

NEW YORK STATE JOINT COMMISSION ON PUBLIC ETHICS

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Client Semi-Annual Reports

****COURTESY REMINDER****

**2015 January/June Client Semi-Annual Reports are due July 15, 2015, including
"Source of Funding" and "Reportable Business Relationship" disclosure requirements**

2015 Filing Requirements:

All clients are required to file two Client Semi-Annual Reports during any year which they anticipate exceeding lobbying expenditures over \$5,000. Specifically, Client Semi-Annual Reports are required to be filed by any client retaining, employing, or designating a lobbyist or lobbyists, if it is reasonably anticipated that during the year an amount in excess of \$5,000 of combined reportable compensation and expenses for lobbying will be expended or incurred. Those clients who are also registered as lobbyists are still required to file Client Semi-Annual Reports.

The Client Semi-Annual Report is due by the 15th day of the month following the end of the relevant reporting period. The two reporting periods are (i) January through June (due July 15); and (ii) July through December (due January 15).

If the \$5,000 threshold is exceeded during the January through June reporting period, **both** the January/June **and** July/December Client Semi-Annual Report are required to be filed even if there are no further lobbying expenditures during the second reporting period.

However, if a January/June Client Semi-Annual Report is filed, but by the end of the calendar year, the \$5,000 threshold has still not been exceeded, a July/December Client Semi-Annual Report is not required to be filed.

If the lobbyist and client relationship terminates on or before June 30th of the calendar year, the client is **not** required to file the July/December Client Semi-Annual Report.

Please note: Section 1-g of the Lobbying Act requires written notification of the terms of the termination from both the lobbyist and the client within thirty (30) days after the lobbyist ceases lobbying activity. In addition, both parties must still file all required reports by their statutory due dates, reporting all lobbying activity up to the effective date of termination. If the termination of retainer, employment, or designation takes effect at the end of the biennial registration period, written notification* of termination is not required.

* JCOPE considers notice of terminations filed utilizing the online filing system as 'written notice'.

Reporting for Source of Funding disclosures is available to all online filers.

Section 1-j(c)(4) of the Lobbying Act requires that clients, and lobbyists who lobby on their own behalf, disclose sources of funding that contribute more than \$5,000 on the Client Semi-Annual Report.

Client Semi-Annual Report – ‘Source of Funding’ section:

- Select applicable option:
 - Information Not Available at this time;
 - Reporting not required – 501(c)(3) or gov’t organization;
 - Reporting is not required – no applicable contributions;
 - Reporting is not required – under spending threshold;
 - Exemption pending or previously approved;
 - Reporting is required and filed on paper;
 - Reporting is required and will be uploaded.
- **For Paper Filers:** If you choose to file a Client Semi-Annual Report [paper form](#), you are required to complete the Source of Funding Disclosure section, selecting the applicable option.
- **For Online Filers:** JCOPE recommends you complete the [SoF Excel Spreadsheet](#) *prior* to filling out your Client Semi-Annual Report.

The pre-formatted [Excel Spreadsheet](#) and [instructions](#) are located on JCOPE’s [website](#) (paper filers may disregard the section on uploading). Only this pre-formatted Excel Spreadsheet will be accepted. If a different form is used, the system will automatically reject the submission.

Source of Funding overview can be found [here](#).

"Reportable Business Relationship" Disclosure Requirements:

Section 1-j(b)(6) of the Lobbying Act requires clients to disclose "Reportable Business Relationships". Please see the Commission's [website](#) for additional information.

Reportable Business Relationship disclosures cannot be completed via the online filing system.

All Reportable Business Relationship ("RBR") disclosures must be completed on a separate PDF/paper copy. Please see the [RBR Instructions](#).

- **For BOTH Paper *and* Online Filers:** You must fill out the [RBR PDF form](#) and mail to JCOPE.

PLEASE NOTE: For a client who retains or employs multiple lobbyists, these lobbyists must register using the same exact client name. Registering with variations of the same client name may cause the Commission to send out delinquent report notices and may subject you to an assessment of a civil penalty. If your "client name" varies between your lobbyists, a separate Client Semi-Annual Report is required to be filed for each lobbyist, including the accompanying \$50 non-refundable filing fee.

Any filing fees paid by check must be paid separately for each individual filing; *i.e.* one check per filing, made payable to the New York State Joint Commission on Public Ethics. Any check that includes filing fees for more than one report will be returned to you by the Commission. Each Client Semi-Annual Report must be accompanied by a \$50, non-refundable, filing fee (payable by check or money order in US dollars).

Notes:

If you file [online](#), you should review your Profile carefully to ensure all information is accurate prior to submitting your filings. There is no need to request a new User ID and password, unless the responsible person has changed. In that case, we urge you to submit your Profile Update immediately to avoid any delay in submitting your electronic filings.

If you have not utilized the Commission's online filing system, we urge you to [request a User ID](#) and password immediately so you may begin submitting electronic filings.

Timely reports are those that are received in the Commission's office on or before the due date.

IMPORTANT: The Lobbying Act provides that the chief administrative officer of any organization required to file a statement or report is the person responsible for making and filing such statement or report, even if some other person has been designated by the organization to make and file such statement or report.

- **JCOPE has interpreted the term "Chief Administrative Officer" to mean the executive officer of the entity with the ultimate fiduciary responsibility for the organization's compliance with New York lobbying statutes and regulations.**
- **While the ministerial or administrative aspect of the filing and reporting process can be completed by a designated agent (such a designation must be filed with JCOPE), the liability remains with the individual with the fiduciary duty to the organization to ensure compliance with the lobbying law.**

All Commission reporting forms and instructions are available on the Commission's website. Always check our website for the most up-to-date information and latest forms at www.jcope.ny.gov.

If you have any questions regarding reporting requirements, or the online filing system, you may contact Commission staff at (518) 408-3976.