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**MEMO**

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**TO:** File  
**FROM:** Victoria Frigo  
**SUBJECT:** INQ 12-199 Alexander  
**DATE:** Nov. 20, 2012

On Nov. 19, 2012, Steve Alexander at 305 216-6579 asked if the prohibition on contingency fees for lobbyists extended to sales representatives.

I found the following precedent and quoted it to him via his voice mail on Nov. 20, 2012.

In **R00 06-34**, the Ethics Commission found that sales representatives who fall within the definition of “lobbyist” do not violate the lobbyist contingency fee ban when they receive commissions for sales. A sales representative is defined as a person whose duties ordinarily involve covering an assigned territory for a particular principal on a regular basis, visiting potential customers on these routes, and attempting to interest the customers in corporate products or services.