



# 2019 Client Semi-Annual and Client Semi-Annual Amendment Information

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*All individuals are required to have a personal NY.gov ID account and User Profile before any Filing can be submitted. The User Profile is the mechanism that allows an individual access to an Organization's Profile so that they can manage their account as well as prepare and submit Filings on their behalf.*

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## PURPOSE

The purpose of this document is to assist Filers with the submission of Client Semi-Annual Reports and Client Semi-Annual Report Amendments in JCOPE's new Lobbying Application.

**NOTE:** This document is **not** intended to assist Individuals/Organizations in determining whether their activities require registration and reporting to JCOPE. For assistance in determining whether your activities are considered Lobbying Activities and require reporting to JCOPE as a Lobbyist or a Client, please refer to the Guide to Lobbying and the regulations available on the JCOPE website.

## THINGS TO KNOW

- The Lobbying Act requires that any Contractual 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 **Reportable Expenses** for Lobbying will be expended or incurred, is required to submit a Client Semi-Annual Report.
- Every CSA must list a Contractual Client and at least one Beneficial Client. The Contractual and Beneficial Client can be the same.
- Annually, one CSA for each reporting period per Contractual Client can be filed.
- If the \$5,000 threshold is exceeded during the January/June reporting period, a July/December CSA must be filed even if no further monies are expended; unless the Lobbying Agreement or Authorization between the Principal Lobbyist and Contractual Client is terminated on or before June 30th.
- If a January/June CSA is filed, but the \$5,000 threshold has not been met for the calendar year, then a July/December CSA is **not** required to be filed.
- A CSA can be started, saved and submitted beginning on the first day of the CSA reporting period (example – the January/June CSA can be started January 1).

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- A CSA can be completed and submitted after a Contractual Client’s relationship has terminated with a Principal Lobbyist (after the Termination Effective Date), as long as the Contractual Client had an ‘active’ relationship with at least one Principal Lobbyist during the CSA reporting period.
- Once submitted, the Filer cannot make any changes to the CSA; a CSA Amendment must be submitted.
- Once submitted, a CSA cannot be deleted. The Filer must submit a Request to Withdraw to remove the Filing from public view.
- Source of Funding (“SoF”) is considered part of the Client Semi-Annual Report (CSA). **Every Beneficial Client is responsible for a SoF Form.** Contractual Clients are responsible for all other parts of the Client Semi-Annual Report.

### CSA REPORTING PERIODS & DUE DATES

CSA REPORTING PERIOD	PERIOD COVERED	DUE DATE
January/June	January 1 – June 30	July 15
July/December	July 1 – December 31	January 15

**NOTE:** Effective January 1, 2019, JCOPE will grant a 7-day grace period from a Filing’s statutory due date to submit a required Statement and/or Report(s) before any potential late fees *may* be imposed.

### EXCEPTIONS TO THE CLIENT SEMI-ANNUAL FILING REQUIREMENT

If you are a Contractual Client who lobbies on your own behalf (you are the Principal Lobbyist, Contractual Client and Beneficial Client) and do not utilize the services of a Retained Lobbyist, you are **NOT REQUIRED** to file a Client Semi-Annual Report (“CSA”). Instead, a system-generated CSA will be created for you.

However, every Beneficial Client is still required to either (1) disclose Source(s) of Funding (SoF) or (2) indicate SoF reporting is not required. (*SEE SoF Instructions for more information*).

#### Information regarding the system-generated CSA:

- System-generated CSAs are automatically created in the LA upon submission of a Source of Funding (“SoF”) disclosure.
- The system-generated CSA information is directly imported from the data disclosed in your Lobbyist Bi-monthly Reports or amended Bi-monthly Reports that cover the applicable reporting period.

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- EXAMPLE: For the January/June Client Semi-Annual reporting period, data disclosed in the January/February, March/April and May/June Bi-monthly Reports (and amendments) will be imported into the system-generated CSA.
- Submission of ‘new’ and/or amended Bi-monthly Reports will update the system-generated CSA so it will always contain the most up-to-date information.
- Submission of an amended Source of Funding Report will also update the corresponding system-generated CSA.
- No filing fee is required for system-generated Client Semi-Annual Reports.
- A system-generated CSA can only be amended to add Retained Lobbyist information. Otherwise, you must amend your Bi-monthly Report(s) if you wish to reflect any changes to the system-generated CSA.
  - **NOTE:** If you are amending a system-generated CSA to add Retained Lobbyist Information you will be required to pay the \$50 filing fee and file CSAs going forward if you continue to use Retained Lobbyists.
- The following statement will appear on every system-generated CSA:

“THIS FILING WAS AUTOMATICALLY GENERATED USING INFORMATION REPORTED BY THE CONTRACTUAL CLIENT IN THEIR BI-MONTHLY REPORTS COVERING ACTIVITY ENGAGED IN DURING THE APPLICABLE CLIENT SEMI-ANNUAL PERIOD.”

Public Corporations who only employ Lobbyists (requiring the Public Corporation to submit a Registration and Bi-monthly Reports) are not required to file CSAs. However, if the Public Corporation retains a Principal Lobbyist (thereby considered a Contractual Client), a CSA may be required.

## INFORMATION COLLECTED ON THE CLIENT SEMI-ANNUAL REPORT

The online Client Semi-Annual form in the new LA contains its own main navigation menu and can be viewed in a “tabbed format” or in “full view”, depending on Filer preference.

### **Online Filings will populate specific information from existing Profiles, if available:**

- Principal Lobbyist Information (including Public Corporations)
- Contractual Client Information
- Beneficial Client Information

**Online Filings will also populate information from associated or previously submitted Filings, if available:**

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- **Employed Lobbyists** – Information reported on the corresponding Bi-monthly Reports submitted during the six-month CSA reporting period (Compensation, Expenses, Level of Government, Lobbying Activities).
- **Retained Lobbyists** – Lobbyist names who have an ‘active’ Contract/Authorization during the six-month CSA reporting period.
  - **Lobbying Activities** – Information reported by your Retained Lobbyists on their Filings submitted during the six-month CSA reporting period are available for selection. (More information can be found below under ‘Lobbying Activities’).
- **Source of Funding (“SoF”) information** is populated from the most recent SoF Filing or SoF Amendment submitted by affiliated Beneficial Client(s) listed on the CSA.

The Client Semi-Annual Report contains the following fields. Items denoted with a red asterisk ‘\*’ are required fields.

### CSA Reporting Year\*

The drop-down menu displays Biennial Periods (two-year periods commencing with the January 1, 2019 – December 31, 2020 period, and so on thereafter).

You can select a different Biennial Period from the drop-down menu. CSA Reports that are available for the corresponding Biennial Period are selectable.

### CSA Year/Reporting Period\*

- January/June
- July/December

### 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 Client Semi-Annual Report.

#### **CONTRACTUAL CLIENT**

An individual or Organization that retains the services of a Lobbyist for the benefit of itself or another.

The ‘**Contractual Client**’ must have an existing Profile **BEFORE** a Client Semi-Annual Report can be submitted in LA.

The ‘**Contractual Client**’ may be the *same* as the ‘**Principal Lobbyist**’.

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**NOTE:** If you are a Contractual Client who lobbies on your own behalf (you are both the Principal Lobbyist and Contractual Client), you are **not required** to file a Client Semi-Annual Report.

A system-generated CSA will be created for you by directly importing the data disclosed in your Lobbyist Bi-monthly Reports or amended Bi-monthly Reports that cover the applicable reporting period.

- **EXAMPLE:** For the January/June Client Semi-Annual reporting period, data disclosed in the January/February, March/April and May/June Bi-monthly Reports (and amendments) will be imported into the system-generated CSA.

Please be aware, as the Beneficial Client, **you are required to disclose Source of Funding (SoF) information.**\* (SEE SoF Instructions)

### **BENEFICIAL CLIENT(S)**

The specific individual(s) or organization(s) on whose behalf and at whose request or behest Lobbying Activity is conducted by the Principal Lobbyist(s), and includes:

- (1) Any individual or organization that lobbies on its own behalf and
- (2) Any members of a Coalition who exceed \$5,000 in cumulative annual Lobbying Compensation and Expenses.

### **NOTES:**

- The Contractual Client and the Beneficial Client can be the same person or entity.
- **If you are a Coalition**, all Members of the 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 CSA Report); **or** add them as Beneficial Clients on the CSA Report (which will add the names to the "Coalition Member" tab located within the Coalition's Profile).

You may add **new** Beneficial Client(s) directly to a CSA Report. If you choose to add new Beneficial Client(s) directly to your CSA Report, you may be required to amend associated Filings to also add the Beneficial Client(s).

**When adding a new Beneficial Client to your CSA Report, you may be required to provide the following information if a Profile does not yet exist in LA:**

#### **(a) Beneficial Client Business Name**

The **Organization Name** (including Coalitions and Public Corporations)

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### (b) Beneficial Client Business Address, Phone Number, Email Address

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

### (c) 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.

You may remove Beneficial Client(s) directly from a CSA Report. However, please note you must list **at least one Beneficial Client on a CSA Report**.

**NOTE:** Removal of a **Beneficial Client** does **NOT** create an Amendment and/or Termination. Removing a **Beneficial Client** from a CSA Report has no impact on any associated Filings. If your relationship has terminated, you must submit a Termination.

### **SoF INFORMATION**

Client Filers (Lobbyists who lobby on their own behalf and Beneficial Clients) are responsible for SoF disclosure. (**SEE SoF section below and SoF Instructions**)

Contractual Clients are responsible for all other parts of the Client Semi-Annual Report.

This tab will display whether your Beneficial Client(s) have submitted their SoF Disclosure.

### **Retained Principal Lobbyist Information for the Specified Reporting Period\***

If you are a Contractual Client who lobbies on your own behalf **AND/OR** utilizes the services of any Retained Lobbyist(s), certain information reported on Filings submitted during the six-month Reporting Period will automatically populate your CSA:

- The name(s) of each Principal Lobbyist who has listed you as a Contractual Client on a Statement of Registration;
- The names of all Beneficial Client(s) reported by your Principal Lobbyist(s) on their Registration(s);
- The Level of Government and Compensation Amount(s) paid to your *Employed Lobbyist(s)* reported in your Bi-monthly Reports.

**NOTE:** There are no Reimbursed Expenses for *Employed Lobbyist(s)*.

**NOTE:** You should **NOT** remove a **Principal Lobbyist** from your **Client Semi-Annual Report** unless your **relationship terminated prior to the start of the CSA Reporting Period**.

You can add a *new* Retained Lobbyist to your Client Semi-Annual Report, which may require you to provide the following information if a Profile does not yet exist in LA:

**1. Principal Lobbyist Organization Name**

The **Organization Name** (including Coalitions and Public Corporations)

**2. Principal Lobbyist Organization Business Address, Phone Number, Email Address**

The address, phone number, and email address of the Principal Lobbyist Organization's place of business.

**3. Principal Lobbyist Organization 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 Principal Lobbyist Organization, as well as their business title, address, phone number, and email address.

**\*You ARE required to provide the following information:**

**4. Principal Lobbyist 'Start Date'**

When entering a *new* Retained Principal Lobbyist on your CSA (the PL was not pre-populated on your CSA), you must provide the "**Principal Lobbyist Start Date**". This is the first day your Principal Lobbyist was authorized to lobby on behalf of the Contractual Client.

**5. Level of Government Lobbied**

You must indicate the '**Level of Government**' Lobbied by your Principal Lobbyist during this Reporting Period.

- State Lobbying
- Municipal Lobbying
- State/Municipal (Both)

**6. Type of Lobbying Relationship between the Lobbyist and the Contractual Client**

- Employed - If you use employee(s) to lobby on behalf of the Organization
  - Select '**Employed**'
- Retained - If you engaged a person or Organization to lobby for your benefit
  - Select '**Retained**'

### Level of Government, Compensation, Reimbursed Expense Information for each Retained Lobbyist\*

Compensation and Reimbursed Expenses for Retained Lobbyists must be disclosed during the reporting period in which they are expended, received or incurred.

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

For purposes of calculating total Compensation and Expenses received, expended or incurred by a

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Lobbyist or Client, the \$5,000 annual threshold shall be computed cumulatively for all Lobbying Activities undertaken by the Lobbyist or Client (whether as a Beneficial Client or Contractual Client).

**NOTE for Contractual Clients who lobby on their own behalf** - the Level of Government and Compensation Amount will automatically populate your CSA from information disclosed in your Bi-monthly Reports (and applicable amendments).

### **Level of Government**

The '**Level of Government**' Lobbied by your Principal Lobbyist during this Reporting Period.

- State Lobbying
- Municipal Lobbying
- State/Municipal (Both)

### **Compensation**

Any salary, fee, gift, payment, benefit, loan, advance, or any other thing of value paid, owed, given, or promised to the Lobbyist by the Client, or employer, in exchange for Lobbying or services that benefit Lobbying Activity including year-end or other bonuses. Fringe benefits are excluded from the definition of Reportable Compensation.

### **Reimbursed Expense(s)**

The dollar amount reimbursed to a Retained Lobbyist in connection with a Lobbying Activity, excluding Lobbyist Compensation.

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

**There are NO Reimbursed Expenses to report if "Employed" is selected as the Type of Lobbying Relationship.**

## Lobbying Expenses (Summary of Client expenses for the Reporting Period)\*

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

An Expense is any cost of Lobbying Activity that is not Compensation paid to a Lobbyist and that is incurred by or reimbursed in connection with a Lobbying Activity.

### **Expense Types required to be reported on a Filing include:**

1. **Aggregated** – Expenses of \$75 or less may be reported as a single aggregated total dollar amount.
2. **Salaries of non-Lobbying staff** (aggregated) – Compensation paid to those professional and clerical employees who do not engage in Direct or Grassroots Lobbying Activity.



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3. **Itemized** – Expenses valued at more than \$75 must be itemized and include the payee, and nature and value of the expense.

### Itemized Expenses

Any **Reportable Expense** valued at more than \$75 must be fully identified on CSA Reports and must include the name of the person or entity to whom it was paid, the date of the Expense, as well as the purpose for which it was paid.

You can select the check-box to indicate you have no **'Itemized Expenses to Report'**.

**NOTE:** The LA will automatically populate the itemized expenses reported by Employed Lobbyists on their Bi-monthly Reports. You CANNOT remove/edit these itemized expenses. You must submit an Amended Bi-monthly Report to change any itemized expenses auto-populated from your Bi-monthly Report(s).

### Information required when reporting Itemized Expenses valued at more than \$75.

1. **Name of Organization or Individual** the Expense was paid to
2. **Date of the Expense** (any date within the Client Semi-Annual reporting period)
3. **Total** (Dollar amount) of the Itemized Expense
4. **Expense Purpose:**
  - Advertising – Billboards
  - Advertising – Consulting
  - Advertising – E-Advocacy
  - Advertising - Flyers/Posters
  - Advertising - Print Media
  - Advertising - Television/Radio/Online News sites
  - Advertising - Websites
  - Cell Phone
  - Computer/Internet
  - Legislative Bill Tracking
  - Legislative Research
  - Photocopies
  - Postage
  - Rent
  - Social Event – Buses for lobby day
  - Social Event – Consulting
  - Social Event – Lodging
  - Social Event – Meals for lobby day
  - Social Event – Rallies
  - Social Event – Reception/Banquet (number of attendees)
  - Social Event – Rent
  - Social Event – Travel Reimbursement (Train, Airfare, Car, Hotel)
  - Social Event – Phone/Internet
  - Social Event – Web Maintenance
  - Social Event - Websites

**NOTE:** Any **Reportable Expense** paid to an entity (Organization) requires the Filer to provide an 'Expense Detail' for the **Itemized Expense** if any portion of the Expense is attributable to an individual or individuals. Each individual's identity must be disclosed. The Expense Detail may note numerous individuals per Itemized Expense.

### Expense Detail (if applicable)

If an Itemized Expense is **paid to an Organization on behalf of an Individual (or Individuals)**, an **Expense Detail** is required and must include the following information:

- Name of individual(s) (Multiple individuals can be added)
- Amount of Detailed Expense that is attributed to the individual listed

The dollar amount(s) attributable to *each* Individual disclosed in the Expense Detail Section must, when added together, equal the Total (Dollar Amount) of the Itemized Expense paid to the Organization. (Expense Detail A + B + C = Total (Dollar amount) of the Itemized Expense.)

**EXAMPLE:** If Principal Lobbyist ABC Company paid an expense in the amount of \$300 to American Airlines (on behalf of Individuals affiliated to the Principal Lobbyist) during the January/February reporting period, the disclosure might look like this:

**NAME OF ORGANIZATION:** American Airlines  
**DATE OF THE EXPENSE:** February 20, YEAR  
**TOTAL** (Dollar amount) of the Itemized Expense: \$300  
**EXPENSE PURPOSE:** Travel

### EXPENSE DETAIL A

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**NAME OF INDIVIDUAL**

Last Name: Smith

First Name: John

Middle [optional]

**TITLE OF INDIVIDUAL:** Lobbyist

**AMOUNT OF EXPENSE THAT IS ATTRIBUTED TO THE INDIVIDUAL:** \$100

**EMPLOYER OF INDIVIDUAL:** ABC Company

### EXPENSE DETAIL B

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**NAME OF INDIVIDUAL**

Last Name: Doe

First Name: Jane

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Middle [optional]

**TITLE OF INDIVIDUAL:** Lobbyist

**AMOUNT OF EXPENSE THAT IS ATTRIBUTED TO THE INDIVIDUAL:** \$100

**EMPLOYER OF INDIVIDUAL:** ABC Company

### EXPENSE DETAIL C

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**NAME OF INDIVIDUAL**

Last Name: Smith

First Name: Peter

Middle [optional]

**TITLE OF INDIVIDUAL:** Lobbyist

**AMOUNT OF EXPENSE THAT IS ATTRIBUTED TO THE INDIVIDUAL:** \$100

**EMPLOYER OF INDIVIDUAL:** ABC Company

### Coalition Member Contribution Information (if applicable)

A Coalition who opts to file as a Lobbyist or Client is **NOT** required to disclose Coalition Member Contributions on their Client Semi-Annual Report.

However, if such Coalition does **NOT** file its **own lobbying reports** as a Lobbyist or Client, the member (Beneficial Client) of a Coalition is required to disclose their contribution to the Coalition, including contribution amount and name of Coalition to which it contributed.

### Reportable Business Relationship Information (if applicable)

Previously submitted RBR forms will populate to this Section of your Filing. You can disclose a new RBR by selecting the 'Create New RBR' button. You can also amend your previously submitted RBR form by selecting the 'pencil' icon in the Action column, next to the RBR form.

If you have not yet submitted any RBR forms, you must indicate whether a Reportable Business Relationship exists during this Calendar Year by selecting either '**Yes**' or '**No**' from the drop-down menu.

If NO active Reportable Business Relationship(s) currently exists in this Calendar Year

- Select '**No**'

If an active Reportable Business Relationship(s) (which has *not* previously been submitted and populated to this Section) currently exists in this Calendar Year

- Select '**Yes**'

You will be required to fill-out your RBR form at this time. Any information already filled-out in your Client Semi-Annual will be saved. When you have completed your RBR form, you will be returned to your Client Semi-Annual to complete the remainder.

### Source of Funding Information (if applicable)

Every Beneficial Client is required to either: (1) Disclose Source(s) of Funding (SoF); or (2) Indicate SoF reporting is not required.

The information will be appended to every active CSA and Amended CSA submitted by the affiliated Contractual Client(s) during the specified Reporting Period.

If you are acting as **both** the Contractual Client **and** Beneficial Client, you will be required to fill-out your SoF form at this time by selecting the green '**Start SoF**' button next to your name on the *Beneficial Client(s) & SoF* tab of your Client Semi-Annual Report. When you have completed your SoF form, you will be returned to your CSA to complete the remainder of information.

- **Data disclosed on your Organization Profile will populate information on your SoF Form.**

***SEE SoF Instructions for more information***

### Lobbying Subjects\*

#### Nature of Subjects

Lobbying Subjects identify the specific subject matter area(s) on which Lobbying occurred. These Subjects identify the 'Nature of Business' between the Lobbyist and Contractual Client.

**At least** one Lobbying Subject **is required** to be disclosed on each Client Semi-Annual Report.

**Refer to JCOPE's website for the most up-to-date list.**

### Lobbying Activities\*

Reportable "**Lobbying**" or "**Lobbying Activity**" is defined as any **Attempt to Influence** activity included in Section 1-c(c) of the Lobbying Act and includes both Direct Lobbying and Grassroots Lobbying.

The **actual** Lobbying Activities that occurred during the specific reporting period must be disclosed by identifying the Focus Type, the Focus (including the specific Bill, Resolution, Executive Order, etc.), the Identifying Number, if known, or Description of the Focus, the Type of Lobbying Communication, and the names of the Party(ies) Lobbied on the specific Focus.

If **NO** Reportable "**Lobbying Activity**" was performed during the Reporting Period, you can select the check-box to indicate such.

**NOTE:** The LA will automatically populate the Lobbying Activity information reported by Employed Lobbyists on their Bi-monthly Reports. You CANNOT remove/edit these Lobbying Activities. You must submit an Amended Bi-monthly Report to change any Lobbying Activity information auto-populated from your Bi-monthly Report(s).

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The new LA offers you the opportunity to populate your CSA Report with all of the Lobbying Activities reported by your Retained Principal Lobbyist(s) on their Bi-monthly Reports (as of the submission date of the CSA). Select the **“Focuses Reported by Lobbyists”** sub tab on the Lobbying Activities tab, and select the check-box next to the Principal Lobbyist’s name. (You can select all check-boxes.)

The screenshot shows the 'Client Semi Annual Form' interface. The reporting period is '2019 January - June'. The 'Lobbying Activities' tab is active, and the 'Focuses Reported by Lobbyists' sub-tab is selected. The table below shows two lobbyist entries, each with a checkbox and a table of focuses and parties.

Lobbyist	List of Beneficial Clients on Lobbyist's Registration	Focuses		
<input type="checkbox"/> Test Lobbyist A Test Boulevard Albany, NY 12222 United States p.+1 518-555-5555 e.test@test.com	Beneficial Client 1	Focus stuff stuff stuff	Parties Chautauque Utility District	Communication Direct Lobbying Both
<input type="checkbox"/> Test Lobbyist B Testing Street Albany, NY 12222 United States p.+ 518-555-4444 e.test@testing.com	Beneficial Client 2	Focus 485	Parties Mount Hope	Communication Both

A specific Lobbying Activity populated to your CSA from a Retained Lobbyist Bi-monthly Report cannot be changed. However, the Activities can be removed **after** they have been added. (**NOTE:** Removal of a Lobbying Activity on your CSA does not affect the information reported by your Principal Lobbyist’s on their Bi-monthly Report(s).) **NOTE:** An exception to this rule is Lobbying Activity information auto-populated from your Employed Lobbyist’s Bi-monthly Report(s). You must submit an Amended Bi-monthly Report to change any Lobbying Activity information auto-populated from your Bi-monthly Report(s).

### NOTES:

- The CSA requires disclosure of the **actual** Lobbying Activities that occurred during the specific Reporting Period. If your Retained Lobbyist submits a new and/or amends Lobbying Activity information **after it has been added to your CSA**, you are required to amend the associated CSA to reflect these changes since the Lobbying Activity information provided by the Lobbyist in their Bi-monthly Reports should match that disclosed in the CSA.
- Any Amended Bi-monthly Report submitted by a Principal Lobbyist who lobbies on their own behalf (uses only Employed and/or Designated Lobbyists; and is therefore, not required to submit a CSA) will automatically generate an Amendment to the auto-generated CSA.

### Information for Contractual Clients who lobby on their own behalf AND utilize the services of any Retained Lobbyists:

- In this situation, you are required to submit a CSA Report. The LA will automatically populate the Lobbying Activity information reported by Employed Lobbyists on their Bi-monthly Reports.

**NOTE:** You CANNOT remove/edit Lobbying Activities populated from your Employed Lobbyist’s Bi-monthly Reports. You must submit an Amended Bi-monthly Report to

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change any Lobbying Activity information auto-populated from your Bi-monthly Report(s).

- You can choose to include the Lobbying Activities information (including Parties Lobbied and Communication Type) reported by your Retained Lobbyist(s), or you can manually data-enter Lobbying Activity information to your CSA Report by selecting the “**My Own Focuses**” sub tab on the Lobbying Activities tab.
- For each Focus Type, an identifying number (such as the bill or procurement number), or brief description (if the identifying number is unknown) is required.

### Information for Contractual Clients who **ONLY** lobby on their own behalf:

- In this situation, you are **NOT** required to submit a CSA Report.
- You **ARE** required to disclose SoF information. (See separate SoF Instructions.)

#### 1. Focus Type

A *Focus Type* (State or Municipal Level) must be selected from the drop-down menu.

- State Bill (must have an identifying number)
- State Bill Description (Filer will provide a 'description')
- State Executive Order
- State Procurement
- State Regulation/Rate-making/Rule
- State Resolution
- State Funding
- State Tribal Compact Agreement - NYS Indian Nations
- Municipal Bill (must have an identifying number)
- Municipal Bill Description (Filer will provide a 'description')
- Municipal Executive Order
- Municipal Procurement
- Municipal Regulation/Rate-making-Rule
- Municipal Resolution
- Municipal Ordinance
- Municipal Funding
- Permits/Licensing
- Land Use

#### 2. Type of Communication

A *Type of Communication* (Direct, Grassroots Lobbying or Both) must be selected from the drop-down menu.

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- **Direct Lobbying**

Direct Lobbying is an attempt to influence a Lobbying Activity through Direct or Preliminary Contact with a Public Official, or through communication or interaction directed to a Public Official, or the Public Official's staff.

If 'Direct Lobbying' is selected, you must disclose the name(s) of the **'Party(ies) Lobbied'** for that specific Focus.

- **Grassroots Lobbying**

Grassroots Lobbying is an attempt to influence a Public Official indirectly, or through a person or organization who solicits another to deliver a message to a Public Official.

If 'Grassroots Lobbying' is selected, you must disclose the **'Government Body(ies)'** (State Agencies, Municipalities, or Legislative Bodies) Lobbied for that specific Focus.

- **Both (Direct and Grassroots Lobbying)**

If both 'Direct' and 'Grassroots Lobbying' is selected, you must disclose the names of the **'Government Body(ies)'** and **'Party(ies) Lobbied'** for that specific Focus.

- **Monitoring Only**

If you have Lobbying Activity to report, **but have not actually Lobbied a specific Party**, you may select the **'Monitoring Only'** check box once the Focus has been added to your **'My Selected Focuses'** section.

### 3. Focuses

The government activity on which Reportable **"Lobbying Activity"** occurred, which shall include the following, as known at the time of filing:

- bill, rule, regulation, rate number or brief description relative to the introduction or intended introduction of legislation or a resolution;
- the title and identifying numbers of Procurement Contracts/documents or a general description of the Procurement;
- the number or subject matter of an Executive Order of the Governor or Municipality; and
- the subject matter of and tribes involved in tribal-state compacts.

#### **Government Bodies available in drop-down menu:**

- Senate Committees

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- Assembly Committees
- State Agencies
- NYS Assembly members
- NYS Senate members
- Executive Chamber
- Office of the Governor
- Office of the Lt. Governor
- NYS School Districts
- State and Local Public Authorities and Local Development Corporations
- Industrial Development Agencies
- Villages
- Towns
- Cities
- Counties
- Improvement/Special Districts
  - County Special Districts
  - Town Special Districts
  - Consolidated Health Districts
  - Fire Districts
  - Independent Special Districts

### (a) Focus Number (identifying number, if known)

The identifying Focus number (such as a State and/or Municipal Bill, Rule, Regulation or Rate or Procurement Contract, Executive Order number, etc.) must be disclosed.

**Identify Senate and Assembly Bills** by entering a capital 'S' for a Senate Bill number, or a capital 'A' for an Assembly Bill number. *Do not add a space, hyphen, period, or other character between the capital letter and the bill number.*

- **Correct:** A1234
- **Incorrect:** a1234; or a 1234; or A 1234; or A\_1234

**NOTE:** If a State bill is amended, versions are denoted by a letter suffix A, B, C, D and so on for each time the bill is altered. Please ensure the letter at the end of the amended Bill number includes a dash before it.

- **Correct:** A1345-A
- **Incorrect:** a1234A; or a 1234a; or A 1234a; or A\_1234A

**All other Focus numbers do not require specific formatting rules for data-entry.**

**Identify a Chapter Law** by providing the complete title.



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- **Correct:** Chapter 16 of the laws of 1971
- **Incorrect:** Chapter 16; or Laws of 1971

**Identify a Procurement Contract** by identifying the number.

- **Correct:** OER01-C11006MWBE-1120000

**NOTE:** When disclosing information on a State Procurement, when reporting 'Parties Lobbied' select the State agency related to the Procurement from the 'Party' search box in the Lobbying Application. If disclosing the name of an Individual who works at the State Agency:

1. Select the '**Click here to add Party Name if not found**' hyperlink
2. Select '**State Agency**' from the '**Government Body**' drop-down menu
3. Enter '**[State Agency name], XXX (unit or department within the agency the staff member represents)**' in the '**Party Name**' field; **OR**
4. Enter '**[State Agency name], XXX (unit or department within the agency the staff member represents), staff person (Jane Doe)**' in the '**Party Name**' field
  - *New York State Department of Health, Purchasing Department, Jane Doe*

### (b) Description of the Focus (identifying number not known)

If a Focus Number (identifying number) is **unknown**, a description of the Focus must be disclosed. The description must clearly communicate the Focus of the lobbying effort. You can provide a description of the Focus by selecting the '**Add Description if Identifying Number is unknown**' hyperlink.

- **Correct:** Transportation Regulations that Impact Farmers Transporting Fresh Produce
- **Incorrect:** Transportation; or Transportation Regulations

**Identify Municipal Level Focuses** by providing the description and the specific municipality the Lobbying Activity is intended to impact.

- **Correct:** Municipal Bill regarding single stream recycling in the Town of Delmar, New York.
- **Incorrect:** Single stream recycling

### (c) Load Multiple State and Municipal Bills

The LA offers Filers the ability to **upload multiple State and Municipal Bill numbers**.

**Use commas to separate bill numbers.** Each State Bill number (Senate and Assembly) must be separated by a comma. Senate Bill numbers and Assembly Bill numbers do not need to be loaded separately.

- **Correct:** A1234,S1234,A4567,A8790,S2345

Once you have added your Focuses, they will be added to the **'My Focuses'** section of your Filing.

#### 4. **Parties Lobbied**

The target(s) of the Reportable "**Lobbying Activity**", including the person, organization, entity, or legislative body before which the Lobbyist Lobbied.

The direct connection (one-to-one relationship) between the Focus and the target(s) (referred to as 'Parties Lobbied') of any reportable "**Lobbying Activity**" must be identified.

**IF** you sent a communication to either or both **of the entire** Houses of the Legislature regarding a specific Focus, the following options are available on a Bi-monthly Report in the **'Party'** field (so you do not have to select every Senator/Assembly person):

- A communication sent to entire Senate
- A communication sent to entire Assembly
- A communication sent to entire Legislature

Otherwise, you must identify the name(s) of the specific Senator/Assembly person you directly lobbied. For your convenience, every State Legislator's name is included in the **'Party Name'** field. (see below)

#### **Identify and select Senate and Assembly members by:**

- entering the first few characters of the **'Party Name'** in the text search box  
or
- typing the asterisk symbol (\*) in the search field to view JCOPE's comprehensive list

#### **NOTES:**

- **DO NOT** use the 'Click here to add Party Name if not found' hyperlink to add the name of a Senate or Assembly Member.
- If you do not identify the name(s) of specific Senator/Assembly members, a Ticket will be created and JCOPE may request you amend your Filing.

#### **Disclosing State and Municipal Level Parties Lobbied for the SAME Focus**

You do not need to list a Focus more than once in order to disclose that you lobbied multiple Parties (Municipal and/or State). A combination of State and Municipal Level parties may be included on any State or Municipal level Focus (Bill, Resolution, Procurement, etc.).

##### 1. **Identify the Focus Number or Description**

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The identifying Focus number (such as a State and/or Municipal Bill, Rule, Regulation or Rate or Procurement Contract, Executive Order number, etc.) must be disclosed. If a Focus Number (identifying number) is **unknown**, a description of the Focus must be disclosed. The description must clearly communicate the Focus of the lobbying effort.

### 2. **Identify the name(s) of the specific person(s) you directly lobbied**

For your convenience, every State Legislator's name is included in the **'Party Name'** field.

**EXAMPLE:** If you performed Lobbying Activities on **both** a State and Municipal level on a Municipal Bill regarding single stream recycling in the Town of Bethlehem, New York, you would disclose the Focus **ONCE**, and disclose all the Parties lobbied for that Focus.

### 3. **Focus Type** = Municipal Bill

### 4. **Focus Number or Description** = single stream recycling in the Town of Delmar, New York

### 5. **Parties Lobbied** = Mayor of Town of Delmar; Assemblyman John Doe; Senator Jane Smith; Mayor City of Albany, staff person (Jane Doe)

**NOTE:** If you do not identify the name(s) of specific Senator/Assembly members, a Ticket will be created and JCOPE may request you amend your Filing.

- enter the first few characters of the **'Party Name'** in the text search box; **OR**
- type the asterisk symbol (\*) in the search field to view JCOPE's comprehensive list

Please see **EXAMPLES** below of 'how' to disclose a Party **IF** a specific title and/or name of a Public Official, Public Official's office, or unit/department within an agency is not found in JCOPE's list:

**EXAMPLE:** If you met with a staff member of a State Senator, or staff member of a legislative committee, you would:

1. Select the **'Click here to add Party Name if not found'** hyperlink
2. Select **'Senate'** from the **'Government Body'** drop-down menu
3. Enter **'Senator Smith, staff member'** or **'Senate Rules Committee, staff member'** (as applicable) in the **'Party Name'** field; **OR**
4. Enter **'Senator Smith, staff member (Jane Doe)'** or **'Senate Rules Committee, staff member (Jane Doe)'** (as applicable) in the **'Party Name'** field

**EXAMPLE:** If you met with the Commissioner of Taxation and Finance, you would:

1. Select the **'Click here to add Party Name if not found'** hyperlink
2. Select **'State Agency'** from the **'Government Body'** drop-down menu

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3. Enter **'Taxation and Finance, Commissioner'** in the **'Party Name'** field; **OR**
4. Enter **'Taxation and Finance, Commissioner Jane Doe'** in the **'Party Name'** field

**EXAMPLE:** If you met with a staff member of the Office of Real Property Tax Services, you would:

1. Select the **'Click here to add Party Name if not found'** hyperlink
2. Select **'State Agency'** from the **'Government Body'** drop-down menu
3. Enter **'Office of Real Property Tax Services, XXX' (unit or department within the agency the staff member represents)** in the **'Party Name'** field; **OR**
4. Enter **'Office of Real Property Tax Services, XXX (unit or department within the agency the staff member represents), staff person (Jane Doe)'** in the **'Party Name'** field

**EXAMPLE:** If you met with a staff member of a local Mayor's office, you would:

1. Select the **'Click here to add Party Name if not found'** hyperlink
2. Select **'City'** from the **'Government Body'** drop-down menu
3. Enter **'Mayor of (Insert City Name), staff person' (or unit or department within the City the staff member represents)** in the **'Party Name'** field; **OR**
4. Enter **'Mayor of (Insert City Name), staff person (Jane Doe)' (or unit or department within the City the staff member represents)** in the **'Party Name'** field

**NOTE:** Once you have assigned/identified the direct connection (one-to-one relationship) between the **'Focuses'** and the target(s) of the Lobbying Activity (**'Parties Lobbied'**), you **MUST** select the **'Add'** button underneath the **'Preview'** box to actually add the selections to your Client Semi-Annual Report (see **How to File: Client Semi-Annual Report Online Instructions**).

### Attestation Information\*

An Attestation is required before any Filing can be submitted. By attesting, the Filer acknowledges that the information (provided by the Filer) in 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)

### Payment Information\*

Once you 'Submit' your Client Semi-Annual Report, you will be directed to the Payment Portal. Your CSA will remain in **'Saved Status'** until the payment portion is completed.

**The following options are available:**

- (a) **Remit payment via Online Lobbying Application** with Visa, MasterCard or American Express. Payment must be made **at the time of submission.** \*

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**NOTE:** For security purposes, the new LA will only permit two attempts to pay your filing fee by credit card. After the second failed attempt, you will be required to pay by check or money order.

- (b) **Check/Money Order.** You may indicate payment will be made by submitting a check or money order. You must provide your check or money order number in the appropriate field of the online form.

Please make all checks payable to the **Joint Commission on Public Ethics (NYS)** and include the Filing Confirmation and Reference numbers in the memo section.

### CLIENT SEMI-ANNUAL REPORT AMENDMENTS – WHEN TO FILE

Contractual Clients are required to submit an amended CSA 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 Client Semi-Annual Report requires the Filer to provide a specific date the change(s) are effective; known as an “**Effective Date of Change**”. Multiple changes can be made on an Amended CSA **as long as 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.

Amended Client Semi-Annual Reports can be submitted at any time during the Calendar Year regardless of whether the original CSA Report or other CSA Amendments are still pending processing, as long as the Effective Date of Change is within the same reporting period as the CSA being Amended.

#### Amended CSA Effective Date\*

An Amended CSA “**Effective Date of Change**” is the date a specific change (or changes) takes effect; **not the date the Amendment is submitted**.

An Amended CSA can be completed and filed *after* a **Termination End Date**, as long as the contract was “active” during the Reporting Period of the CSA being amended.

All information will pre-populate from your Profile and most recently submitted CSA, Amended CSA Report(s).

### An Amended CSA is required to reflect any changes to:

#### 1. Principal Lobbyist Information

You can add *new* Principal Lobbyists directly to an Amended Client Semi-Annual Report (*Individuals/Organizations who were **NOT** populated on the CSA*).

**NOTE:** An Amendment to add a *new* Principal Lobbyist requires **two** Effective Dates.

#### *Principal Lobbyist Effective Date*

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The Principal Lobbyist's "**Effective Date**" is the earliest date that Individual/Organization was authorized to engage in Lobbying Activities on behalf of the Contractual Client.

### ***Amendment Effective Date of Change***

The Amendment "**Effective Date of Change**" is the date the change(s) are (or will be) effective.

### **2. Beneficial Client Information**

Changes (additions/deletions) to Beneficial Client information on the CSA, including Coalition members exceeding the \$5,000 Threshold in Lobbying Compensation and Expenses, are permitted on an Amended a CSA.

### **3. Amounts and/or information relating to:**

- Compensation
- Reimbursed Expenses
- Expenses
- Coalition Member Contributions

**NOTE:** Any decision to waive, write down or otherwise reduce Compensation and Expenses owed to a Lobbyist by a Client after the Contract Termination of a Lobbying Agreement does not require an Amendment.

### **4. Lobbying Activities:**

Since the CSA requires disclosure of the **actual** Lobbying Activities that occurred during the specific Reporting Period – including the direct relationships that exist between a Focus and Party(ies) Lobbied, **an Amended CSA is required if any of the information reported in the original CSA was inaccurate or changes.**

If your Retained Lobbyist submits a new and/or amends Lobbying Activity information **after it has been added to your CSA**, you are required to amend the associated CSA to reflect these changes since the Lobbying Activity information provided by the Lobbyist in their Bi-monthly Reports should match that disclosed in the CSA.

Any amendments by a Principal Lobbyist (who lobbies on its own behalf, uses only Employed and/or Designated Lobbyist and is, therefore, not required to submit a CSA) to Bi-monthly Reports used to auto-generate a CSA will automatically generate an amendment to the auto-generated CSA.

## 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

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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)

#### By email:

- [Helpdesk@jcope.ny.gov](mailto:Helpdesk@jcope.ny.gov)
- [Registrations@jcope.ny.gov](mailto:Registrations@jcope.ny.gov)
- [Bimonthlies@jcope.ny.gov](mailto:Bimonthlies@jcope.ny.gov)
- [CSA@jcope.ny.gov](mailto:CSA@jcope.ny.gov)
- [Discrepancies@jcope.ny.gov](mailto: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](mailto:legal@jcope.ny.gov)