

RESOLUTION JCOPE 15-01

WHEREAS, the Joint Commission on Public Ethics (hereinafter “Commission”) is authorized by §1-d of the Legislative Law to administer the provisions of Article 1-A of the Legislative Law (hereinafter “Lobbying Act”); and

WHEREAS, the Commission is authorized by section 94(13) of the Executive Law to investigate and enforce violations of the Lobbying Act; and

WHEREAS, the Commission, pursuant to its authority under the Executive Law and the Lobbying Act, has discretion regarding how to administer and enforce the lobbying laws; and

WHEREAS, the Commission has established a policy of leniency toward first-time violators of the Lobbying Act; and

WHEREAS, the New York City Clerk, pursuant to §3-212 of the New York City Administrative Code (hereinafter “Administrative Code”), is charged with the enforcement of reporting and disclosure requirements relating to lobbying before New York City government; and

WHEREAS, the New York City Clerk, pursuant to §3-323 of the Administrative Code, must establish a targeted, six-month amnesty and compliance program that would waive all late filing and civil penalties for certain lobbyists and clients required to comply with City lobbying laws; and

WHEREAS, the success of New York City’s amnesty program may depend upon whether the Commission offers a parallel amnesty program to similarly-situated lobbyists and clients, as it is anticipated that few lobbyists and clients will participate in New York City’s amnesty if, by doing so, they are risking the imposition of State fines and penalties; and

WHEREAS, the provision of a targeted amnesty and compliance program would be

consistent with the Commission's goals of increased transparency and improved compliance.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Commission may grant amnesty from the imposition of all applicable late fees and penalties that could be assessed relating to reports due between December 10, 2006 and June 30, 2016 against certain lobbyists and/or clients who: (1) were obligated to file, but never filed, applicable reports required by the Lobbying Act; (2) have not been previously contacted by the Commission for non-compliance with such filing requirements; (3) have not been the subject of a criminal proceeding relating to a violation of the Lobbying Act; and (4) satisfy the conditions for amnesty set forth in the procedures established by the Commission. Further, the period in which to apply for amnesty is limited and shall run from January 1, 2016 until June 30, 2016.

Approved: Daniel J. Horwitz
Chair

David Arroyo
Hon. Joseph Covello
Marvin E. Jacob
Hon. Eileen Koretz
Gary J. Lavine
Hon. Mary Lou Rath
David A. Renzi
Michael A. Romeo, Sr.
Hon. Renee R. Roth
Michael K. Rozen
Dawn L. Smalls
George H. Weissman

Absent: Seymour Knox, IV

Dated: October 7, 2015