

Lobbying in Corpus Christi, Texas

Are you required to register as a lobbyist and report your lobbying activities?¹

If you or your nonprofit works to impact public policy in the City of Corpus Christi, you may be required to register as a lobbyist. The general rule is that a *person* (including corporations or associations) is engaged in lobbying if he or she communicates with a city official directly or indirectly, in writing or orally (including electronic communications), in an effort to persuade that official to favor or oppose, recommend or not recommend, vote for or against, or take or refrain from taking action on a municipal question.

Any person who engages in a lobbying activity, with respect to any client, and receives compensation for that activity must register as a lobbyist with the City Secretary. This means that if a nonprofit organization is paid to lobby a city official, it must register as a lobbyist. Also, any employees who are paid by the nonprofit specifically² to lobby on its behalf should register as well. However, if a person's only lobbying activity is to encourage its organization's members to lobby city officials, then no lobbyist registration is required.

According to the Corpus Christi [Code of Ordinances](#) (the Code), the term **city official** includes members of the city council; the city manager, deputy city manager, and assistant city managers; the city secretary, the city attorney and assistant city attorneys; department heads; municipal court judges; and all members of any city board, commission or committee (including the board of any corporation created by the city).

A **client** is any person on whose behalf lobbying is conducted. The term includes any coalitions or associations that employ or retain others to conduct lobbying activities.

Finally, a **municipal question** is a public policy issue of a discretionary nature that is pending before the city council or any city board or commission. It includes (but is not limited to) items such as ordinances, resolutions, motions, reports, policies, nominations, appointments, grants and bids. The term does not include the day-to-day administration of city programs and policies.

Examples of activities that are considered lobbying:

- Meeting with your city council member at her office to ask her to vote for an ordinance you would like to see passed.
- Sending an email to the members of city council asking them to support a company's bid for the collection of unpaid traffic tickets.

¹ This factsheet was last updated on August 31, 2018.

² See discussion of the "compensation" definition on page 2 for more information on what it means to be compensated for lobbying.

According to the Code, the following activities will NOT be considered lobbying³:

- requesting information or inquiring about the facts or status of a municipal question without trying to influence a city official;
- statements made by public employees in their official capacity;
- communications made by members of the media if the purpose is to gather and disseminate news and information to the public;
- making statements at a meeting open to the public under the Texas Open Meetings Act;
- written comments filed in the course of a public proceeding or other communications made on the record in a public proceeding;
- communications made in a speech, article, publication or other material that are distributed and made available to the public through a mass media communication (e.g. radio, TV);
- written petitions for official action, required to be entered into the public record pursuant to city procedures;
- written statements providing information in response to oral or written requests from city officials seeking specific information;
- communications, the content of which is required by law;
- responses to a public notice soliciting communications from the public and directed to the official designated in the notice;
- statements made by fact or expert witnesses in official proceedings;
- communications made on behalf of individuals with respect to their employment or benefits; and
- communications made by a person solely on behalf of himself or herself, his or her spouse, or his or her minor children.

Examples of activities that are not lobbying:

- Asking a city council member's staff person for information regarding a proposed resolution.
- Responding to a deputy city manager's official request for specific information about your organization and its work in the region.

A person engaged in lobbying for compensation must register as a lobbyist with the Corpus Christi City Secretary. **Compensation** can take the form of money, services, facilities, or any other thing of value or financial benefit, but it does not include payments made to regularly employed individuals if:

- the payment ordinarily would be made regardless of whether the individual engaged in lobbying; and

³ NOTE: Even though these types of communications are not considered lobbying according to the City of Corpus Christi Code of Ordinances, they may be considered lobbying by the IRS. As such, 501(c)(3) organizations should consult the federal tax rules, even when tracking their activities on the local level.

- the lobbying activities are not part of the individual's regular responsibilities to the person making payment.

The following persons are not required to register as a lobbyist with the city:

1. Media outlets - A person who owns, publishes, or is employed by a newspaper, a radio station, a television station, or any other bona fide news medium that disseminates news, opinions, or paid advertisements in the ordinary course of business, except if the media outlet takes a position to affect a municipal question in which the media outlet has a direct or indirect economic interest.
2. Grassroots lobbying - A person whose only lobbying activity is to encourage or solicit the members, employees, or owners/shareholders of the entity which compensates/employs them to communicate with city officials on a municipal question.
3. Governmental entities – Governmental entities and their officers and employees as long as the communications relate solely to subjects of governmental interest concerning the governmental bodies and the city.
4. Unknown municipal questions – A person who does not know and has no reason to know that a municipal question is pending at the time of contact with a city official.
5. Dispute resolution – An attorney or other person whose contact with the city is solely to resolve a dispute with the city as long as the officials whom the person meets with do not ultimately have final authority over a municipal question involved in the matter.

Those persons who are required to register must file and complete a lobbyist registration [form](#) prior to the commencement of any lobbying activities on behalf of a client, and a separate registration form must be completed for each client. The form requires the registrant to provide their name and contact information, their client's name and contact information, and information regarding the municipal question on which the registrant plans to lobby.

Amended registration forms are required if any information required on the form changes. Lobbyists may subsequently file a termination of their registration once they are no longer required to register. Unlike in many other jurisdictions, there are no additional reporting requirements.

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