

## MEMORANDUM

DATE: June 12, 2026

TO: Lynn Gelin, City Attorney

FROM: Kelly Brandon, Sr. Assistant City Attorney

SUBJECT: Differences between Palm Beach County Lobbyist Registration Ordinance and Boca Raton Ordinance 57-85

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Issue: What are the differences between the Palm Beach County Lobbyist Registration Ordinance and the Boca Raton Ordinance 57-85

Brief Answer: The Palm Beach County Ordinance provides the requirements for lobbyists throughout the County including registration requirements, reporting and recording requirements, prohibitions of certain conduct, and the penalties and enforcement for same. The Boca Raton Ordinance utilizes the requirements included in the PBC Ordinance requirements and supplements its own development review process to include additional lobbyist disclosures upon submission of an application and throughout the process including mandatory supplementation of certification submitted with application and verbal disclosures of lobbyist status and the name of the principal being represented.

### Palm Beach County Lobbyist Registration Ordinance

Palm Beach County's Lobbyist Registration Ordinance ("PBC Ordinance") provides the process for registering as a lobbyist in Palm Beach County. Additionally, it outlines for lobbyists the conduct that is prohibited, the reporting and recording requirements, and the applicable penalties and mechanisms of enforcement.

Specifically, the PBC Ordinance, provides the below definitions for "Lobbying" and "Lobbyist":

"Lobbying shall mean seeking to influence a decision through oral or written communication or an attempt to obtain the goodwill of any county commissioner, any member of a local municipal governing body, any mayor or chief executive officer that is not a member of a local municipal governing body, any advisory board member, or any employee with respect to the passage, defeat or modification of any item which may foreseeably be presented for consideration to the advisory board, the board of county commissioners, or the local municipal governing body lobbied as applicable."

"Lobbyist shall mean any person who is employed and receives payment, or who contracts for economic consideration, or who registers in the county's central lobbyist registration registry or with any municipality, for the purpose of lobbying on behalf of a principal, and shall include an employee whose principal responsibility to the employer is overseeing the employer's various relationships with government or representing the employer in its contacts with government."

The PBC Ordinance requires lobbyists to submit an original fully executed registration form<sup>1</sup> to the County for each principal represented.

Lobbyists are prohibited from lobbying prior to registration, unless excepted under the Ordinance.

<sup>2</sup> Lobbyists are also prohibited from making false statements or misrepresentations when maintaining registration or lobbying county commissioners, members of local municipal governing bodies, mayors, or chief executive officers that are not members of local municipal governing bodies, advisory board members, or employees.

Under the PBC Ordinance, lobbyists must submit a Reporting of Expenditures listing all expenditures made by the lobbyist in lobbying county or municipal officials and employees in excess of twenty-five dollars (\$25) for the preceding calendar year with noted exceptions like overhead expenses, personal expenses for travel, and salaries. Lobbyists must also sign the Contact Log, maintained and available in the office of reception of each department of county or municipal government as applicable, for each instance of lobbying. However, the PBC Ordinance, provides an exception for signing the Contact Log when appearing before the board, local municipal governing body, or any advisory board. For lobbying appointments outside the office, notification must be made to the person's office with whom the lobbyist is meeting and the subject matter must be disclosed.

Enforcement of any violations of the requirements or prohibitions stated above are preliminarily investigated by the County or Municipal administrator and forwarded to the County Commission on Ethics if the preliminary investigation indicates a violation. Penalties for violations include \$250 per day for failure to register, \$250 per violation for failure to provide lobbying contact information, \$250 per false statement, and suspension of varying degrees for violation of reporting of expenditures.

#### City of Boca Raton Ordinance 57-85

The City of Boca Raton's Ordinance ("BR Ordinance") applies the Palm Beach County Ordinance to the City of Boca Raton's development review process and adds requirements applied at the city level. The BR Ordinance amends the development review process to include a framework for disclosing lobbyist participation in the city's development review process that goes above the requirements of disclosure required by the County.

The BR Ordinance provides that at the time of application for development approval, the applicant must submit a written certification, on a form provided by the City, identifying each person

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<sup>1</sup>Must include the name, phone number, and address of the lobbyist and principal/s represented, the date retained, and the nature and extent of any direct business association or partnership the lobbyist and principal might have with any current county commissioner, member of a local municipal governing body, mayor or chief executive office that is not a member of a local municipal governing body, advisory board member, or employee, the area of legislative interest a statement confirming authorization to represent principal signatures of registrant and principal, and county or municipalities to be lobbied.

<sup>2</sup> Includes person/s under contract with the municipality when discussing the contracted work or attorney representation of a client in a formal administrative proceeding, arbitration, mediation, judicial proceeding, or related to active litigation with municipal attorney present.

retained or authorized at the time of application to communicate with the City Council, the CRA, any advisory board or any employee including the following:

1. Disclosure of whether such person is a lobbyist as provided under the PBC Ordinance
2. Disclosure of all principals or entities that retained such person
3. An affirmation that such person has either registered as a lobbyist or is not required to do so by law

It also requires supplementation throughout the development process if any of the above change.

Additionally, any person appearing before the City Council, the CRA, or any board or advisory board of the city must verbally disclose on the record whether such person is a lobbyist and, if so, the principal on whose behalf such person is appearing.

It further provides that an application shall not be deemed complete unless the lobbyist certification required at the application stage, including the disclosures, have been submitted and remain current.

#### Conclusion

While the PBC Ordinance provides for registration requirements, outlines prohibited conduct, required disclosures and recording along with penalties and enforcement that apply to the County and municipalities within it, the Boca Raton Ordinance provides for additional disclosures at the city level within Boca Raton's development review process.