



NEW YORK STATE  
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## BI-MONTHLY COURTESY REMINDER

### THE FOLLOWING REPORTS ARE DUE BY MAY 17, 2021:

- 2021 March/April Lobbyist Bi-monthly Reports
- 2021 March/April Public Corporation Bi-monthly Reports
- 2021 March/April Lobbyist Disbursement of Public Monies Reports

### 2021 FILING REQUIREMENTS: LOBBYIST AND PUBLIC CORPORATION BI-MONTHLY REPORTS

#### WHEN TO FILE

Lobbyist and Public Corporation Bi-monthly Reports are required to be filed on a bi-monthly basis, first due on the 15<sup>th</sup> 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:** Bi-monthly Reports are required to be filed throughout a registration period regardless of whether compensation was received, expenses were incurred, or lobbying activity was conducted during a Bi-monthly 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

Lobbying Activities are required to be disclosed when activity included in Section 1-c(c) of the Lobbying Act is met. Proper disclosure of these Lobbying Activities necessitates a level of specificity that makes clear to the public exactly *what* and *who* is being lobbied. Please review the 'What's New' section for important information regarding Parties Lobbied.

#### Lobbying Activities include:

1. the **Focus Type** (State and/or Municipal Bill, Rule, Regulation, Procurement Contract, Executive Order, etc.);
2. the **Focus Identifying Number** (including the specific Bill, Resolution, Executive Order, etc.), if known; or **Description of the Focus**;
3. the **Type of Lobbying Communication** (Monitoring Only, Direct Lobbying, Grassroots Lobbying, or Both [Direct and Grassroots]); and,
4. the names of the **Party(ies) Lobbied\*** on the specific Focus (which includes the Government Body, Party Name, and additional information). The Lobbying Application ("LA") will automatically identify the Government Body associated to a Party Name. Filers may be required to identify additional information related to a selected Party Name.

- \* Please **contact** JCOPE if a Legislator's name, Senate or Assembly Committee, State Agency, NYC Council Member, or NYC Board/Division/Commission is missing from the Parties Lobbied Database.

## WHAT'S NEW

In continuing our efforts to streamline the disclosure of Lobbying Activities, the following changes are in effect for the March/April Bi-monthly reporting period.

### UPDATED PARTY NAMES:

- NYS Assembly Majority Program and Counsel Staff
- NYS Assembly Minority Program and Counsel Staff
- NYS Senate Majority Program and Counsel Staff
- NYS Senate Minority Program and Counsel Staff

### NEW PARTY NAMES:

- Secretary of the Senate
- Secretary to the Speaker

### INACTIVE PARTY NAMES NO LONGER AVAILABLE FOR SELECTION ON FILINGS:

- NYS Senate Office of Counsel and Program
- NYS Assembly Minority Counsel's Office, staff member
- NYS Assembly Majority Counsel's Office, staff member
- NYS Senate Majority Counsel's Office, staff member
- NYS Senate Minority Counsel's Office, staff member

### IMPORTANT INFORMATION FOR ONLINE FILERS

- Filers with a 2021 March/April Bi-monthly in a '***saved not submitted***' status that contains an 'Inactive Party Name' should delete the outdated (inactive) Party Name and replace it with an updated Party Name selection listed above.
- Filers that have already ***submitted*** a March/April Bi-monthly that contains an 'Inactive Party Name' may:
  - Take no further action, OR
  - Amend the submitted Bi-monthly to include the updated information.

- \* **NOTE:** Party names carry over from one Bi-monthly reporting period to the next, as such, we recommend Filers that have not submitted their March/April Bi-monthly to update the Party name information (if applicable), so the most up-to-date information carries over to the May/June Bi-monthly.

JCOPE has created guidelines to assist you in ensuring your information is correctly disclosed with the specificity required by the Lobbying Act as set forth in the Commission's regulations relating to

disclosure of lobbying activities. 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.

## **2021 FILING REQUIREMENTS: LOBBYIST DISBURSEMENT OF PUBLIC MONIES REPORTS**

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Per Section 1-1 of the Lobbying Act, a **NYS Lobbyist Disbursement of Public Monies Report** (‘DPM’) 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 ON BI-MONTHLY AND DPM REPORTS**

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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:

- the name of the Organization (“who”) the expense was actually paid to; or
- “in-house expenses”
  - Generic descriptions such as “Organizations” or “Professionals” are **not** acceptable.

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

## **GENERAL FILING INFORMATION**

We encourage 2021 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](http://jcope.ny.gov). Always check there for the most up-to-date information and latest forms.

### RESOURCES TO HELP YOU

2021-2022 Lobbyist Bi-monthly and Bi-monthly Amendment Information is available on the JCOPE website. From the ‘Lobbying’ main menu tab, click the [‘Lobbyist Bi-Monthly and Disbursement of Public Monies Information’](#) page:

- 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.

**NOTE:** 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](mailto: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.