

STATE OF NEW YORK

5100--A

2023-2024 Regular Sessions

IN ASSEMBLY

March 2, 2023

Introduced by M. of A. GONZALEZ-ROJAS, GLICK, CRUZ, THIELE, CLARK, BICHOTTE HERMELYN, CARROLL, SIMON, REYES, EPSTEIN, BURDICK, JACKSON, SEPTIMO, FORREST, RAGA, SIMONE, SHIMSKY, SILLITTI, LUNSFORD -- read once and referred to the Committee on Governmental Operations -- recommitted to the Committee on Governmental Operations in accordance with Assembly Rule 3, sec. 2 -- 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 States
14 department of the treasury under section 501(c)(3) of the internal
15 revenue code, ten thousand dollars commencing in two thousand twenty-
16 five; 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
19 reportable compensation and expenses in excess of such amount, such
20 filing must be completed within fifteen days thereafter, but in no event

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

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1 later than ten days after the actual incurring or receiving of such
2 reportable compensation and expenses.

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

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

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

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

1 first to June thirtieth, July first to August thirty-first, September
2 first to October thirty-first and November first to December thirty-
3 first.

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

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

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