



Second, the proposed ordinance makes certain violations of the lobbying provisions in AMC 1.11.070 a misdemeanor. Specifically, if a person knowingly or intentionally i) acts as a lobbyist in the City without having registered as required by the Code, ii) fails to file a report of lobbying activity as required by the Code, iii) files a false or inaccurate report or a report that omits material information required to be disclosed, or iv) conceals or diverts compensation for lobbying activity in order to avoid the requirements of the Code, they may be charged with a misdemeanor and subject to a maximum of six (6) months in jail and a fine of \$1,000.00. In addition, if convicted, the person will be banned from acting as a lobbyist or otherwise attempting to influence municipal legislation for compensation for one year after that conviction. These modifications to the lobbying provisions draw a distinction between inadvertent violations of the Code (such filing a report late), which remain subject to a fine, and intentionally committing more serious violations, which may be charged as a crime.

Third, the proposed ordinance mandates that all reports of lobbying activity required by the Code must be certified as true under penalty of perjury. This opens up the possibility of state law criminal charges if a person knowingly files a false (perjured) report.

These proposed changes to the Code are designed to increase accountability and transparency in City government by extending the time period that emails of Councilmembers, their staff, and members of the City's Executive Team that pertain to City business are electronically retained. In addition, the proposed modifications increase the regulations applicable to lobbyists, by requiring them to certify their reports under penalty of perjury, and by imposing criminal penalties on lobbyists who knowingly submit false reports or engage in fraudulent activities to avoid or subvert the City's lobbying regulations.

**IMPACT ON BUDGET:**

This Code amendment will have no budgetary impact.

Respectfully submitted,

Robert Fabela  
City Attorney

Respectfully submitted,

Theresa Bass  
City Clerk

Respectfully submitted,

Jim Vanderpool  
City Manager

**Attachments:**

1. Proposed Ordinance amending Chapter 1.11 of the Anaheim Municipal Code
2. Redline of proposed changes to AMC Chapter 1.11