



2019-2020 Disbursement of Public Monies Bi-monthly and Bi-monthly Amendment Information

Unlike Lobbyist and Public Corporation Bi-monthly Reports, Disbursement of Public Monies (DPM) Bi-monthly Reports are to be filed *only* if the Principal Lobbyist has at least one an active Registration for a Client on file; *and if* Attempts to Influence the DPM have occurred during the relevant DPM filing period.

PURPOSE

The purpose of this document is to assist Filers with the submission of Disbursement of Public Monies (DPM)Bi-monthly Reports and DPM Bi-monthly Amendments in JCOPE's new Lobbying Application.

NOTE: This document is **not** intended to assist Individuals/Organizations in determining whether activities being performed by them require registration and reporting to JCOPE. For assistance on whether your activities are considered Public Monies Lobbying Activities which require you to file a DPM Report, please refer to the Guide to Lobbying and the regulations available on the JCOPE website.

THINGS TO KNOW

NYS Lobbyist DPM Bi-monthly Reports must be completed by any Lobbyist (including Public Corporations) required to file a Statement of Registration, **and** who reasonably anticipates that during the year they will expend, incur, or receive combined reportable compensation and expenses in an amount **in excess of \$5,000 in connection with:**

- any attempts to influence a determination by a public official, or by a person or entity working in cooperation with a public official with respect to the solicitation, award or administration of a grant, loan, or agreement involving the disbursement of public monies **in excess of \$15,000**, other than a governmental procurement as defined in Section 1-c.
- The \$5,000 threshold relates *only* to Compensation and Expenses attributable to the activities described above, **and is in addition to and separate from the similar threshold for Lobbyist registration.**
- These **separate** reports are required to be filed in accordance with the same schedule applicable to the filing of Bi-monthly Reports; and are in addition to the Bi-monthly filing requirements specified in Sections 1(h) and 1(i) of the Lobbying Act.
- DPM Bi-monthly Reports are required regardless of whether the grant, loan or agreement payment is received.

Public Monies are funds that have been designated for programs, grants or discretionary funds, but which have not been allocated by law to specific recipients and are not part of a Governmental Procurement (as defined in subsection 943.8(a)(3) of the Commission's regulations).

2019-2020 DPM Bi-monthly and Bi-monthly Amendment Information

- The Lobbying Act requires a registered Lobbyist to submit a DPM Bi-monthly Report for each reporting period they engaged in Public Monies Lobbying Activities.
- A DPM Bi-monthly Report may be started, saved, and submitted, up to two months prior to the Filing’s due date; as long as the Lobbyist has an “active” Registration during the reporting period for which the DPM Bi-monthly is being filed.
- A DPM Bi-monthly Report can be filed after a Lobbyist has terminated their Lobbying Agreement(s), as long as one Registration was “active” during the reporting period for which the DPM Bi-monthly Report is being filed.
- Once Submitted, a DPM Bi-monthly Filing cannot be deleted. The Filer must submit a Request to Withdraw to remove the Filing from public view.
- Once Submitted, the Filer cannot make any changes to the Filing. A DPM Bi-monthly Amendment must be submitted.
- Online Filings will populate specific Information from existing Profiles, if available:
 - Principal Lobbyist Information
 - Contractual Client Information
 - Beneficial Client Information
 - Individual Lobbyist Information
 - Co-Lobbyist Information
 - Sub-Lobbyist Information

DPM BI-MONTHLY REPORTING PERIODS & DUE DATES:

DPM BI-MONTHLY REPORTING PERIOD	PERIOD COVERED	DUE DATE
January/February	January 1 – February 28	March 15
March/April	March 1 – April 30	May 15
May/June	May 1 – June 30	July 15
July/August	July 1 – August 31	September 15
September/October	September 1 – October 31	November 15
November/December	November 1 – December 31	January 15 (of the following year)

INFORMATION COLLECTED ON THE DPM BI-MONTHLY REPORT

The new 2019-2020 online DPM Bi-monthly Report contains its own main navigation menu and can be viewed in a “tabbed format” or in “full view”, depending on Filer preference.

2019-2020 DPM Bi-monthly and Bi-monthly Amendment Information

The DPM Bi-monthly Report contains the following fields. Items denoted with a red asterisk '*' are required fields.

1. Biennial Registration Period*

2. DPM Bi-monthly Reporting Period*

Indicate the Year and DPM Bi-monthly Period:

- January/February
- March/April
- May/June
- July/August
- September/October
- November/December

3. Principal Lobbyist's Information*

4. Client Information*

The term 'Client' includes both Contractual and Beneficial Clients.

The name(s) of both the Contractual and Beneficial Client(s) must be identified on every DPM Bi-monthly Report.

The Contractual Client and Beneficial Client can be the same person or entity.

NOTE: This information is **NOT** required if you are a Public Corporation.

Contractual Client*

An individual or Organization who retained or employed the Lobbyist to engage in Public Monies Lobbying Activities.

If the Contractual Client is different than the Principal Lobbyist → Provide the **Organization Name** (including Coalitions and Public Corporations).

Contractual Client Business Address, Phone Number, Email Address

The address, phone number, and email address of the Contractual Client's place of business.

Contractual Client Responsible Party (Chief Administrative Officer)

You may be required to also provide the name of the person who is responsible for making and filing Statements and Reports required under the Lobbying Act for the Contractual Client, as well as their business title, address, phone number, and email address.

Beneficial Client Information*

2019-2020 DPM Bi-monthly and Bi-monthly Amendment Information

An individual or Organization on whose behalf and at whose request Public Monies Lobbying Activities are being conducted by the Principal Lobbyist.

An individual or Organization that lobbies on its own behalf is a Beneficial Client.

If the Beneficial Client is the same as the Contractual Client Organization check the box to indicate. If the Beneficial Client is different than the Contractual Client → Provide the **Organization Name** (including Coalitions and Public Corporations).

NOTE: If you are a Coalition, all Members of a Coalition who exceed \$5,000 in cumulative annual Lobbying Compensation and Expenses are considered Beneficial Clients. If you indicated you were a Coalition when you created your Profile, you may either list your Coalition Members in the 'Coalition Member' tab located within the Coalition's Profile (which will automatically populate the names as Beneficial Clients on the DPM Bi-monthly Report); or add them as Beneficial Clients on the DPM Bi-monthly Report (which will add the names to the "Coalition Member" tab located within the Coalition's Profile).

Beneficial Client Business Address, Phone Number, Email Address

The address, phone number, and email address of the Beneficial Client's place of business.

Beneficial Client Responsible Party (Chief Administrative Officer)

You may be required to also provide the name of the person who is responsible for making and filing Statements and Reports required under the Lobbying Act for the Beneficial Client, as well as their business title, address, phone number, and email address.

5. Co-Lobbyist(s) Information (if applicable)

This section requires completion **only** if a Co-Lobbyist relationship exists with the Principal Lobbyist to engage in Public Monies Lobbying Activities.

6. Sub-Lobbyist(s) Information (if applicable)

This section requires completion **only** if a Sub-Lobbyist relationship exists with the Principal Lobbyist to engage in Public Monies Lobbying Activities.

NOTE: Co- and Sub-Lobbyists are NOT Designated Lobbyists, Individual Lobbyists, Employee ('in-house') Lobbyists, or Retained Lobbyists.

7. Individual Lobbyist(s) Information (FKA Additional Lobbyists or in-house Lobbyists)

List the name(s) of any Individual Lobbyist that performed Public Monies Lobbying Activities on behalf of the Principal Lobbyist for the benefit of the Client during the specific Bi-monthly reporting period.

The names of Individual Lobbyists included in your Organization Profile will be available for selection.

2019-2020 DPM Bi-monthly and Bi-monthly Amendment Information

If you file online, you may add *new* Individual Lobbyists directly to a DPM Bi-monthly or DPM Bi-monthly Amendment. This *new* Individual Lobbyist will NOT be available for selection on other Filings, and will NOT be added to your list of Individual Lobbyists contained in the Organization Profile.

Select the '**Designated Lobbyist**' check-box if the Individual Lobbyist is lobbying as a board member, director or officer of the Principal Lobbyist.

Note: At least one Lobbyist (Individual or Employee "in-house") must be listed on any DPM Bi-monthly Report, regardless of any Public Monies received.

8. Summary of Compensation and Reimbursed Expense Amounts for DPM Bi-monthly Reporting Period*

All Compensation and Expenses associated with Public Monies Lobbying Activity should be accounted for using accrual basis accounting, i.e., costs are reported in the period in which they are incurred.

Compensation

You must provide a **Total (Dollar Amount) of Compensation** of ALL Individual Lobbyists for the current DPM Bi-monthly reporting period; you may indicate \$0.

Reimbursed Expense(s)

Reimbursable Expenses must be disclosed during the reporting period in which they are expended, received or incurred.

You must provide a **Total (Dollar Amount) of Reimbursed Expenses** for the current DPM Bi-monthly reporting period; you may indicate \$0. (The total dollar amount of Reimbursed Expenses received from the Client.)

NOTE: The Reimbursed Expense Total must be \$0 if you indicate there are no Lobbying Expenses in the Expense Section.

9. Expenses for DPM Bi-monthly Reporting Period*

a) You can indicate there are 'No DPM Expenses to Report'

- The Reimbursed Expense Total must be \$0, and
- No other expenses can be listed on the DPM Bi-monthly Report

OR

b) You can indicate there are 'DPM Expenses to Report'

Information required when reporting DPM Expenses.

1. **Name of Organization or Individual** the Expense was paid to
2. **Date of the Expense** (any date within the DPM Bi-monthly reporting period)

3. **Total** (Dollar amount) of the Expense

4. **Expense Purpose**

- Advertising - Billboards
- Advertising - Flyers
- Advertising - Print Media
- Advertising - Television/Radio
- Buses for lobby event
- Cell Phone
- Computer/Internet
- Consulting
- E-advocacy
- Legislative Bill Tracking
- Legislative Research
- Lodging
- Meals for lobby event
- Photocopies
- Rallies
- Rent
- Social Event/Reception/Banquet
- Social Media – Websites
- Travel Reimbursement - Train, Airfare, Car, Hotel
- Other

10. Lobbying Activities for DPM Bi-monthly Reporting Period*

Level of Government Lobbied*

Indicate the 'Level of Government' you Lobbied during this reporting period.

- (a) State Lobbying
- (b) Municipal Lobbying
- (c) State/Municipal (Both)

Description of the grant, loan, or agreement involving DPM*

Provide a brief description of the grant, loan, or agreement involving the DPM.

Parties Lobbied (Targets of Lobbying Activity)*

Add a Party Name by either typing in the first few characters of the applicable name, or by typing the asterisk symbol (*) in the search field to view a full list of results.

Once you have added your Description and selected a Parties Lobbied for this reporting period, your selection will be added to the 'Parties Lobbied' section of your Filing to identify the direct connection (*one-to-one relationship*) between the Description and the target(s) of the DPM Lobbying Activity.

Complete this process for each Description/Party pairing.

11. Attestation Information*

An Attestation is required before any Filing can be submitted. By attesting, the Filer acknowledges that information (provided by the Filer) for all statements and reports required under Legislative Law Article 1-a is true, correct and complete to the best knowledge and belief of the signor under penalty of perjury. (See Section 1-p of the Lobbying Act)

DPM BI-MONTHLY AMENDMENTS — WHEN TO FILE

Lobbyists, including Public Corporations, are required to submit an amended DPM Bi-monthly Report for any change, permanent or temporary, to the following information during the specified reporting period, which should be completed and submitted to the Commission within 10 days of such change.

Each Amended DPM Bi-monthly Report requires the Filer to provide a specific date the change(s) are (or will be) effective; known as an “Effective Date of Change”. Multiple changes can be made on an Amended DPM Bi-monthly Report **as long as all the changes being made on the Filing have the same Effective Date of Change**. Otherwise, separate Amendments are required for each Effective Date of Change.

Filings may be saved, and then completed/submitted at a later time.

All information will pre-populate from existing Profiles and your most recently submitted DPM Bi-monthly, DPM Bi-monthly Amendment.

An Amended DPM Bi-monthly Report is required to reflect any changes to:

1. Individual Lobbyists

If the name(s) of any Individual Lobbyist(s) that performed Public Monies Lobbying Activities on behalf of the Principal Lobbyist for the benefit of the Client changes during the specific DPM Bi-monthly reporting period:

- you may add *new* Individual Lobbyists directly to a DPM Bi-monthly Amendment. This *new* Individual Lobbyist will NOT be available for selection on other Filings, and will NOT be added to your list of Individual Lobbyists contained in the Organization Profile.
- you may *remove* an Individual Lobbyists by clicking the name of the Individual Lobbyist located in the ‘Selected Lobbyists’ column to move to ‘My Lobbyists’ and click ‘Save changes’. Refer to the ‘*How to File a Statement of Registration and Reportable Business Relationship*’ instructions for detailed information.

NOTE: At least one Lobbyist (Individual or Employee “in-house”) must be listed on any DPM Bi-monthly Report.

2. Identities of other parties to the Lobbying

Changes (additions/deletions) of Co-Lobbyists, Sub-Lobbyists, or Beneficial Clients; including Coalition members exceeding the \$5,000 Threshold in Lobbying Compensation and Expenses are permitted on a DPM Bi-monthly Amendment.

3. Amounts and/or information relating to:

- Compensation
- Expenses
- Reimbursed Expenses

NOTE: A Lobbyist is not required to amend a DPM Bi-monthly Report to reflect any changes to:

- any decision by a Lobbyist to waive, write-down, or otherwise reduce the prior Compensation and Expenses owed to the Lobbyist by the Client **after the termination of Public Monies Lobbying Activities**.

4. Lobbying Activities

TICKETING IN THE NEW LOBBYING APPLICATION

The new Lobbying Application provides for a mechanism of communication between the Filer and JCOPE Staff, facilitating filing issue awareness and deficiency resolution through a system of Ticketing. Tickets may be generated by Staff to address a specific issue, or in some cases, auto-generated by the Lobbying Application. Tickets will appear on your dashboard in the online application.

CONTACT US

For technical assistance, or help with specific Filings and other lobbying-related disclosure forms, the Lobbying line is available from 8:30 A.M. to 4:30 P.M. Eastern Time, Monday through Friday, by contacting the phone number or email addresses below.

By phone:

Hotline - Press '1' to speak to the Lobbying Unit [800-87-Ethics \(873-8442\)](tel:800-87-ETHICS)

By email:

Helpdesk@jcope.ny.gov

Registrations@jcope.ny.gov

Bimonthlies@jcope.ny.gov

CSA@jcope.ny.gov

Discrepancies@jcope.ny.gov

For Legal Questions and to speak to the JCOPE 'Attorney of the Day' contact

By phone:

Hotline - Press "2" to speak to the attorney of the day 800-87-ETHICS (873-8442)

By email:

legal@jcope.ny.gov