



NEW YORK STATE JOINT COMMISSION ON PUBLIC ETHICS

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****COURTESY REMINDER****

The following reports are due by July 15, 2020:

- 2020 May/June Lobbyist Bi-monthly Reports
- 2020 May/June Public Corporation Bi-monthly Reports
- 2020 May/June Lobbyist Disbursement of Public Monies Reports

LOBBYING APPLICATION –Functionality Changes

The functionality of creating or claiming an Organization Profile (Lobbyist or Client Organization, Public Corporation, or Coalition) in the JCOPE Lobbying Application (“LA”) has significantly changed to minimize the risk of a duplicate profile being created in LA. Please see [‘Step 3 – How to Claim or Create an Organization Profile in LA’](#) for what you need to know and expect regarding the functionality of Profiles in LA.

2020 FILING REQUIREMENTS – Lobbyist and Public Corporation Bi-monthly Reports

Lobbyist and Public Corporation Bi-monthly Reports are required to be filed on a bi-monthly basis, first due on the 15th day of the month following the end of the reporting period in which the Lobbyist was first required to file a Statement of Registration during the biennial period.

Please note: There is NO minimum threshold requirement for filing any Bi-monthly Report. Consequently, *all* Bi-monthly Reports are required to be filed for a registration period, unless the Registration has been terminated. If, in fact, the agreement or authorization has terminated, you must comply with the Bi-monthly reporting requirements up to the date of termination.

Lobbying Activities are required to be disclosed when activity included in Section 1-c(c) of the Lobbying Act is met. Lobbying Activities include:

1. the **Focus Type** (State and/or Municipal Bill, Rule, Regulation, Procurement Contract, Executive Order, etc.);
2. the **Focus** (including the specific Bill, Resolution, Executive Order, etc.);
3. the **Identifying Number**, if known, or **Description of the Focus**;
4. the **Type of Lobbying Communication** (Direct, Grassroots or Both); and,
5. the names of the **Party(ies) Lobbied** on the specific Focus. Proper disclosure of these Lobbying Activities necessitates a level of specificity that makes clear to the public exactly *what* and *who* is being lobbied.

JCOPE has created guidelines to assist you in ensuring your Lobbying Activity information is correctly disclosed with the required specificity. Please see '[How to Properly Disclose Lobbying Activities Information](#).' You may be required to submit an amended Report if your Lobbying Activities have not been properly disclosed and sufficiently identified.

2020 FILING REQUIREMENTS – Lobbyist Disbursement of Public Monies Reports

Per Section 1-1 of the Lobbying Act, a **NYS Lobbyist Disbursement of Public Monies Report** must be completed by a Lobbyist when:

- the Lobbyist is otherwise required to file a Statement of Registration with the Commission; and 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 set forth in Section 1-e of the Lobbying Act.
- The reports are to be filed only by registered Lobbyists, including Public Corporations.
- These separate reports are required to be filed in accordance with the same schedule applicable to the filing of Bi-monthly Reports.
- Unlike Lobbyist and Public Corporation Bi-monthly Reports required by Sections 1-h and 1-I, the **NYS Lobbyist Disbursement of Public Monies Reports** are required to be filed only for bi-monthly reporting periods during which the Lobbyist has made any attempts to influence a public official with respect to disbursement of public monies, or receives compensation or reimbursement of expenses for such activities.

Entering Itemized Expenses

Any **Reportable Expense** valued at more than \$75 must be fully identified on Bi-monthly 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. **Itemized Expenses** must specify in the “Paid To” field either:

- “who” (the name of the Organization) the expense was actually paid to; or
- It can say “in-house expenses”
 - Generic descriptions such as “Organizations” or “Professionals” are not acceptable. These ‘descriptions’ may have been accepted in the past, but the new Regulations require a level of specificity that makes clear to the public exactly *what* and *who* is being lobbied, etc.

Please use one of the **Expense Purposes** available in the pre-populated drop-down list.

GENERAL FILING INFORMATION

We encourage 2020 filings to be submitted through the Lobbying Application (“LA”).

The LA allows for submission of Bi-monthly Reports even if your Registration or Registration Amendment is pending approval.

Timely reports are those that are received in the Commission's office on or before the due date. The Commission does not consider the postmarked date or declaration signature date as the date of receipt. Paper reports (PDFs) must be submitted with original signatures; photocopies and faxes will not be accepted.

All Commission reporting forms and instructions are available on the Commission’s website, jcope.ny.gov. Always check there for the most up-to-date information and latest forms.

RESOURCES TO HELP YOU

2019-2020 Lobbyist Bi-monthly and Bi-monthly Amendment Information is available on the JCOPE website. Go to the ‘Lobbying’ main menu tab, then click on the ‘JCOPE Lobbying Application Information’ tab below it. On that page, click the ‘Bi-monthly Reports’ button to find the following:

- Updated instructions to assist Filers with the submission of Bi-monthly Reports and Bi-monthly Amendments in JCOPE’s LA.
- Sets of step-by-step instructions and forms for filing the Lobbyist Bi-monthly Report, Public Corporation Bi-monthly Report, and the Disbursement of Public Monies Report.
- A series of ‘*Help-On-Demand*’ videos narrated with guidance for filers as they navigate the Bi-monthly Reports. The videos are best accompanied by referencing the above mentioned-written step-by-step instructions.

Disclaimer: As mentioned above, to ensure you have the most up-to-date instructional materials, check the JCOPE website regularly. JCOPE staff will continue to revise materials to better communicate and serve the needs of our regulated community.

As always, if you have any questions about navigating the LA, please contact our **Lobbying Helpdesk** at **(518) 408-3976** or by emailing helpdesk@jcope.ny.gov. For any questions about what you need to include in your Filings, please contact our **Attorney of the Day** at **800-87-ETHICS (800-873-8442)**, and press ‘2’ when prompted.