

**BY AUTHORITY**

ORDINANCE NO. \_\_\_\_\_  
SERIES OF 2017

COUNCIL BILL NO. CB16-0920  
COMMITTEE OF REFERENCE:  
Finance and Governance

**A BILL**

**For an ordinance amending sections 2-301(5), 2-302(b), 2-303, 2-309(a), 2-310 and 2-311 of Article XIII, "Regulation of Lobbyists," of the Revised Municipal Code.**

**BE IT ENACTED BY THE COUNCIL OF THE CITY AND COUNTY OF DENVER:**

**Section I.** Paragraph (5) of section 2-301(5) "Definitions" of the Denver Revised Municipal Code is hereby amended by deleting the language stricken and adding the language underlined below, to read as follows:

*"(5) Lobbying means communicating directly, or soliciting others to communicate, with a covered official by any person in an effort to influence or persuade the covered official to favor or oppose, recommend or not recommend, vote for or against, or to take action or refrain from taking action, on any legislative matter.*

(a) "Lobbying" does not include submission of a written request to a covered official for a revocable permit pursuant to Charter [section 3.2.7](#) or submission of a written request for vacation, easement or dedication of a public right-of-way.

(b) "Lobbying" excludes persons who are not otherwise registered as lobbyists and who limit their activities to appearances to give testimony or provide information to City Council or at public hearings or who give testimony or provide information at the request of public officials or employees and who clearly identify themselves and the interest for whom they are testifying or providing information."

**Section II.** Paragraph (b) of section 2-302 of the Denver Revised Municipal Code is hereby amended by deleting the language stricken and adding the language underlined below, to read as follows:

~~"Sec. 2-302. - Annual registration statement required.~~

\* \* \*

(b) *Registration required.* All lobbyists shall file a registration statement with the city clerk within five (5) days after first engaging in lobbying; provided, however, that an individual lobbyist will be considered to have registered if the entity that employs him or her is registered and lists the individual among its lobbyists on its registration or an amendment. ~~The date on which the registration statement is filed shall be the registrant's anniversary date. On or before the registrant's anniversary date in~~ In every succeeding year, all lobbyists shall file an annual registration statement with the city clerk on January 15. The city clerk will make the filed registrations available to the public online within a reasonable time, not to exceed seven (7) business days from the date of receipt."

1 **Section III.** Section 2-303 of the Denver Revised Municipal Code is hereby amended by deleting  
2 the language stricken and adding the language underlined below, to read as follows:

3 “Sec. 2-303. – Bi-monthly ~~Monthly~~ financial report.

4 (a) *Form of report; duty of city clerk.* The city clerk shall prepare forms for the bi-monthly~~monthly~~  
5 financial report and other information required to be filed by this article and electronically furnish  
6 such forms and information for use by persons subject to the requirements herein.

7 (b) *Reports required.* A financial report shall be filed bi-monthly ~~monthly~~ with the city clerk by each  
8 registered lobbyist. The report shall be filed no later than the fifteenth day of the succeeding  
9 month.

10 (c) *Information required.* The bi-monthly financial ~~Financial~~ reports required hereunder shall contain  
11 the following information for the reporting person:

12 (1) The reporting person's full name, business or occupation, business mailing address, and  
13 business telephone number;

14 ~~(2) A method for the reporting person to report that no money was or will be expended for~~  
15 ~~lobbying during a reporting period;~~

16 (23) When a lobbyist reports makes an expenditure for lobbying a covered official, the following  
17 shall be listed by individual lobbyist:

18 a. An itemized list and the estimated value of all gifts, entertainment, and direct or indirect  
19 expenditures to, on behalf of, or benefitting the covered official for lobbying purposes,  
20 including but not limited to: monies, tickets, gratuities, transfers, loans, advances,  
21 deposits, promises, expressed or implied agreements, or any tangible or intangible thing  
22 of value of any amount ~~The type and amount of expenditure;~~

23 b. The name of the client or employer on whose behalf money is expended;

24 c. The name and title of the covered official lobbied;

25 d. The date lobbied and the legislative matters on which the official was lobbied; and

26 ~~(4) The reporting person's income, listed by client, derived from lobbying covered officials.~~

27 (3) The city clerk will make the completed financial reports available to the public on line within  
28 a reasonable time, not to exceed seven (7) business days from the date of receipt of the  
29 completed financial reports.”

30 **Section IV.** Paragraph (a) of section 2-309 of the Denver Revised Municipal Code is hereby deleted  
31 and marked as “reserved”.

32 “Sec. 2-309. - Powers of the city clerk; granting and revoking of certificates; barring from registration;  
33 reporting to city attorney for criminal prosecution.

34 ~~(a) The city clerk shall grant a certificate of registration as a lobbyist to any person who registers~~  
35 ~~under the provisions of section 2-302 and who supplies the information required. [RESERVED.]”~~

36 **Section IV.** Section 2-310 of the Denver Revised Municipal Code is hereby amended by deleting  
37 the language stricken and adding the language underlined below, to read as follows:

38 “Sec. 2-310. - Notice.

1 If, in any ~~bi-monthly~~ ~~monthly~~ financial report filed under section 2-303, it is reported that more  
2 than fifty dollars (\$50.00) was spent while lobbying a covered official or that a lobbyist donated to a  
3 covered official any meals, tickets to events for which admission is charged, or reduced price  
4 admissions to events for which admission is charged, then the city clerk shall notify the covered  
5 official in writing within twenty-one (21) days. The city clerk shall also notify any covered official if a  
6 lobbyist reports any business or employment relationship involving that official within 21 days.  
7 Following receipt of either notification, the covered official may, within fifteen (15) days, file a written  
8 statement containing the reasons why his or her name should not be included in the report. This  
9 statement shall be attached to and remain a part of the report.”

10 **Section V.** Section 2-311 of the Denver Revised Municipal Code is hereby amended to read as  
11 follows:

12 “Sec. 2-311. - Fees.

13 The clerk is authorized to establish fees and late filing penalties for:

- 14 (1) Filing of lobbyist registration statements as required by subsection 2-302(b);
- 15 (2) Amending lobbyist registration statements as required by subsection 2-302(d);
- 16 (3) Filing ~~bi-monthly~~ ~~monthly~~ financial reports as required by subsection 2-303(b);

17 ~~In an amount sufficient to recover the city's cost for administering this article. The clerk shall establish~~  
18 ~~a fee schedule and make said schedule available to the public online. the fee structure so that, on~~  
19 ~~the average, a lobbyist's fee expenses will be proportional to the city's expense for that lobbyist.”~~

20 **Section VI.** This ordinance shall take effect January 1, 2017.

21 COMMITTEE APPROVAL DATE: November 29, 2016

22 MAYOR-COUNCIL DATE: December 6, 2016

23 PASSED BY THE COUNCIL: \_\_\_\_\_ January 3, 2017

24 *Alan Bink* \_\_\_\_\_ - PRESIDENT

25 APPROVED: *Harvey Hayden* \_\_\_\_\_ - MAYOR Jan 4, 2017

26 ATTEST: \_\_\_\_\_ - CLERK AND RECORDER,  
27 EX-OFFICIO CLERK OF THE  
28 CITY AND COUNTY OF DENVER

29 NOTICE PUBLISHED IN THE DAILY JOURNAL: \_\_\_\_\_; \_\_\_\_\_

30 PREPARED BY: T. Shaun Sullivan, Assistant City Attorney DATE: December 15, 2016

31 Pursuant to section 13-12, D.R.M.C., this proposed ordinance has been reviewed by the office of  
32 the City Attorney. We find no irregularity as to form, and have no legal objection to the proposed  
33 ordinance. The proposed ordinance is not submitted to the City Council for approval pursuant to  
34 §3.2.6 of the Charter.

35  
36 Kristin M. Bronson, Denver City Attorney

37 BY: *[Signature]*, Assistant City Attorney DATE: Dec 15, 2016  
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