



Chapter 5: Client Filing Requirements

★ **NOTE:** All references to Lobbyists and Clients include Public Corporations.

Client Semi-Annual Report

Who is required to submit a Client Semi-Annual Report?

Any Client retaining, employing or designating a Lobbyist or Lobbyists - whether or not any such Lobbyist was required to file a Statement of Registration or Bi-Monthly Report - who reasonably anticipates that during the year an amount in excess of \$5,000 in combined Reportable Compensation and Expenses for Lobbying will be expended or incurred, is required to submit a Client Semi-Annual Report.

The amounts of Reportable Compensation and Expenses expended, incurred, or received for Lobbying Activities must be computed cumulatively for all Lobbying Activities when determining whether the threshold has been met.

What are the Client Semi-Annual reporting periods and when are they due?

The first Client Semi-Annual Report is due by the 15th day of the month following the end of the relevant reporting period.

Generally, there are two reporting periods per calendar year:

FILING	FILING DEADLINE
January/June Client Semi-Annual Reports (January 1 – June 30)	July 15
July/December Client Semi-Annual Reports (July 1 – December 31)	January 15

★ **PLEASE NOTE:** Timely reports are those that are received by the Commission's office on or before the due date. If a report is due on a weekend or a State holiday, the report must be received in the Commission's office on the first business day following the weekend or State holiday. The Commission does not consider the postmarked date as the date of receipt for Filings.

Is a Client Semi-Annual Report still required to be filed if a Client does not meet the reporting threshold?

No. If the reporting threshold will not be met, or you do not reasonably anticipate that during the year the threshold will be met, the Client is not required to submit a Client Semi-Annual Report.

If the \$5,000 reporting threshold is exceeded in the January/June period, then a July/December Client Semi-Annual Report must be filed even if no further monies are expended, unless the written agreement or authorization with the Client's Lobbyist is terminated on or before June 30th.

If a January/June Client Semi-Annual Report is filed and the \$5,000 reporting threshold has not been met for the year, then a July/December Client Semi-Annual Report is not required.

- ★ **NOTE:** A Public Corporation that is required to file a Statement of Registration under section 1-e of the Lobbying Act is required to file Bi-monthly Reports that disclose information on any Retained Lobbyists; as a result, the Public Corporation is not required to file a Client Semi-Annual Report.

Is there a Client Semi-Annual filing fee?

Yes. A **\$50 non-refundable filing fee** is required to be submitted with each Client Semi-Annual Report.

See Chapter 2: Statutory Filings Overview "How can I pay the filing fee" for more information.

- ★ **NOTE:** "Public Corporations" required to file Client Semi-Annual Reports are required to pay the \$50 Client Semi-Annual Report filing fee.

What information is required to be submitted with the Client Semi-Annual Report?

Every Client Semi-Annual must include the following:

1. The type of Lobbying which shall indicate whether the Lobbying involved non-procurement Lobbying, Procurement Lobbying or both;
2. The Client Information which shall include the Client's name, address, and business and fax numbers;
3. The Lobbyist Information which shall include the type of Lobbyist (retained, employed, or designated), level of government lobbying (State and/or local), and Lobbyist name and address;
4. All reportable Expenses (as defined) expended, received or incurred for Lobbying for the current period only;
5. All reportable Lobbying Compensation (as defined) paid or owed to Lobbyists, including Retained, Employed, and Designated Lobbyists, for the current period only;

CHAPTER 5: CLIENT FILING REQUIREMENTS

See **Chapter 1: Lobbying Overview and Definitions** for Definitions of **Reportable Compensation** and **Reportable Expenses** and **Chapter 2: Statutory Filings Overview** (“Other Statutory Filing Information”).

- (i) Any reportable Compensation and Expenses incurred by an employee (“in house”) Lobbyist must be included in the Client Semi-Annual Report, regardless of whether the organization also files Bi-Monthly Reports.
 6. The identities of all parties to the Lobbying;
 7. The subject matter(s) on which Lobbying occurred;
 8. The governmental action that the Client or the Client’s Lobbyist Attempted to Influence which shall include the following, as applicable:
 - (i) The bill, rule, regulation, or rate number, if available, on which Lobbying occurred;
 - (ii) The title and identifying numbers of Procurement Contracts/documents on which Lobbying occurred;
 - (iii) The number or subject matter of an Executive Order of the Governor or Municipality on which Lobbying occurred;
 - (iv) The subject matter of and tribes involved in tribal-state compacts on which Lobbying occurred; and/or
 - (v) In the event Lobbying is conducted in order to influence the introduction, intended introduction, or issuance of State legislation or a State resolution, a brief description of such activity.
 9. The name of the person, organization, or legislative body before which the Client or Client’s Lobbyist has lobbied.
 10. Any Reportable Business Relationships, provided, however, Clients who Lobby on their own behalf need only report such relationships in their Lobbyist Statement of Registration.
 11. Any Source of Funding, if applicable. (**See Chapter 7: Source of Funding (SoF) Overview** for more information)
- ★ **NOTE:** All Lobbyists who register on behalf of a Client MUST each register using the same exact Client name. Registering with variations of the same Client name may result in delinquent report notices and potential fines.

If I file Client reports with NYC or another Municipality, do I also need to submit a Client Semi-Annual Report to JCOPE?

Yes. Individuals and Organizations who retain, employ, or designate Lobbyists to lobby a Municipality may be required to report such activities to JCOPE, if the reporting requirements set forth in the Lobbying Act are met.

The Municipality may have its own reporting requirements; but this does not relieve a Client from their requirement of disclosing their Lobbying Activities to JCOPE.

- ★ **NOTE:** Municipalities may use a different definition of “lobbying activities” – all JCOPE reporting requirements are based on the definitions and provisions of the Lobbying Act.

See Chapter 3 – Local Lobbying for more information.

If I have retained and/or employed Lobbyists who lobby on both a state and local level, how should Expenses and Compensation be reported?

Filer’s should add Compensation and Expenses for local and State level lobbying together and report the total amount for each Lobbyist in their Client Semi-Annual Reports. At this time, the Commission does not require that local Compensation or Expenses be reported separately from State Compensation and Expenses.

How should my Expenses be reported?

All Expenses, including Expenses that are or will be reimbursed, must be disclosed during the period in which they are incurred or expended.

How is a Reportable Business Relationship reported on the Client Semi-Annual Report?

Section 1-j(b)(6) requires a Business Relationship to be reported, regardless of when the relationship commenced, if at any time during a semi-annual reporting period covered by the filing, the criteria outlined in Chapter 6 are met.

If you are subject to the requirements of this Section, a Reportable Business Relationship form must be submitted with each applicable Client Semi-Annual Report. In the near future, this information will be reportable using the Online Filing System, and the information submitted will appear on each Client Semi-Annual (and/or Amendment) after the initial submission.

What if my Organization registers to lobby using employee Lobbyists? Am I required to submit Client Semi-Annual Reports?

Yes. At this time, a Client who utilizes employee Lobbyists must file **both** Lobbyist and Client Reports.

What if my organization uses both retained Lobbyists *and* employee Lobbyists, but does not itself register to lobby. Am I required to list the employee Lobbyists on my Client Semi-Annual Reports?

Yes. Client Semi-Annual Reports must disclose *all* Lobbyists, whether or not the Lobbyist registers – or is required to register – with JCOPE.

Client Semi-Annual Amendment

Can a Client Semi-Annual Report be amended after being submitted?

Yes. A Client has a duty to amend a Client Semi-Annual Report if any change – permanent or temporary – occurs relating to the information previously reported on a Client Semi-Annual Report. This may include, for example, a previously reported payment that is subsequently waived, written-down, or otherwise modified for bookkeeping purposes, unless the relationship has already been Terminated.

Client Termination

What is required if a lobbying agreement terminates before the end of the biennial registration period?

Section 1-g of the Lobbying Act generally requires written notification of the terms of the termination from **both the Lobbyist and the Client** within 30 days of the termination date.

However, if the contract terms expire at the end of the biennial registration cycle, written notification of a termination is not required.

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.

What is required if a termination has been filed, but lobbying resumes during the biennial registration cycle?

Your Lobbyist may submit a written or emailed request to the Commission requesting withdrawal of an approved termination. Once the termination is 'withdrawn' (rejected), your Lobbyist will submit an Amended Lobbyist Statement of Registration form, and include a 'new' written agreement or written authorization from the Client.

You may be required to submit Client Semi-Annual Reports. **See Chapter 5: Client Filing Requirements**
“Who is required to submit a Client Semi-Annual Report?”