
In the Matter of State Advisers, LLC,

Respondent.

**PROPOSED DECISION AND
NOTICE OF CIVIL
ASSESSMENT**

Alleged Violations of §§ 1-e and 1-h of Legislative
Law Article 1-A.

State Advisers, LLC (“Respondent” or “State Advisers”), was engaged in reportable lobbying from January 1, 2011 through December 31, 2015, and was required to timely file certain statements of registration, registration fees, and client agreements or authorizations, pursuant to § 1-e of Article 1-A of the Legislative Law (the “Lobbying Act”), and to timely file certain lobbyist bimonthly reports pursuant to § 1-h of the Lobbying Act. Respondent failed to file such materials (the “Reports”) on a timely basis or at all. Specifically, Respondent: (1) failed to timely file 138 lobbyist bimonthly reports; (2) failed to file 10 lobbyist bimonthly reports; (3) failed to pay 22 registration fees; and (4) failed to file 8 client agreements or authorizations.

On April 28, 2016, the Joint Commission of Public Ethics (“Commission”) and Respondent entered into a Substantial Basis Investigation Report and Settlement Agreement (“Agreement”), under which Respondent agreed that it failed to timely file and failed to submit certain of the Reports, in violation of §§ 1-e and 1-h of the Lobbying Act. Respondent further agreed to submit certain outstanding Reports within 30 days of signing the Agreement, pay the Commission the amount of \$62,000.00 in settlement of the violations, and pay the New York State Office of the Attorney General the amount of \$4,975.44 in prior late fees referred to that office for collection. Respondent subsequently defaulted under the Agreement.

On June 30, 2016, a Notice of Hearing was issued to Respondent. On August 11, 2016, a hearing was held pursuant to Lobbying Act § 1-o(c)(i) and 19 NYCRR 941. Keith Sernick, Esq., President of State Advisers, appeared *pro se* for Respondent.

On September 14, 2016, the independent hearing officer, Judge Elaine Jackson Stack, issued a Report and Recommendation (“Report and Recommendation”), in which she found that Respondent knowingly and willfully failed to file the Reports and recommended the assessment of a civil penalty in the amount of \$180,000.

The parties were given 10 days from receipt of the Report and Recommendation to respond. No response was received from the Respondent.

The Commission hereby affirms the Hearing Officer’s Report and Recommendation and finds that Respondent knowingly and willfully violated the Lobbying Act by failing to timely file

the Reports. The Commission also affirms the Recommendation of the Hearing Officer and directs that the Respondent be assessed a civil penalty in the amount of \$180,000. The Commission further directs that Respondent file any outstanding Reports within thirty (30) days of this Decision and Notice of Civil Assessment.

DRAFT