

**Portland  
City Auditor**



# **City Disclosures Required for Lobbying Entities**

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Elections Division  
2025**



**Portland  
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Campaign Finance &  
Lobbying Regulations

“The City finds that, to preserve the integrity of its decision-making processes, lobbying entities that engage in efforts to influence City officials, should report their lobbying efforts to the public.”

-City Code Section 2.12.010 (Purpose)

# Training Overview

## 1. Important Definitions

## 2. City Requirements for Lobbying Entities

- Registration
- Reports

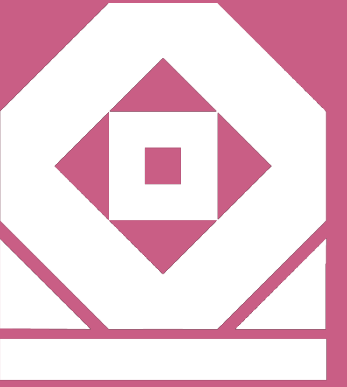
## 3. Lobbyist Declarations

- When required

## 4. Post-Employment Lobbying Restrictions ("Cooling-off periods")

- Who is prohibited
- Lengths of prohibitions

## 5. Enforcement



# Important Definitions

**Code Section 2.12.020**

**Auditor Administrative Rule 15.01**

# Highlighted definitions

## City Code Section 2.12.020

### ARA 15.01

- Lobbyist
- Lobbying entity
- Lobby/lobbying/lobbies
- Official action
- City official
- At will staff of City elected official
- City director



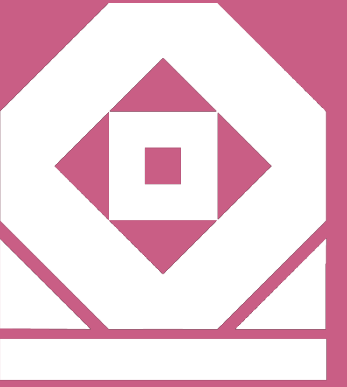
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# Who is a lobbyist?

## Lobbyist

Any individual authorized to lobby on behalf of a **lobbying entity**

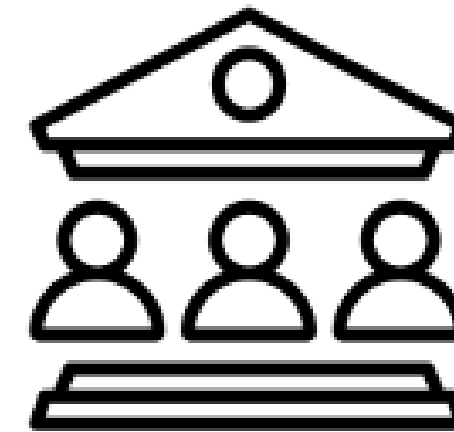


# What is a lobbying entity?

- Individual
- Corporation, Association, Organization (additional listed entities), and
- **Other groups**  
...who lobby by employing or otherwise authorizing a lobbyist to lobby on that person's behalf.



Volunteer  
Organizations



Governments



# Who is a lobbyist? (cont.)

## Lobbyist

Any individual authorized to **lobby** on behalf of a lobbying entity

# What does it mean to lobby?

Attempting to influence the official action of City officials

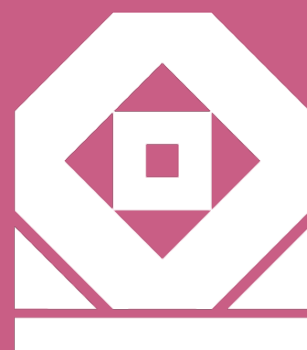
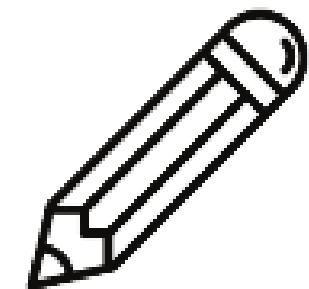
## Attempting to influence

Communicating with a City official by **any means** (in person, writing, electronically, social media)

directly

or through an **intermediary** (indirect lobbying)

to promote/oppose/advocate on any official action



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# Direct lobbying

Attempting to influence the official action of City officials by communicating directly to promote/oppose/advocate on any official action

- **Lobbying time threshold for registration and reporting includes:**
  - Time spent in communication (e.g., meeting/call)
  - Time spent preparing for such communications
  - Time spent preparing communications
- **Lobbying excludes:** Ministerial tasks (e.g., ministerial scheduling communications)\*
  - **\*Unless** attempt to influence was included in ministerial task

# Indirect lobbying

Attempting to influence official actions of City officials by communicating through an **intermediary** to promote/oppose/advocate on any official action

- **Lobbying time and money threshold for registration and reporting includes:**
  - Funds spent on indirect lobbying **and**
  - Time spent on indirect lobbying
- **Communicating through an intermediary may include:**
  - Talking to a Council Aide
  - Distributing mailers encouraging Portlanders to pressure City officials to take City action
  - Using radio announcements to encourage Portlanders to pressure the City to stop an action

# Indirect lobbying examples

## Example 1

Company spends time creating form letter and money on outreach for a letter-writing campaign encouraging Portlanders to send letters to their City Councilors.

- The time and money spent would count towards the City's thresholds.

## Example 2

A lobbyist spends time lobbying staff of Interim Director of Portland Permitting & Development to request the Interim Director grant a special llama permit for a small business.

- The time spent on indirect lobbying would count toward the City's threshold.

# What does it mean to lobby?

Attempting to influence the **official action** of City officials

## Official action

- Sponsorship
- Debate
- Voting
- **Or any other official action**



- Ordinance
- Measure
- Resolution
- Amendment

- **Or any matter,** including administrative action, **that may be the subject of action by the City**



# Exceptions to lobbying

New included exceptions codify the Election Division's longstanding interpretation

- Own opinion
- Certain boards/committees/working groups
- Request for Proposal (RFP)
- Testimony
- Contract/grant work
- Responses to certain City requests
- Ministerial tasks

Additional exceptions listed in **Code Section 2.12.020 G**

# Who are City officials?

- Elected City Officials (City Councilors, Mayor, Auditor)
- At will staff of elected City officials
- City directors (defined in Code)
- Appointees to the following boards/commissions:
  - Prosper Portland Board of Commissioners
  - Planning Commission
  - Design Commission
  - Fire and Police Disability and Retirement Board



# Who are City officials? (cont.)

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  - Planning Commission
  - Design Commission
  - Fire and Police Disability and Retirement Board

# Who are at will staff of elected City officials? (for disclosure purposes)

- Position is excluded from classified service, and
  - **Councilor Offices:** Administrative staff and shared administrative staff
  - **Mayor's Office:** Administrative staff employed in the Mayor's Office
  - **Auditor's Office:** Chief Deputy Auditor, Director of Auditor Services, Ombudsman, and General Counsel

# Who are City officials? (cont. 2)

- Elected City Officials (City Councilors, Mayor, Auditor)
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  - Planning Commission
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  - Fire and Police Disability and Retirement Board

# Who are City directors?

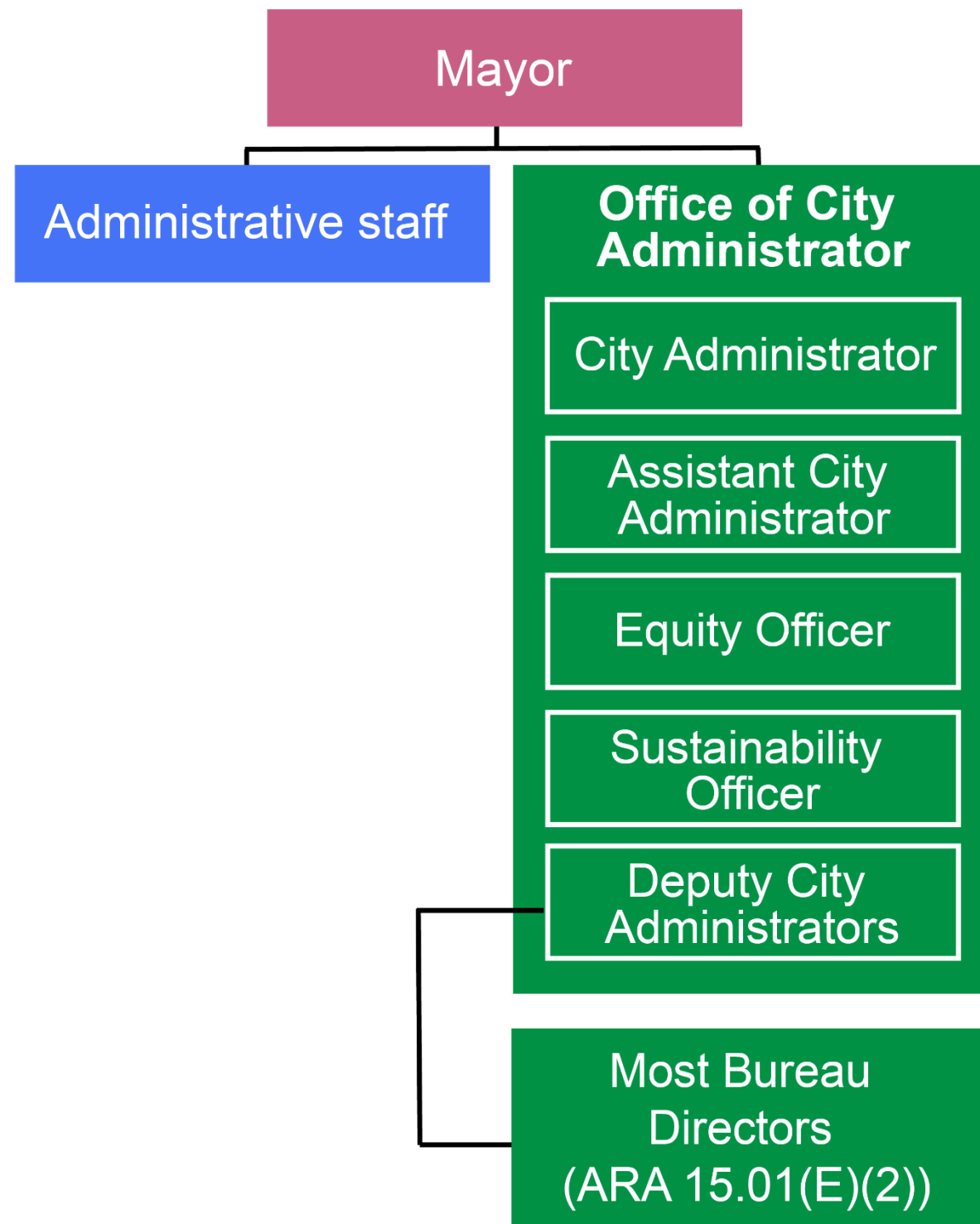
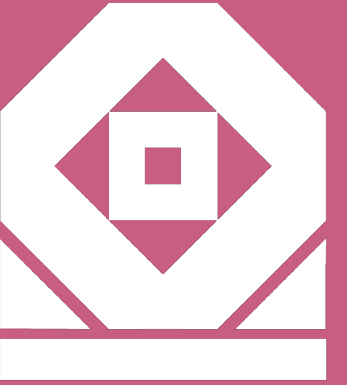
## Code Section 2.12.020 C.

- City Administrator
- Assistant City Administrator
- Deputy City Administrators
- Equity Officer
- Sustainability Officer
- Most bureau directors (see list in **ARA 15.01(E)(2)**)



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# Where can I find a list of City officials?

[Portland.gov/auditor/lobbyist/resources](https://portland.gov/auditor/lobbyist/resources)

## List of City Officials

The following individuals are subject to disclosures under the City's lobbying regulations:

- Elected officials
- At-will staff of elected officials
- City directors as defined in City Code

For specific definitions of the above individuals, see [City Code 2.12](#).

The Auditor's Office maintains a list of City officials subject to the regulations.

[View Current City Official List January 2025](#)



## NOTIFY

City Elections Division  
if someone is missing  
from the list!



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# Requirements for Lobbying Entities

## Registration & Reports

**Code Section 2.12.030**

**Code Section 2.12.040**

**Auditor Administrative Rule (ARA) 15.01**

# Lobbying entity registration

- Lobbying entity as a whole (not individual lobbyists)
- Required after spending a minimum of 8 hours or \$1,000 on City lobbying during a calendar quarter
  - Indirect lobbying funds and time count towards threshold
- Complete within 3 business days of reaching either threshold
- Registration expires at the end of each calendar year (Dec. 31)



# Examples of registered lobbying entities

- Oregon Museum of Science and Industry (OMSI)
- Oregon Smart Growth
- Portland Metro Chamber (aka Portland Business Alliance)
- Verizon

# Lobbying entity reporting

- Lobbying entity as a whole (not individual lobbyist)
- Required after spending a minimum of 8 hours or \$1,000 on City lobbying during a calendar quarter
  - Indirect lobbying funds and time count towards threshold
- File original report quarterly by filing deadline
- No required report if lobbying did not reach 8hr/\$1,000 threshold for that quarter
- May amend report by amendment deadline

# Quarters and Deadlines\*

**Quarter 1:** Jan 1 – Mar 31

Apr 15 - Filing deadline

Apr 25 - Amendment deadline

**Quarter 2:** Apr 1 – Jun 30

Jul 15 - Filing deadline

Jul 25 - Amendment deadline

**Quarter 3:** Jul 1 – Sept 30

Oct 15 - Filing deadline

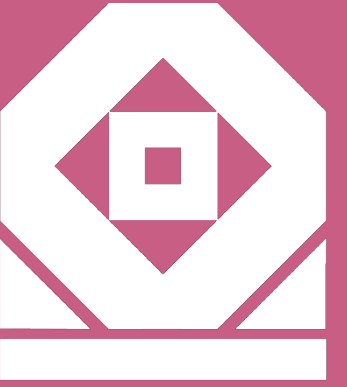
Oct 25 - Amendment deadline

**Quarter 4:** Oct 1 – Dec 31

Jan 15 - Filing deadline

Jan 25 - Amendment deadline

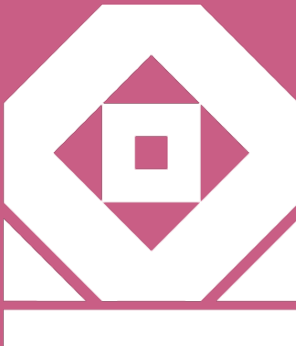
**\* Deadlines falling on holidays or weekends move to the following business day**



# Lobbying activity reports

## New changes to help streamline reporting begin Q2 2025

Date	Subject	Other	Action of Interest	Potential Equity Impact	Contact Type	Official(s)	Lobbyist(s)
<p><b>*Upcoming Change:</b> Select one date/ date range for same subjects <b>and</b> actions of interest</p>	Business and Economic Development		Request for support of letter encouraging peaceful protest	No	<p><b>*Upcoming Change:</b> Select multiple methods</p>	Ted Wheeler	Larry Chatterbox



# Lobbying activity reports: expenditures

Include good faith estimate of total quarterly money spent, including:

- Food, refreshments, travel and entertainment
- Advertising, direct mail and email
- **Compensation** paid to lobbyists
- Expenditures of \$25 or more made for the benefit of a City official
  - Payee, date, purpose, amount
- Additional expenditure items included in **Code Section 2.12.040 A.2.**



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# Lobbying activity reports: excluded expenditures

- Personal living expenses
- Personal travel expenses
- Salaries and wages paid to staff providing clerical assistance
- Additional excluded items included in **Code Section 2.12.040 B.**

# Requirement for Lobbyists

## Declare Your Lobbying Entity

**Code Section 2.12.060**

# When lobbyists must disclose who they represent

Lobbyists must declare which lobbying entity they represent for that communication:

- Before giving public testimony before City officials (City Council meetings)
- Beginning of meetings
- Beginning of phone calls
- In emails to City officials
- In letters to City officials

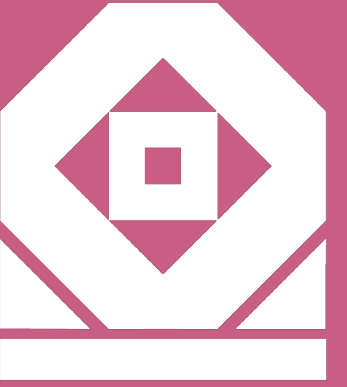
Declarations are required whether or not a lobbying entity is registered with the City.



# Post Employment with City

## Restrictions on Lobbying

**Code Section 2.12.080**



Former position	Prohibition length	Prohibited from lobbying (paid or for other consideration)
<b>City elected official</b>	2 years	City elected officials Salaried at-will staff of City elected officials Office of City Administrator
<b>Salaried at-will staff of Councilor</b>	1 year	City elected officials Salaried at-will staff of City elected officials
<b>City employee</b>	Duration of contract	City official (regarding any contracts the employee exercised mgmt. authority over)
<b>Salaried at-will staff of Mayor</b>	1 year	Mayor Mayor's salaried at-will staff Office of City Administrator
<b>City director</b>	2 years	Current City director Mayor* Office of City Administrator* *(regarding matters within powers and duties of former director's bureau/office)

# Exceptions to Post-Employment Lobbying Restrictions

- Representing self or immediate family in individual capacity
- Official capacity if public employee
- **Ministerial actions** do not count
  - **Ministerial action:** City employee discretion not required for any outcome or course of action
  - **Example:** Scheduling
- Certain City requests to former City employees

# City Enforcement

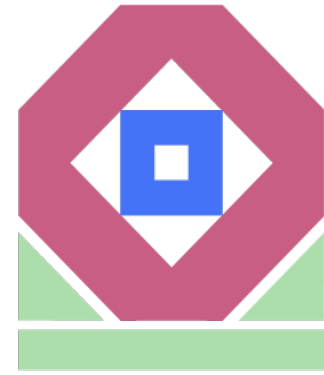
**Code Section 2.12.120**

**Auditor Administrative Rule (ARA) 15.03**

# Lobbying violations: enforcement

## ARA 15.03

- Investigations are largely complaint based
- Violations may result in warnings or civil penalties
- Maximum penalty of \$3,000/violation
  - Based on aggravating or mitigating factors included in **ARA 15.03**
  - Example: Whether violation was repeated and continuous, or isolated and temporary
- Reconsideration and appeal options available



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