BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

ORDINANCE NO. 1336

Establishing Lobbying Reporting Requirements and Improving Transparency in Multnomah County

(Language ~~stricken~~ is deleted; <u>underlined</u> language is new.)

The Multnomah County Board of Commissioners Finds:

A. Transparency and accountability are the foundations for public trust in government.

B. The State adopted lobbying rules in 1973, and many local governments around the state have since implemented similar measures - including Metro and the City of Portland.

C. Community advocacy and direct input from County residents is vital in informing the Commission's priorities and ensuring County services meet community needs. It is also important that the Commission's deliberations are not unduly influenced by external interest groups or individuals.

D. To ensure a fair decision making and deliberation process, it is essential that the County improve transparency by establishing lobbyist registration and reporting policies for lobbying entities to report the lobbying activities of those authorized to speak and act on their behalf.

E. These rules intend to prevent actual quid pro quo corruption, or the direct exchange of an official act for valuable consideration, and are closely drawn for the sole legitimate interest of preventing corruption or the appearance of corruption.

F. A delayed implementation date is proposed for the purpose of operationalizing this County program and developing a communication and education plan to inform members of the public and potential lobbyists of these regulations.

G. During the initial implementation of the program, the Board supports, but does not require, letters of education in lieu of imposition of fines, as corrective action.

SECTION 1. ADDS 3.800 et seq

3.800 PURPOSE AND POLICY.
3.801 DEFINITIONS.
3.802 LOBBYIST REGISTRATION REQUIREMENTS.
3.803 EXEMPTIONS TO LOBBYIST REGISTRATION REQUIREMENTS.
3.804 PROHIBITED LOBBYIST CONDUCT.
3.805 STATEMENTS OF LOBBYING EXPENSES.
3.806 EMPLOYERS OF LOBBYISTS EXPENSE STATEMENTS.
3.809 FALSE STATEMENT OR MISREPRESENTATION.
3.810 PENALITIES.
3.811 APPEALS.

SECTION 2. ADD 3.003 - REPORTING REQUIREMENTS FOR THE BOARD.

SECTION 3. AMENDS 9.230(C) CONTRACT REGULATION.

SECTION 4. EFFECTIVE DATE

Multnomah County Ordains as Follows:

SECTION 1. CHAPTER 3.800

§ 3.800 PURPOSE AND POLICY.

The purpose of this subsection is to enhance accountability and transparency, and to create a lobbying registration and reporting system.

§ 3.801 DEFINITIONS.

In addition to the definitions in sections 1.002 and 9.010 of this code, the following definitions and rules of construction shall be observed, unless inconsistent with the intent of the Board of Commissioners or the context clearly requires otherwise.

BOARD MEMBER'S OFFICE. Means any member of the Board, and their elected official's staff that report directly to the member of the Board.

BUSINESS. Means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual and any other legal entity operated for economic gain.

CONSIDERATION. Includes a gift, payment, distribution, loan, advance or deposit of money or anything of value, avoidance of financial detriment, and includes a contract, promise or agreement, whether or not legally enforceable.

EMPLOYER OF A LOBBYIST. Means the person required to grant official authorization to a lobbyist to lobby on their behalf.

LEGISLATIVE ACTION. Means introduction, sponsorship, testimony, debate, voting or any other official action on any ordinance, resolution, amendment, nomination, appointment or report, or any matter which may be the subject of action by the Board.

LOBBYING. Means influencing, or attempting to influence, legislative action through communication with the public officials, solicitation of others to influence or attempt to influence legislative action or attempting to obtain the good will of a County Board member.

LOBBYIST. Means:

(1) Any person who agrees to provide personal services for money or any other consideration for the purpose of lobbying; and

(2) Any person who represents the interests of a business that engages in lobbying.

PERSON. Means any individual, business, association, corporation, organization or other group.

PUBLIC OFFICIAL. Means any Board member, employee, or volunteer of the County.

§ 3.802 LOBBYIST REGISTRATION REQUIREMENTS.

(A) Within three (3) working days after exceeding the limit of time specified in Section 3.803(F), each lobbyist will register by filing with the County a statement containing the following information:

(1) The name, email address, telephone number, and address of the lobbyist;

(2) For each business or person by whom the lobbyist is employed or in whose interest the lobbyist appears or works:

(a) The name, email address, telephone number and address of each business or person;

(b) A description of the trade, business, profession or area of endeavor; and

(c) A designation of official authorization to lobby signed by an officer of each business or person by whom the lobbyist is employed or in whose interest the lobbyist appears or works.

(3) The general subjects of the legislative interest of the lobbying activities.

(B) The statements required by subsection (A) of this section must remain current and updated within 30 days of any change.

§ 3.803 EXEMPTIONS TO LOBBYIST REGISTRATION REQUIREMENTS.

The requirements of 3.802 and 3.804 to 3.809 do not apply to:

(A) News media or their employees or agents, who in the ordinary course of operation publish or broadcast news items, editorials or other comments or paid advertisements which directly or indirectly urge legislative action if such persons engage in no other activities in connection with such legislative action;

(B) Any current government or public official acting in their official capacity;

(C) Any individual who receives no additional consideration for lobbying and who limits lobbying activities solely to formal appearances to give public testimony before the County Board or any of its committees, and who, if the person testifies, registers an appearance in the records of the Board or its committees;

(D) Any person responding to direct requests or inquiries made by the County;

(E) Any person participating on County advisory committees, commissions, or work groups; or

(F) Any person who spends not more than ten (10) hours during any calendar quarter lobbying, excluding travel time.

§ 3.804 PROHIBITED LOBBYIST CONDUCT.

(A) A lobbyist may not instigate the introduction of any legislative action for the purpose of obtaining employment to lobby in opposition to the legislative action.

(B) A lobbyist may not attempt to influence the vote of any Board member by the promise of financial support of the candidacy of the Board member, or by threat of financing opposition to the candidacy of the Board member, at any future election.

(C) A person may not lobby or offer to lobby for consideration any part of which is contingent upon the success of any lobbying activity.

(D) A public official may not receive consideration other than from the County for acting as a County lobbyist.

(E) Within one year after an individual no longer serves a public official they may not receive money or other valuable consideration for lobbying on a matter related to any program, project, issue, or activity over which the individual exercised authority as a public official.

§ 3.805 STATEMENTS OF LOBBYING EXPENSES.

(A) Any lobbyist who engages in lobbying activities will file with the County by quarterly statements showing:

(1) The total amount of all moneys expended for food, refreshments and entertainment incurred for the purpose of lobbying.

(2) The name of any public official to whom, or for whose benefit, on any one occasion, an expenditure that exceeds $50 is made for the purposes of lobbying, and the date, name of payee, purpose and amount of that expenditure.

(3) Statements required by this section need not include amounts expended by the lobbyist for personal living and travel expenses and office overhead, including salaries and wages paid for staff and secretarial assistance, and maintenance expenses.

(4) If the amount of any expenditure required to be included in a statement is not accurately known at the time the statement is required to be filed, an estimate of the expenditure shall be submitted in the statement and designated as an estimate. The exact amount expended for which a previous estimate was made shall be submitted in a subsequent report when the information is available.

(5) Copies of any notice provided pursuant to ORS 244.100.

(B) The reports in required by this subsection must be filed:

(1) Not later than April 15, for the accounting period beginning January 1 and ending March 31;

(2) Not later than July 15, for the accounting period beginning April 1 and ending June 30;

(3) Not later than October 15, for the accounting period beginning July 1 and ending September 30; and

(4) Not later than January 15 of the following calendar year, for the accounting period beginning October 1 and ending December 31.

§ 3.806 EMPLOYERS OF LOBBYISTS EXPENSE STATEMENTS.

(A) Any person on whose behalf a lobbyist was registered, or was required to register, under this chapter at any time during the calendar year shall file a statement with the County, according to the schedule in 3.805(B).

(B) The statement required in subsection (A) of this section must include the following information for the applicable reporting period:

(1) The total amount of all moneys expended for lobbying activities on the person's behalf, excluding living and travel expenses incurred for a lobbyist performing lobbying services;

(2) The name of any public official to whom or for whose benefit, on any one occasion, an expenditure that exceeds $50 is made for the purposes of lobbying by the person, and the date, name of payee, purpose and amount of that expenditure; and

(3) The name of each registered lobbyist or business comprised of more than one lobbyist to whom the person paid moneys for lobbying activities on the person's behalf, excluding living and travel expenses incurred for a lobbyist performing lobbying services, and the total amount of moneys paid to that lobbyist or business.

(4) Copies of any notice provided pursuant to ORS 244.100.

§ 3.807 FALSE STATEMENT OR MISREPRESENTATION.

(A) Each report, registration, or statement required by this Chapter will contain, or be verified by, a written declaration that it is made under the penalties of false swearing.

(B) No person will make any false statement or misrepresentation under this chapter, knowing a document to contain a false statement.

§ 3.808 PENALTIES.

In addition to any such penalties as otherwise may be provided by law, a person or business who violates any provision of this Chapter may be subject to a fine in an amount not greater than $500.

§ 3.809 APPEALS.

Any person or business receiving a fine for violation of the Chapter may appeal the fine and request a hearing. Appeals must be sent to the County and postmarked within thirty (30) calendar days of the notice of fine.

SECTION 2. ADDS § 3.003 - REPORTING REQUIREMENTS FOR THE BOARD.

(A) Each Board member must post a calendar reflective of their scheduled official County activities within 15 days after the end of the calendar quarter for the previous calendar quarter. Unless otherwise exempted under Oregon Public Records Law, calendar entries must include the event title, date, and the time of scheduled

official business that includes other County officials and outside parties. Calendar entries must also include a list of the primary participant or organizations in attendance.

(B) Each Board member must provide a statement of any lobbying activities to the County on the filing timelines stated in 3.805(B) a statement showing:

(1) The total amount of all moneys received by the Board member's office for food, refreshments and entertainment from a lobbyist.

(2) The name of each lobbyist who expended more than $50 to the Board member's office for the purposes of lobbying, the date of the expenditure(s), name of payee, and purpose and amount of that expenditure.

(3) If the amount of any expenditure required to be included in a statement is not accurately known at the time the statement is required to be filed, an estimate of the expenditure shall be submitted in the statement and designated as an estimate. The exact amount expended for which a previous estimate was made shall be submitted in a subsequent report when the information is available.

(C) The postings required by this subsection must be posted publicly on the originating office's website, and remain posted for a period of at least one calendar year.

SECTION 3. ADDS § 9.270 CONTRACT REGULATION.

(A) The County may not enter into a direct contractual relationship with any elected Board member, employee, or volunteer that influenced the authorization of the contract during the person's County service, or within one year after County service ends.

(B) Any contract entered into in violation of this provision is void, unless an exception is granted under subsection 3.

(C) The Chair, or designee, may grant an exception to this prohibition upon making written findings that the best interests of the County favors entering the contract or that the elected Board member, employee, or volunteer's influence was minimal. The granting of any such exception will be publicly posted.

SECTION 4. EFFECTIVE DATE

This Ordinance will take effect on July 1, 2026.

FIRST READING: April 10th 2025

SECOND READING AND ADOPTION: May 1st 2025

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Jessica Vega Pederson

Jessica Vega Pederson, Chair

REVIEWED:
JENNY M. MADKOUR, COUNTY ATTORNEY
FOR MULTNOMAH COUNTY, OREGON

By _____
Jenny M. Madkour, County Attorney

SUBMITTED BY: Shannon Singleton, Commissioner District 2
Julia Brimm-Edwards, Commissioner District 3