

ORDINANCE NO. 2007- 24

AN ORDINANCE AMENDING COLLIER COUNTY ORDINANCE NO. 2003-53, AS AMENDED (ALSO KNOWN AS THE COLLIER COUNTY ETHICS ORDINANCE), BY AMENDING SECTION SEVEN TO REQUIRE LOBBYISTS TO REGISTER QUARTERLY AND UPDATE THE NAMES OF THOSE ENTITIES BY WHOM THEY HAVE BEEN EMPLOYED TO LOBBY AND ALSO REQUIRING DISCLOSURE OF THE NAME OR IDENTITY OF THOSE EMPLOYING A LOBBYIST WHENEVER A LOBBYIST ENGAGES IN LOBBYING ACTIVITIES; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the public has expressed concern that lobbyists have upon occasion failed or refused to identify by whom they are employed; and

WHEREAS, the Board has determined that it is in the public interest that lobbyists disclose by whom they are employed when engaging in lobbying activities;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA that:

SECTION ONE: AMENDMENT OF SECTION SEVEN OF COLLIER COUNTY ORDINANCE NO. 2003-53, AS AMENDED

SECTION SEVEN: LOBBYIST REGISTRATION AND DISCLOSURE REQUIREMENTS

- (a) All lobbyists shall before engaging in any lobbying activities, register with the clerk to the board located at the board minutes and records department. Every lobbyist required to so register shall register quarterly on a calendar year basis on forms prepared by the clerk; pay an annual nonrefundable registration fee of \$25.00; and state under oath or by written declaration in accordance with Section 92.525, Florida Statutes, his or her name, business name and address, and the name and business address of each person or entity that has employed said registrant to lobby, as of the date of said registration. ~~The registration shall be an annual registration and shall not require additional registration or amendment to the registration form by the lobbyist even if the lobbyist subsequently engages in lobbying for additional persons or entities. The purpose of the registration is merely to identify the registrant as a lobbyist.~~ If, subsequent to the registration, the registrant ceases to act as a lobbyist, the registrant may file a request, on a form provided by the clerk, to not be listed as a

Words ~~struck through~~ are deleted, words underlined are added.

lobbyist. ~~However, pursuant to Section 112.3148, Florida Statutes, said registrant shall continue to appear on the list of lobbyists until the expiration of the time period set forth in said statute.~~ In the event that the registrant neither withdraws nor re-registers, the registrant shall be placed on a "lobbyist status unknown" list for a period of 12 months from the expiration of the ~~annual~~ quarterly registration.

- (b) ~~Annual~~ Quarterly registration shall be required and shall initially commence on ~~March 22, 1999.~~ April 2, 2007. Thereafter, ~~annual~~ quarterly registration shall occur ~~on or after October 1, of each year.~~ every three (3) months. Quarterly registration is required regardless of whether there is any change in employers of the lobbyist. The lobbyist may indicate "no change" if appropriate. ~~Initial~~ Reregistration by a lobbyist ~~shall~~ may occur at any time during the calendar year provided that it occurs prior to the lobbyist engaging in any lobbying activity.
- (c) The registration fee required by this section shall be maintained by the clerk to the board and shall be deposited into a separate fund to be expended for the purpose of administering and maintaining the lobbyist registration list as well as to cover other related costs. Lobbyists shall not be charged a fee for filing the form for removal from the lobbyist list.
- (d) The following persons shall not be required to register as lobbyists:
- (1) Any public officer, employee or appointee who appears in his or her official capacity.
 - (2) Law enforcement personnel conducting an investigation.
 - (3) Any person who only appears in his or her individual capacity for the purpose of self-representation without compensation or reimbursement, whether direct, indirect or contingent, to express support or opposition to any item.
 - (4) Any person who only appears as a representative of a neighborhood association without special compensations or reimbursement for their appearance, whether direct, indirect or contingent, to express support or opposition to any item.

- (5) Attorneys representing clients before a quasi-judicial body.
- (e) The clerk to the board shall keep accurate and complete records regarding lobbyist registration including an up-to-date list of all lobbyist registrations, lobbyists withdrawals from the list and a “lobbyist status unknown” list.
- (f) A registration form that is not renewed within twenty (20) calendar days of the end of each quarter of the calendar year ~~(along with payment of the \$25.00 annual registration fee)~~ by October 1 of each year, shall expire and may not thereafter be relied upon by the lobbyist for lobbying activities. In such a case, the lobbyist must renew his or her registration and pay the nonrefundable annual fee in order to continue engaging in lobbying activities.
- (g) The validity of any action or determination of the board or of any county personnel, board or committee, shall not be affected by failure of any lobbyist to comply with the provisions of this section.
- (h) All lobbyists shall disclose and make known the name or identity of the principal(s) by whom they are employed whenever they engage in lobbying activities as such activities are defined in this Ordinance.

SECTION TWO: INCLUSION IN THE CODE OF LAWS AND ORDINANCES.

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Collier County, Florida. The sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word “ordinance” may be changed to “section”, “article”, or any other appropriate word.

SECTION THREE: CONFLICT AND SEVERABILITY

In the event this Ordinance conflicts with any other ordinance of Collier County or other applicable law, the more restrictive shall apply. If any phrase or portion of the Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

SECTION FOUR: EFFECTIVE DATE

This Ordinance shall become effective upon filing with the Department of State.

PASSED AND DULY ADOPTED by the Board of County Commissioners of Collier
County, Florida, this 13th day of February, 2007.

ATTEST:
Dwight E. Brock, CLERK

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

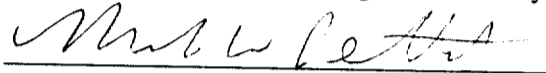
BY: 

DEPUTY CLERK

BY: 

James Coletta, CHAIRMAN

Approved as to form and legal sufficiency:



Michael W. Pettit
Chief Assistant County Attorney

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STATE OF FLORIDA)

COUNTY OF COLLIER)

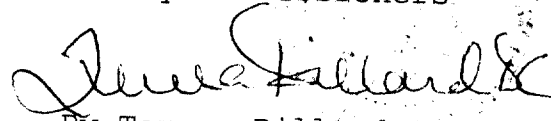
I, DWIGHT E. BROCK, Clerk of Courts in and for the Twentieth Judicial Circuit, Collier County, Florida, do hereby certify that the foregoing is a true copy of:

ORDINANCE NO. 2007-24

Which was adopted by the Board of County Commissioners on the 13th day of February 2007, during Regular Session.

WITNESS my hand and the official seal of the Board of County Commissioners of Collier County, Florida, this 14th day of February 2007.

DWIGHT E. BROCK
Clerk of Courts and Clerk
Ex-officio to Board of
County Commissioners


By: Teresa Dillard,
Deputy Clerk