

NEW YORK STATE JOINT COMMISSION ON PUBLIC ETHICS

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Client Semi-Annual Reports

****COURTESY REMINDER****

**2012 July/December Client Semi-Annual Reports are due January 15, 2013, and
New Disclosure Requirements**

2012 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; and (ii) July through December. If the \$5,000 threshold is exceeded during the January through June reporting period, a January/June as well as a July/December Client Semi-Annual Report is required to be filed even if there are no further lobbying expenditures during the second filing period. However, if a January/June Client Semi-Annual Report is filed, but the \$5,000 threshold has not been exceeded during the calendar year, a July/December Client Semi-Annual Report is not required to be filed. If the lobbyist and client relationship terminated on or before June 30th of the calendar year, the client need not file the July/December Client Semi-Annual Report. Please note however, 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 cycle, written notification of termination is not required.

New Disclosure Requirements for Source of Funding and Reportable Business Relationship:

Under section 1-j(c)(4) and 1-j(b)(6) of the Lobbying Act, certain lobbyists and clients are now required to disclose "Source of Funding" for their lobbying activity and any "Reportable Business Relationship" with elected officials and state employees. The Commission adopted new Source of Funding disclosure [regulations](#) on an emergency basis, which are currently in effect. These regulations should guide applicable filers for the upcoming

January 15 Client Semi-Annual Report filing deadline. The Commission also adopted [guidelines](#) for the Reportable Business Relationships.

Source of Funding: A revised [PDF Client Semi-Annual Report form](#) is available on the Commission's website, which contains a section for disclosing "Source of Funding" information. All Source of Funding disclosures are to be made on Commission forms and are not as of yet available for electronic filing. Clients may still file their Client Semi-Annual Reports utilizing the Commission's online filing system. However, if "Source of Funding" information must be disclosed, a PDF Client Semi-Annual Report must be filed; completing Sections I (amendment circle filled-in), II, V, and XI. For those clients who do **not** file online, the PDF Client Semi-Annual Report form is required to be completed in its entirety.

Reportable Business Relationship: A separate [PDF form](#) is available on the Commission's website for disclosing "Reportable Business Relationship" ("RBR") information. All RBR disclosures are to be made on Commission forms and are not as of yet available for electronic filing. Again, if you utilize the Commission's online filing system, but are required to disclose RBR information, a PDF Client Semi-Annual Report must be submitted. The following sections of the PDF Client Semi-Annual Report must be completed: Sections I (amendment circle filled-in), II, and XI, and the completed separate RBR form must be attached to the Client Semi-Annual Report. For those clients who do **not** file online, the PDF Client Semi-Annual Report form is required to be completed in its entirety, with a completed RBR form attached (if applicable).

IMPORTANT: For a client who retains or employs multiple lobbyists, these lobbyists must register using the 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).

The Lobbying Act provides that the chief administrative officer of any organization 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. Please note, a designation of such other person does not relieve the chief administrative officer of liability due to a failure to file, late filing, or false filing of any report(s).

All clients filing online should carefully review their submissions to ensure all information is accurate prior to submitting their reports.

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

If you already file online, 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 delaying your electronic filing of the 2012 July/December Client Semi-Annual Report, which is due **January 15, 2013**.

Please be advised, the Commission sends informational bulletins from the following e-mail addresses: jcope@jcope.ny.gov, helpdesk@jcope.ny.gov and education@jcope.ny.gov. Please check all spam controls,

firewall settings, and blocked sender lists/white lists to ensure they accept delivery from the Commission's e-mail addresses.

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, please contact Commission staff at (518) 408-3976 or email them directly at program@jcope.ny.gov. The Commission's Education Resource Group is also available to assist you with a variety of class schedules, as well as provide any assistance you may require regarding the use of the online filing system.