

RAVI MEHTA  
CHAIRMAN



FAIR POLITICAL PRACTICES COMMISSION

October 10, 1996

Mr. Andrew H. Weinraub  
State & Federal Communications  
1755 Merriman Road, Suite 225  
Akron, Ohio 44313-5256

Re: Your Request for Informal Assistance  
Our File No. I-96-273

Dear Mr. Weinraub:

This is in response to your request for advice regarding the lobbying provisions of the Political Reform Act (the "Act").<sup>1</sup> Because you have not identified your client and your request is a general inquiry, we are treating your request as one for informal assistance pursuant to Regulation 18329(c).<sup>2</sup>

QUESTIONS

Your client, a lobbyist employer, wishes to provide legislative information on the Internet. The content of this on-line site will be the promotion or opposition of legislation relevant to the client's interests.

1. Is providing such legislative information on-line considered lobbying?
2. Is providing the address of this on-line site to legislators considered lobbying?

CONCLUSION

1. & 2. Yes. Information which promotes or opposes legislation is considered lobbying. A lobbyist employer must report costs associated with this on-line site on its quarterly lobbyist employer reports (Form 635).

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<sup>1</sup>Government Code Sections 81000-91015. Commission regulations appear at Title 2, Sections 18000-18995 of the California Code of Regulations.

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

ANALYSIS

The Act requires lobbyist employers to report payments made to influence legislative or administrative action including overhead expenses. (Section 86116.) The Act defines "influencing legislative or administrative action" as follows:

**"Influencing legislative or administrative action" means promoting, supporting, influencing, modifying, opposing or delaying any legislative or administrative action by any means, including but not limited to the provision or use of information, statistics, studies or analyses.**

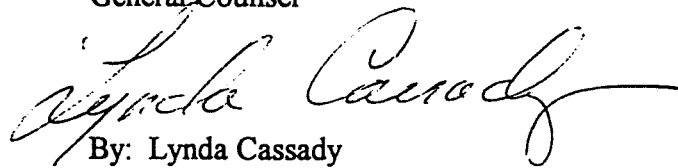
Section 82032.  
(Emphasis added.)

Since the Internet on-line site information will promote or oppose legislative issues, the communication is considered lobbying. In a telephone conversation on October 1, 1996, you stated that the on-line site will only provide legislative related information. Therefore, all costs associated with the on-line messages, including costs attributed to notifying officials of the web site address, are reportable and must be disclosed under the category "Other Payments to Influence Legislative or Administrative Action" on the Lobbyist Employer Quarterly Report (Form 635). (See Regulation 18616.)

If you have any further questions, please do not hesitate to contact me at (916) 322-5660.

Sincerely,

Steven G. Churchwell  
General Counsel



By: Lynda Cassady  
Assistant Division Chief  
Technical Assistance Division