



ARA 15.02 - Regulation of Lobbying Entities: City Official Reporting

Administrative Rules Adopted by Bureaus Pursuant to Rule Making Authority (ARB)


Policy category: [Lobbying Entity Registration & Reporting Rules](#)

Policy number: ARA-15.02

Search Code, Charter,
Policy

Keywords

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 [ARA 15.02 Regulation of Lobbying Entities: City Official Reporting - full text of policy](#) 671.33 KB

A. Purpose

The City of Portland established a lobbying entity regulation program in 2005 to preserve the integrity of the City's decision-making process by requiring entities that engage in efforts to influence City officials to report their lobbying efforts to the public. The program also requires City officials to disclose activities related to lobbying, and restricts lobbying by former City officials and employees. This rule provides additional guidance for the reporting of lobbying activities by City officials required under [Section 2.12.070 of the Portland City Code](#).

B. Authority

Section 2-506 of the Portland City Charter authorizes the City Auditor to adopt, amend, and repeal administrative rules to carry out the Auditor's Office's duties. In addition, Code Section 2.12.110 I. authorizes the City Auditor to adopt administrative rules to administer the provisions of the City's lobbying entity regulation program.

C. "At Will Staff of a City Elected Official"

For purposes of the City's lobbying registration and reporting requirements, City employees are considered to be "at will staff of a City elected official" if they are in a position that is excluded from the City's classified service and serve as:

1. A Deputy Director of certain City bureaus.
2. A high-level official within the Office of Management and Finance, such as the City Treasurer.
3. A member of the administrative staff employed in a City Council Office.
4. A Director of a City bureau that is not specifically listed in Code Section 2.12.020 C. For purposes of this rule, the City Attorney is not a

Director of a City bureau.

The [Auditor's Office website](#) will list the specific City employees or positions considered to be "at will staff of a City elected official" for purposes of the City's lobbying registration and reporting requirements.

D. Gifts

For purposes of the City's lobbying registration and reporting requirements:

1. A "gift" means something of economic value given to a City official without valuable consideration of equivalent value (including full or partial forgiveness of indebtedness), which is not extended to others who are not City officials on the same terms and conditions, or something of economic value given to a City official for valuable consideration less than that required from others who are not City officials.
2. A "gift" does not mean:
 - a. Campaign contributions, as described in [ORS Chapter 260](#).
 - b. A cultural item, if the fair-market value cannot be easily determined and declining the item is likely to cause offense.
 - c. Gifts from family members.
3. [Code Section 2.12.070](#) requires City officials to file written reports documenting any gifts, meals, or entertainment in excess of \$25 received from a lobbying entity or any person authorized to lobby on the lobbying entity's behalf.
 - a. The \$25 threshold is based on a good-faith estimate of the fair-market value of the gift, meal, or entertainment.
 - b. The fair-market value of a gift means the price for attendance, participation, or access to the same item or event that a member of the public would pay.
4. City officials are also required to comply with State law and City rules restricting the acceptance of gifts. See [ORS 244.020 - 244.040](#); [Human Resources Administrative Rule 4.07 - Awards, Gifts, Prizes and Promotional Items](#); and [Auditor's Office Administrative Rule 3.04.07- Awards, Gifts, Prizes and Promotional Items](#).

E. Online Reporting System and Training

The Auditor's Office provides an online [Lobbying Entity Registration & Reporting System](#).

1. City officials must use the online system to file all quarterly reports required under Code Section 2.12.070.
2. The [Auditor's Office's website](#) provides written training materials with detailed instructions for accessing the online system and filing quarterly reports. In-person trainings are also available and are recommended for City officials.

F. Posting Calendars

City elected officials and City directors are required to publicly post their calendars on their official City websites, in accordance with Code Section 2.12.070 D. The Auditor's Office will link to their calendars from the [Auditor's Office's website](#).

G. Report Filing and Calendar Posting Deadlines

1. City officials must file required quarterly reports by the 15th day after the end of the preceding calendar quarter.
 - a. Elected officials must file a quarterly report every quarter, regardless of whether gifts, meals, or entertainment exceeding \$25 were received or requested.
 - b. City officials other than elected officials are required to file a quarterly report only if they received or requested gifts, meals, or entertainment exceeding \$25 in the preceding calendar quarter.
2. A City official may amend a quarterly report without penalty if the official files the amended report within 25 calendar days after the end of the calendar quarter.
3. Elected officials and City directors must post their calendars, showing all activities required under Code 2.12.070 D, to their official City website by the 15th day after the end of the preceding calendar quarter. Elected officials and City directors must also notify the Auditor's Office of the web address for their calendar by this date.
4. Calendar Quarters, Reporting Periods and Filing Dates:

Quarter	Reporting Period	Report Due	Last Day for Amendments
1	Jan 1 - Mar 31	April 15	April 25
2	April 1 - June 30	July 15	July 25
3	July 1 - Sept 30	October 15	October 25
4	Oct 1 - Dec 31	January 15	January 25

5. The filing deadline is 5 p.m. on the last day to file a report or post a calendar, provided that if the deadline falls on a Saturday, Sunday, or official City holiday, the due date is the next business day at 5 p.m.

Questions about this administrative rule may be directed to the [Lobbying Regulations and Political Consulting Reporting Program](#).

HISTORY

Rule adopted by City Auditor and filed in PPD June 8, 2006.

Amended rule adopted by City Auditor and filed in PPD January 12, 2007.

Amended rule adopted by City Auditor and filed in PPD January 7, 2008.

Amended rule adopted by City Auditor and filed in PPD April 29, 2014.

Amended rule adopted by City Deputy City Auditor and filed in PPD
November 7, 2016.

Last revised by the City Auditor on November 26, 2019.



ARA 15.02 CITY OFFICIAL REPORTING

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Auditor's Office Administrative Rule Information and History

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Amended rule adopted by the Chief Deputy City Auditor and filed in the PPD on November 7, 2016.

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