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**“GRASSROOTS” LOBBYING IN THE CITY OF CHICAGO:**

**A PLAIN ENGLISH GUIDE**

The Board of Ethics is often asked whether citizens, residents or taxpayers who contact City elected officials (such as their alderman or the Mayor) or other City government officials or employees as part of an organized effort to influence legislation or votes -- or whether these efforts’ organizers themselves -- must register as lobbyists with the Board of Ethics. This practice is typically called “grassroots lobbying.”

The Internal Revenue Service defines “grassroots lobbying” as attempts to influence legislation by attempting to affect the opinion of the public with respect to the legislation and encouraging the audience to take action with respect to the legislation.[[1]](#footnote-1)  Some jurisdictions do include “grassroots” lobbying in their laws, and some (like the State of Illinois) times require organizers of “grassroots” campaigns to register or submit reports,[[2]](#footnote-2) or even, in some instances, require the persons who actually make the contact with governmental personnel to report.

**What about the City of Chicago? The short answer as to whether “grassroots lobbying” is covered under City law, is: “it depends.”**

The long answer is that the City’s Governmental Ethics Ordinance clearly covers what’s commonly known as “direct lobbying,” meaning attempts to influence City government personnel with respect to pending legislation or regulatory matters, by direct contact with them, through the mail, in person, or by telephone, email or text. But, to be considered “lobbying” under City law, the communications must be made: (i) *to City governmental personnel*;and(ii) *on behalf of* ***another*** *person, such as a client or employer*. (*See* §2-156-010(p) of the Municipal Code of Chicago.)

“Grassroots lobbying,” by contrast, typically comprises two phases: first, it involves organizers who encourage citizens or residents to contact their government personnel and advocate for or against a particular proposal or policy, or even to just get and vote for particular candidates or referendum or ballot measures; second, it involves citizens or residents actually making such communications, in their capacity as individual citizens or residents, directly to government personnel in response to this encouragement.

Normally, these organizers do not themselves contact government personnel. Under City law, they are *not* engaged in lobbying as defined in City law *unless* they do. However, this means that dropping off signed petitions to an elected official or City employee *could* be considered lobbying. Similarly, citizens or residents who respond to these encouragements and contact their alderman, the Mayor, etc., or sign who sign petitions, are *not* lobbying *if* they make these contacts on *their own* behalf as citizens or residents. However*, if* they meet with, call, email, or text City government personnel and in doing so represent themselves as communicating or acting “on behalf of [for instance] the Coalition for a Stronger Chicago,” then they *might be* lobbying, and *might* be required to register (the answer here would depend on whether this “Coalition” is organized as a non-profit and has only non-profit members — if the answer to both is ”yes,” then a lobbying registration exemption should apply).

These questions can be complex. Please contact the Board of Ethics for guidance about these regulations.

Please note that this publication is not intended to constitute binding legal advice. If you have a question about a specific situation, please contact the Board of Ethics for confidential, **binding** advice or guidance.

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1. *See* <http://www.irs.gov/Charities-&-Non-Profits/Direct--and--Grass-Roots--Lobbying-Defined> [↑](#footnote-ref-1)
2. *See* <https://www.cyberdriveillinois.com/publications/pdf_publications/sos_ig21.pdf> [↑](#footnote-ref-2)