

# NEW YORK STATE JOINT COMMISSION ON PUBLIC ETHICS

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## Program Operations

### **\*\*NEW REPORTING REQUIREMENTS FOR LOBBYISTS\*\***

Pursuant to Section 1-e (c) (8) of the Lobbying Act, all lobbyists are required to report to the Joint Commission on Public Ethics:

- ⊕ The name and public office address of any statewide elected official, state officer or employee, member of the legislature or legislative employee and entity with whom the lobbyist has a reportable business relationship;
- ⊕ A description of the general subject or subjects of the transactions between the lobbyist or lobbyists and the statewide elected official, state officer or employee, member of the legislature or legislative employee or entity; and
- ⊕ The compensation, including expenses, to be paid and paid by virtue of the business relationship.

Section 1-c (w) of the Lobbying Act defines the term "*reportable business relationship*" as a relationship in which compensation is paid by a lobbyist or by a client of a lobbyist, in exchange for any goods, services or anything of value, the total value of which is in excess of \$1,000 annually, to be performed or provided by or intended to be performed or provided by:

- (i) any statewide elected official, state officer, state employee, member of the legislature or legislative employee, or
- (ii) any entity in which the lobbyist or the client of a lobbyist knows or has reason to know the statewide elected official, state officer, state employee, member of the legislature or legislative employee is a proprietor, partner, director, officer or manager, or owns or controls ten percent or more of the stock of such entity. This threshold is reduced to one percent in the case of a corporation whose stock is regularly traded on an established securities exchange.

Pursuant to Section 1-e (c), the 'new' Lobbyist Business Relationship form has been incorporated into the Lobbyist Statement of Registration form on the Commission's Online Lobbying Registration and Reporting System. For those lobbyists who do not file electronically, but have access to the Internet, a PDF version of the Business Relationship form can be downloaded and printed from the Commission's website <http://www.jcope.ny.gov/forms/lobbying.html>.

Please review the reporting requirements prior to submitting the form. If you are subject to the requirements of this Section, a 'Business Relationship' form must be submitted each biennial period. The information

submitted on this form will appear on each registration (and/or amendment) after the initial submission. (This includes all approved and ‘new’ registrations.)

The Commission also recommends you view the [Lobbyist Business Relationship Video Tutorial](#) for more detailed instruction.

### **Miscellaneous information to assist with the Lobbyist Business Relationship Form**

1. Business Relationship forms are submitted once per biennial period.
  2. If a lobbyist attempts to file a Business Relationship form, and the desired year is *not available* from the drop down box – this means there is already a Business Relationship form filed for that biennial period. A lobbyist may add or change existing entries by filing a Business Relationship amendment.
  3. Forms and any data entered on the form can only be deleted **prior** to submission.
  4. Business Relationship information will appear on the Lobbyist Registration as a tab under ‘client information’. If a Business Relationship form has **not** been submitted, a message will appear under this tab that states “No Business Relationship Form Submitted.”
  5. Lobbyists must go to the main menu and select the Business Relationship tab to file the initial form and any subsequent amendments. Any changes to the form will be applied to approved *and* new registrations filed for that biennial period.
  6. A Business Relationship form can be filed prior to the submission of a Lobbyist Registration.
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The Lobbying Act (as most recently amended by Chapter 399, Laws 2011) also modified the definition of “*lobbying*” or “*lobbying activity*” to mean and include the introduction or intended introduction of any legislation or resolution by either house of the state legislature.

Legislation or a resolution that has not yet been introduced (no number to disclose) should be reported in the “Bill, Rule, Regulation or Rate Number” section of the form by giving a brief description of the intended legislation or resolution.

All Commission reporting forms and instructions are available on the Commission’s website. **Always check our website for the most up-to-date information and latest forms at [www.jcope.ny.gov](http://www.jcope.ny.gov).**

If you have any questions regarding reporting requirements, or the online filing system, you may contact Commission staff at (518) 408-3976.