

Audit Report

Lobbyist Compliance 2025

September 2025



Austin City Code directs City departments to provide a reasonable way for lobbyists to record information about meetings with City officials that meet several conditions. All City Council offices, the City Manager's office, and most surveyed departments complied with this duty. However, some departments did not. Code also directs lobbyists to record information about these meetings, but we could not tell if the information provided met this duty.

We noted other major Texas cities require more reporting of lobbyist activity with city officials than Austin. Also, these cities define "city officials" more narrowly. Austin has an opportunity to address these issues which could result in greater transparency of lobbyist information, better compliance with rules, and easier access for members of the public.

Lobbyist Compliance 2025

Objective

Are City departments and offices complying with City Code requirements to provide a reasonable method to record information from lobbyists?

What We Found

Austin City Code directs City departments to provide a reasonable way for lobbyists to record information about meetings that meet several conditions. All City Council offices, the City Manager's office, and most surveyed departments complied with this duty.

However, some departments reported they did not provide a way for lobbyists to record this information. Multiple departments noted they did not interact with lobbyists. Others said they fell out of compliance due to organizational changes and operational interruptions during the pandemic.

Code also directs lobbyists to record information about meetings if several conditions are met. Based on the information the City collects, we were not able to tell if all those conditions were met. We also saw missing information on the physical sign-in sheets, but could not tell if it was required by Code. In addition, some of the written entries were hard to read or not legible. Our office noted similar issues in previous lobbyist audit reports.

In response to our last audit, the 2023 Code changes made virtual meetings reportable. However, most City departments continue to provide a physical sign-in sheet only, which is not a practical way to record information in a virtual meeting.

We also identified two notable differences in lobbyist rules in Austin as compared to other major Texas cities. First, the other cities require more complete reporting of lobbyist activity with city officials and the reporting process is less complex than Austin's. Second, other cities define "city officials" more narrowly than Austin.

From a transparency perspective, lobbyist rules aim to make the process as open as possible and ensure information is easily accessible. A few changes to Austin's lobbyist code could result in more complete information, better compliance, and easier access for members of the public. This should help improve transparency and reinforce public trust in their government's decision-making process.

What We Recommend

We recommend the City Manager ensure City departments are compliant with current lobbyist rules. In addition, the City Manager should identify ways to improve the lobbyist rules to make them easier to understand. This should improve compliance and enhance transparency of lobbyist activity in Austin.



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Cover: Stunning skyline view of Austin, Texas by madison500, Adobe Stock

Objective

Are City departments and offices complying with City Code requirements to provide a reasonable method to record information from lobbyists?

Background

Austin City Code section 4-8-2 defines:

- A lobbyist as a person who communicates directly with a City official to influence or persuade the City official to favor or oppose, recommend or not recommend, vote for or against, or take action or refrain from taking action on a municipal question
- A municipal question as municipal legislation, an administrative action, or another matter that is, or may in the future be, subject to an action by a City official

In prior lobbyist audits conducted by our office, we noted issues that affected the transparency of the lobbyist meetings with City officials and the ability of members of the public to easily obtain this information. For example:

- At times, lobbyists met remotely with City officials, but the City Code did not require lobbyists to report virtual or remote meetings with City officials
- The City did not have a consistent and holistic process to gather and track lobbyist meeting information, and this information was not stored centrally to ease public access

In 2023, the City Council amended the City Code to adjust and clarify the lobbyist meeting requirement and review by the City Auditor. Specifically, Ordinance number 20231019-044 amended section 4-8-8 (C) of Code relating to communication with a City official, and section 4-8-10 relating to review by the City Auditor (see Exhibit 1 on the next page). The changes took effect on October 19, 2023.

Background (Cont.)

Exhibit 1: Council revised City Code language that directs the City Auditor to look at specific lobbyist rules related to meetings with a City official

Original	Amended Language
4-8-8 Appearance: A person who communicated in person with a City official for compensation on behalf of another person during a scheduled meeting on a municipal question shall disclose in writing to the city department, or office.	4-8-8 Appearance: A person who communicated directly with a City official for compensation on behalf of another person during a scheduled meeting on a municipal question shall disclose in writing to the city department, or office.
4-8-10 Audit: The city auditor shall annually conduct an audit of a statistically representative random sample of lobbyist registrants, but not less than five percent of registrants to ensure that registrants' filings are in compliance. Not later than the 14th business day after finding an apparent violation, the auditor shall notify the City Clerk, the City Attorney, and the Ethics Review Commission.	4-8-10 Review: The City auditor shall review the recorded information described in 4-8-8(E) every three years to ensure compliance and to assess the risk of non-compliance. Not later than the 14th business day after finding an apparent violation, the auditor shall notify the City Clerk, the City Attorney, and the Ethics Review Commission.

Source: Office of the City Auditor analysis of Austin City Code changes, February 2025

What We Found

Summary

Austin City Code directs City departments to provide a reasonable way for lobbyists to record information about meetings with City officials that meet several conditions. All City Council offices, the City Manager's office, and most surveyed departments complied with this duty. However, some departments did not. Code also directs lobbyists to record information about these meetings, but we could not tell if the information provided met this duty.

We noted other major Texas cities require more reporting of lobbyist activity with city officials than Austin. Also, these cities define "city officials" more narrowly. Austin has an opportunity to address these issues which could result in greater transparency of lobbyist information, better compliance with rules, and easier access for members of the public.

Finding 1

Some City departments do not provide a reasonable way to record information from lobbyists as required by City Code.

The City Auditor's lobbyist duty is in [Austin City Code section 4-8-10](#).

City departments' lobbyist duty is in [Austin City Code section 4-8-8 \(E\)](#).

A few departments started making a method available based on our survey.

This audit involves three sections of Austin's City Code on lobbyists. One section directs us to review recorded information to tell if City departments and lobbyists met their duties. Most, but not all, departments met their duty. Based on the information the City collects, we could not tell if all lobbyists met their duty. If lobbyist requirements are not followed, members of the public may question the City's transparency and lose faith in their government's decision-making process.

City Department Duty: A section of City Code directs City departments to provide a reasonable way for lobbyists to record information about meetings that meet several conditions. Code also notes departments may meet this duty "with a sign-in sheet... designed to elicit the information required" if they have a receptionist desk where visitors routinely check-in. However, Code does not define a single way for a department to meet its duty. We surveyed department heads and reached out to each Council office and the City Manager's office to determine if they were meeting their duty.

All Council offices met this duty, as did the City Manager's office. We received usable survey responses from 17 departments. Of those departments, ten, or 59%, reported meeting their duty. Of those ten departments, most used the same method. Seven reported having only a physical sign-in sheet, as did the City Manager's office. One department and one Council office reported having only a digital method. Two departments and the rest of the Council offices reported having both a physical sign-in sheet and a digital method.

Seven departments reported not having a way for lobbyists to provide their information. Of those, multiple departments reported they have little or no interaction with lobbyists. We do not know if any meetings with those departments met the conditions for reporting. One department cited organizational changes, as well as the pandemic, for interruptions in meeting their duty. Another department reported a sign-in sheet is available in only one of their divisions.

We looked at City training related to this duty. It is only provided to Council offices, new City executives, and board and commission members. Training is provided by two departments. Law trains executives and Council offices while the City Clerk's office trains board and commission members. The trainings cover relevant issues and materials are available to City staff. However, not all City staff may be aware of this information.

Lobbyists' reporting duty for meetings is in [Austin City Code section 4-8-8 \(C\)](#).

Lobbyist Duty: A section of City Code directs lobbyists to record information about meetings if several conditions are met. Exhibit 2 shows the seven meeting conditions required for reporting (left side) and what information the lobbyist must report (right side). The "N/A" notations show that some of the condition information is not captured on the sign-in sheets or digital forms.

Exhibit 2: City Code identifies seven conditions that trigger reporting, but does not require reporting about three of the conditions

#	A lobbyist meeting these conditions:	Shall disclose in writing:
1	A person	the name and address of the person
2	who communicated directly	N/A
3	with a City official	the name of the City official with whom they are meeting
4	for compensation	a statement regarding whether the person has recieved or expects to recieve compensation for the appearance or contact
5	on behalf of another person	the name of the client or person on whose behalf the appearance or contact is made
6	during a scheduled meeting	N/A
7	on a municipal question	N/A

Source: Office of the City Auditor analysis of Austin City Code, June 2025

We reviewed a sample of the physical sign-in sheets from Council offices. From the sheets alone, we are not able to tell if each entry was required to be recorded for lobbying purposes. For example, we cannot tell if the person had a scheduled meeting. Also, we do not know if a municipal question was discussed. We do not know if the meeting even happened. While these are all good assumptions, they are not apparent from the information recorded. For example, a lobbyist may have shown up for a meeting and filled in the information, only to have the meeting cancelled for some reason.

We also noted instances where people left some required information blank. For non-lobbyists, this could be people acting on reflex. They see a sign-in sheet, so they sign in. In those instances, it is reasonable they would leave the client and compensation entries blank because they do not apply. For lobbyists with a duty to report, the blanks could be an oversight or a willful refusal to provide all the required information. It is possible some lobbyists did not sign in at all. We also noted some of the written sheet entries were hard to read or not legible.

Sign-in sheets may include co-mingled entries from people who have a duty to report and those who do not.

Finding 2

Current City Code lobbyist provisions limit reporting and make transparency hard to achieve.

From our survey, the City Manager's office and 70% of departments reported only using physical sign-in sheets.

We previously addressed similar sign-in sheet and reporting issues in our first lobbyist audit in [2019](#) and our most recent lobbyist audit in [2022](#). In addition, those audits noted the records are not centrally held or easily accessible to the public. Instead, each individual department holds its records, which must be requested via a public information request. That process is still in place. Also, the reporting noted in Finding 1 has always been limited to scheduled meetings. This means not all lobbyist activity with a City official is captured.

The 2023 lobbyist Code changes addressed some issues, but did not expand reporting to cover all lobbyist meetings. One change added virtual meetings as reportable, but not all related Code sections were updated. For example, the section describing a City department's duty still refers to physical sign-in sheets at a reception desk. Using a physical sign-in sheet for a virtual meeting is not practical, but most departments reported only using this method.

We looked at lobbyist code sections in four major Texas cities to compare them with Austin's rules. Houston's code was somewhat different from the rest, but the lobbyist codes in Dallas, El Paso, and San Antonio were fairly aligned. However, we saw a few notable differences from Austin's Code. First, those cities require more complete reporting of lobbyist activity with city officials, and their reporting process is less complex than Austin's. Second, other cities define "city officials" more narrowly than Austin.

In Dallas and San Antonio, lobbyists contacting a city official in writing must identify themselves as a lobbyist and identify their client. We did not see this requirement in the other cities, including Austin. Also, Dallas, El Paso, and San Antonio require lobbyists to report a list of all city officials contacted on behalf of a client related to a municipal question. This reporting is done in the lobbyists' quarterly activity reports.

The benefit of this requirement is that more lobbying activity is reportable as compared to Austin, which limits reporting to scheduled meetings. Also, the lobbyist has the sole duty to report, and the information is kept centrally and accessible to the public. By comparison, Austin's reporting process is more complex, as described in Finding 1.

The second notable difference is who is considered to be a "city official." This is an important and common element of the reporting requirements described above. Definitions differed among cities, but all the other cities defined this term more narrowly than Austin (see Appendix A for more detail).

In short, the other Texas cities limited city officials to executive-level employees and included some, but not all, board and commission members. We estimated "officials" in these cities numbered in the hundreds. By contrast, Austin's definition includes almost all City employees, "other than a City employee whose duties are solely clerical," as well as all board and commission members. Austin's Code does not define "clerical," so a common understanding of the term seems to include thousands, and likely, over ten thousand City employees as a "City official."

Austin's definition of "city official" cited here is in [Austin City Code section 4-8-2](#) which is specific to the Regulation of Lobbyists chapter.

From a transparency perspective, the goal of lobbyist rules is to open the process as much as possible and make the information easy to access. Aligning Austin's lobbyist Code with other Texas cities would make it simpler, clearer, and more cohesive than it is now. Also, lobbyist requirements that are easy to understand and follow should improve compliance. For example, in the areas noted above, the City could take three steps that should result in more complete and accessible reporting about lobbyist activity in Austin.

The first step is to revise the definition of "City official" to focus on decision-makers. The second step is to require reporting of all lobbying contacts with City officials, replacing the "scheduled meeting" requirement. The third step is to shift the reporting duty solely to lobbyists.

This reporting could be added to the lobbyists' quarterly activity reports, which are already required. Alternatively, the City could set up a central, online reporting portal to capture this information. Using either method, the reported information would be timely, complete, legible, and centrally accessible for public inspection. Also, addressing the issues identified in this report should help improve transparency and reinforce public trust in their government's decision-making process.

Updates to the reporting process will require changes to existing systems or contracts.

Recommendations and Management Response

The City Manager should:

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- a. Ensure City departments are compliant with City Code requirements related to lobbying.
- b. Identify possible revisions to the City Code chapter on Regulation of Lobbyists and present them to City Council for their consideration. This process should include feedback from the City Clerk and Law Department. The revisions should address the issues identified in this report and improve the transparency of lobbyist activity in Austin.

Management Response: Agree.

Proposed Implementation Plan:

The City Manager agrees that there must be Citywide compliance with City Code requirements related to lobbying and that City Code revisions might be necessary to simplify and clarify the regulation of lobbyist. Responsibility for leading these revisions will be assigned to Law Department and the Office of the City Clerk, who will review the recommendations and conduct an internal analysis to identify potential revisions for City Council consideration.

To further enhance transparency and streamline data collection, the City Manager's Office supports the recommendation to incorporate lobbying activity into the reports already required of lobbyists and collected quarterly by the Office of the City Clerk via the eFiling system. This change will remove the need for department-level reporting and lead to greater compliance.

Once potential City Code revisions are approved by City Council and the addition of lobbying activity is incorporated into lobbyist's existing eFiling reporting, the Office of the City Clerk will roll out the necessary guidance and training to ensure a smooth transition.

Proposed Implementation Date:

Recommendations to City Council on City Code revisions and implementation of the new reporting process in the eFiling system will be completed by Summer 2026.

Appendix A: Officials subject to lobbying in major Texas cities

City	Who is subject to lobbying?
Austin	<ul style="list-style-type: none"> • Mayor, or mayor-elect • Council member, or council member-elect • City employees, other than a City employee whose duties are solely clerical (<u>NOTE: "clerical" is not defined in Code, so this likely applies to thousands of City employees</u>) • Members of a City board or of a body created by the council and listed in Code
Dallas	<ul style="list-style-type: none"> • Mayor • City council members • City manager, assistant city managers, and chiefs • City attorney, first assistant city attorney, and inspector general • City secretary and first assistant city secretary • City auditor and first assistant city auditor • Municipal judges • All department directors • City of Dallas appointed members to some (13) boards and commissions, plus all government corporation and municipal management district boards, and all investment zone boards
El Paso	<ul style="list-style-type: none"> • Mayor • Council members • City manager • Members of some (8) boards and commissions
Houston	<ul style="list-style-type: none"> • Members of the legislative branch (city council members, a council member-elect, or a candidate for the office of city council) • Members of the executive branch (mayor, city controller, mayor-elect, city controller-elect, candidate for mayor or controller, members of certain city boards and commissions)
San Antonio	<ul style="list-style-type: none"> • Mayor and assistants to the mayor (including contract personnel) • City council members and assistants to the city council (including contract personnel) • Municipal court judges and magistrates • City manager, deputy city manager, assistant city managers, and assistants to the city manager • City clerk, deputy city clerk, and assistant city clerk • All department heads and assistant department heads • Internal auditor, assistant internal auditors, and compliance auditor • Executive secretaries • Public utilities supervisor • Members of bid committees • Members of the Historic and Design Review Commission • Members of the Zoning Commission • Members of any board or commission that is more than advisory in nature

Source: Office of the City Auditor analysis of lobbyist code definitions in major Texas cities, May 2025

Scope

Lobbyist activities and information described in Austin City Code sections 4-8-10, 4-8-8 (E), and 4-8-8 (C) from fiscal years 2023 through 2025.

Methodology

To complete this audit, we performed the following steps:

- reviewed Austin City Code requirements related to lobbying
- collected and analyzed city code lobbyist reporting requirements in Dallas, El Paso, Houston, and San Antonio, and compared them with requirements in Austin
- interviewed staff from the Office of the City Clerk and the Law Department
- surveyed City department heads about their department or office's methods to record and retain required lobbyist information. We sent the survey to staff in 44 departments and received 17 responses for a response rate of nearly 39%. The results of our testing apply to the responses received and cannot be projected to all City departments.
- interviewed staff in City Council offices and the City Manager's office to determine their methods to record and retain required lobbyist information and collect examples of lobbyist sign-in sheets
- analyzed and evaluated lobbyist sign-in sheets for compliance with City Code provisions
- evaluated internal controls related to the City's lobbyist compliance process
- evaluated the risk of fraud, waste, and abuse related to the City's lobbyist compliance process

Audit Standards

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The Office of the City Auditor was created by the Austin City Charter as an independent office reporting to City Council to help establish accountability and improve City services. We conduct performance audits to review aspects of a City service or program and provide recommendations for improvement.

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