a position that is subject to recognized merit principles of public employment; or (ii) in a position the salary for which is paid in whole or in part by federal funds and that is subject to the Federal Standards for a Merit System of Personnel Administration applicable to grant-in-aid programs, shall be denied or deprived of city

employment solely because such person is a member or an officer of a political committee, a political party, a political organization or club.

(h) No elected official or staff may use public databases that provide the names of lobbyists or their clients to solicit donations.

SECTION 2. This ordinance shall take effect upon passage.



Raymond A. Lopez
Alderman, 15th Ward

 4/15/17

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