

STATE OF NEW YORK

6398--B

2021-2022 Regular Sessions

IN SENATE

April 27, 2021

Introduced by Sens. BIAGGI, RAMOS, SALAZAR -- read twice and ordered printed, and when printed to be committed to the Committee on Ethics and Internal Governance -- recommitted to the Committee on Ethics and Internal Governance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported favorably from said committee and committed to the Committee on Finance -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the legislative law, in relation to relieving reporting requirements on small nonprofits

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph 4 of subdivision (a) of section 1-e of the legis-
2 lative law, as amended by chapter 1 of the laws of 2005, is amended to
3 read as follows:

4 (4) Such biennial filings shall be completed on or before January
5 first of the first year of a biennial cycle commencing in calendar year
6 two thousand five and thereafter, by those persons who have been
7 retained, employed or designated as lobbyist on or before December
8 fifteenth of the previous calendar year and who reasonably anticipate
9 that in the coming year they will expend, incur or receive combined
10 reportable compensation and expenses in an amount in excess of two thou-
11 sand dollars in years prior to calendar year two thousand six and five
12 thousand dollars commencing in two thousand six, or where such lobbyist
13 is qualified as an exempt organization or entity by the United
14 States department of the treasury under section 501(c)(3) of the inter-
15 nal revenue code, ten thousand dollars commencing in two thousand twen-
16 ty-three; for those lobbyists retained, employed or designated after the
17 previous December fifteenth, and for those lobbyists who subsequent to
18 their retainer, employment or designation reasonably anticipate combined

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 reportable compensation and expenses in excess of such amount, such
2 filing must be completed within fifteen days thereafter, but in no event
3 later than ten days after the actual incurring or receiving of such
4 reportable compensation and expenses.

5 § 2. Paragraphs (iii) and (iv) of subdivision (e) of section 1-e of
6 the legislative law, as amended by section 1 of part S of chapter 62 of
7 the laws of 2003, are amended to read as follows:

8 (iii) The first statement of registration filed biennially by each
9 lobbyist for the first biennial registration requirements for calendar
10 years between two thousand five and two thousand ~~[six and thereafter]~~
11 twenty-two, shall be accompanied by a registration fee of two hundred
12 dollars except that no registration fee shall be required from any
13 lobbyist who in any year does not expend, incur or receive an amount in
14 excess of five thousand dollars of reportable compensation and expenses,
15 as provided in paragraph five of subdivision (b) of section one-h of
16 this article, for the purposes of lobbying or of a public corporation. A
17 fee of two hundred dollars shall be required for any subsequent state-
18 ment of registration filed by a lobbyist during the same biennial peri-
19 od; (iv) The first statement of registration filed biennially by each
20 lobbyist for the first biennial registration requirements for calendar
21 year two thousand twenty-three and thereafter, shall be accompanied by a
22 registration fee of two hundred dollars except that no registration fee
23 shall be required from any lobbyist that is qualified as an exempt
24 organization or entity by the United States department of the treasury
25 under section 501(c)(3) of the internal revenue code and in any year
26 does not expend, incur or receive an amount in excess of ten thousand
27 dollars of reportable compensation and expenses, as provided in para-
28 graph five of subdivision (b) of section one-h of this article, for the
29 purposes of lobbying or of a public corporation. A fee of two hundred
30 dollars shall be required for any subsequent statement of registration
31 filed by a lobbyist during the same biennial period; (v) The statement
32 of registration filed after the due date of a biennial registration
33 shall be accompanied by a registration fee that is prorated to one
34 hundred dollars for any registration filed after January first of the
35 second calendar year covered by the biennial reporting requirement. In
36 addition to the fees authorized by this section, the commission may
37 impose a fee for late filing of a registration statement required by
38 this section not to exceed twenty-five dollars for each day that the
39 statement required to be filed is late, except that if the lobbyist
40 making a late filing has not previously been required by statute to file
41 such a statement, the fee for late filing shall not exceed ten dollars
42 for each day that the statement required to be filed is late.

43 § 3. Subdivision (a) of section 1-h of the legislative law, as amended
44 by chapter 14 of the laws of 2007, is amended to read as follows:

45 (a) Any lobbyist required to file a statement of registration pursuant
46 to section one-e of this article who in any lobbying year reasonably
47 anticipates that during the year such lobbyist will expend, incur or
48 receive combined reportable compensation and expenses in an amount in
49 excess of five thousand dollars, or ten thousand dollars where such
50 lobbyist is qualified as an exempt organization or entity by the
51 United States department of the treasury under section 501(c)(3) of the
52 internal revenue code, as provided in paragraph five of subdivision (b)
53 of this section, for the purpose of lobbying, shall file with the
54 commission a bi-monthly written report, on forms supplied by the commis-
55 sion, by the fifteenth day next succeeding the end of the reporting
56 period in which the lobbyist was first required to file a statement of

1 registration. Such reporting periods shall be the period of January
2 first to the last day of February, March first to April thirtieth, May
3 first to June thirtieth, July first to August thirty-first, September
4 first to October thirty-first and November first to December thirty-
5 first.

6 § 4. Subdivision (a) of section 1-j of the legislative law, as amended
7 by chapter 14 of the laws of 2007, is amended to read as follows:

8 (a) Semi-annual reports shall be filed by any client retaining,
9 employing or designating a lobbyist or lobbyists, whether or not any
10 such lobbyist was required to file a bi-monthly report, if such client
11 reasonably anticipates that during the year such client will expend or
12 incur an amount in excess of five thousand dollars, or ten thousand
13 dollars where such client is qualified as an exempt organization or
14 entity by the United States department of the treasury under section
15 501(c)(3) of the internal revenue code, of combined reportable compen-
16 sation and expenses, as provided in paragraph five of subdivision [~~(e)~~]
17 (b) of this section, for the purposes of lobbying.

18 § 5. This act shall take effect on the sixtieth day after it shall
19 have become a law.