

ORDINANCE NO. BL2020-402

An Ordinance to amend Chapter 2.196 of the Metropolitan Code of Laws regarding lobbyist registration.

WHEREAS, on August 4, 2020, the Metropolitan Council adopted Second Substitute Ordinance No. BL2020-147, which amended Chapter 2.196 of the Metropolitan Code regarding lobbyist registration and disclosure; and

WHEREAS, additional clarifications and amendments were suggested by the Metropolitan Clerk, the Metropolitan Board of Ethical Conduct, and stakeholder groups; and

WHEREAS, this ordinance addresses those suggested clarifications and amendments to clarify definitions and current practices, provide flexibility to the Metropolitan Clerk's Office, and address additional concerns.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 2.196.020 of the Metropolitan Code of Laws is hereby amended by amending the definition of "Lobby" or "Lobbying" as follows:

"Lobby" or "Lobbying" means to communicate, directly or indirectly, with any official in the legislative branch or executive branch, for the purpose of influencing any legislative action or administrative action.

Section 2. That Section 2.196.030, Subsection A.7, is hereby deleted and replaced with the following:

7. To make statements and other information filed with the clerk available for public inspection and copying during regular office hours, and to make copying facilities available at a charge calculated in the public records policy;

Section 3. That Section 2.196.060, Subsection F, is hereby deleted and replaced with the following:

- F. The Clerk shall send a reminder letter to lobbyists who have not filed their client's Annual Lobbying and Expense Reports by February 5th. On March 1st, the Clerk shall provide the Board of Ethical Conduct a list of missing reports. A person responsible for filing a late report shall include a \$50 filing fee which shall be in addition to any other fees due.

Section 4. That Section 2.196.070, Subsection E, is hereby deleted in its entirety.

Section 5. That Section 2.196.100 is hereby deleted and replaced with the following:

2.196.100 – Cooling Off Period.

- A. A department head or employee of the mayor's office shall not be registered as a lobbyist within 6 months of voluntary cessation of their official responsibilities in matters which were directly within their former official responsibilities or employment with Metro Government. For this section, "Official Responsibility" means direct administrative or operating authority, whether intermediate or final, either exercisable alone or with other, either personally or through subordinates, to approve, disapprove or otherwise direct metropolitan government action.
- B. An Elected Official shall not be registered as a lobbyist within 6 months following the voluntary termination of office or leaving Elected Office.

Section 6. That this ordinance shall take effect January 1, 2021, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

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