



California Fair Political Practices Commission

July 15, 1993

Ana Maria Zander
Best, Best & Krieger
P. O. Box 1555
Rancho Mirage, CA 92270

Re: Your Request for Informal
Assistance
Our File No. I-93-254

Dear Ms. Zander:

You have requested advice concerning the lobbying disclosure provisions of the Political Reform Act (the "Act").^{1/} Because your letter states only a general question, we consider it to be a request for informal assistance pursuant to Regulation 18329(c).^{2/}

QUESTION

Are a corporation's lobbying activities regulated by the Act if conducted only at the city or county level?

CONCLUSION

The Act does not regulate lobbying at the city or county level.

ANALYSIS

The Act regulates the activities of lobbyists, lobbying firms and lobbyist employers. (Section 86100, et seq.) These terms are defined in the Act as individuals or entities that make or receive payments for the purpose of influencing legislative or

^{1/} Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, et seq. All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

^{2/} Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Section 83114; Regulation 18329(c)(3).)

administrative action. (Sections 82038.5, 82039, 82039.5.) The term "legislative action" is defined in Section 82037 to mean:

...the drafting, introduction, consideration modification, enactment or defeat of any bill resolution, amendment, report, nomination or other matter by the Legislature or by either house or any committee, subcommittee, joint or select committee thereof, or by a member or employee of the Legislature acting in his official capacity. "Legislative action" also means the action of the Governor in approving or vetoing any bill.

(Emphasis added.)

The term "administrative action" is defined in Section 82002 to mean:

...the proposal, drafting, development, consideration, amendment, enactment or defeat by any state agency of any rule, regulation or other action in any rate-making proceeding or any quasi-legislative proceeding....

(Emphasis added.)

Because the actions of local government agencies are not included in these provisions, a corporation which only attempts to influence legislative or administrative action at the county or city level is not subject to the Act's lobbying provisions. However, please note that corporations which make contributions to local elected officials or candidates for local elective offices may be subject to the Act's campaign provisions. (Sections 82013(c), 84200, et seq.)

If you have any questions concerning this letter, please contact me at (916) 322-5662.

Sincerely,



Carla Wardlow
Division Chief
Technical Assistance Division