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:

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

(4) Such biennial filings shall be completed on or before January first of the first year of a biennial cycle commencing in calendar year two thousand five and thereafter, by those persons who have been retained, employed or designated as lobbyist on or before December fifteenth of the previous calendar year and who reasonably anticipate that in the coming year they will expend, incur or receive combined reportable compensation and expenses in an amount in excess of two thousand dollars in years prior to calendar year two thousand six and five thousand dollars commencing in two thousand six **or, where such lobbyist is qualified as an exempt organization or entity by the United States department of the treasury under section 501(c)(3) of the internal revenue code, ten thousand dollars commencing in two thousand twenty-five**; for those lobbyists retained, employed or designated after the previous December fifteenth, and for those lobbyists who subsequent to their retainer, employment or designation reasonably anticipate combined reportable compensation and expenses in excess of such amount, such 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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later than ten days after the actual incurring or receiving of such reportable compensation and expenses.

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

(iii) The first statement of registration filed biennially by each lobbyist for the first biennial registration requirements for calendar years **between** two thousand five and two thousand [~~six and thereafter~~] **twenty-four**, shall be accompanied by a registration fee of two hundred dollars except that no registration fee shall be required from any lobbyist who in any year does not expend, incur or receive an amount in excess of five thousand dollars of reportable compensation and expenses, as provided in paragraph five of subdivision (b) of section one-h of this article, for the purposes of lobbying or of a public corporation. A fee of two hundred dollars shall be required for any subsequent statement of registration filed by a lobbyist during the same biennial period; (iv) **The first statement of registration filed biennially by each lobbyist for the first biennial registration requirements for calendar year two thousand twenty-five and thereafter, shall be accompanied by a registration fee of two hundred dollars except that no registration fee shall be required from any lobbyist who is qualified as an exempt organization or entity by the United States department of the treasury under section 501(c)(3) of the internal revenue code and in any year does not expend, incur or receive an amount in excess of ten thousand dollars of reportable compensation and expenses, as provided in paragraph five of subdivision (b) of section one-h of this article, for the purposes of lobbying or of a public corporation. A fee of two hundred dollars shall be required for any subsequent statement of registration filed by a lobbyist during the same biennial period; (v)** The statement of registration filed after the due date of a biennial registration shall be accompanied by a registration fee that is prorated to one hundred dollars for any registration filed after January first of the second calendar year covered by the biennial reporting requirement. In addition to the fees authorized by this section, the commission may impose a fee for late filing of a registration statement required by this section not to exceed twenty-five dollars for each day that the statement required to be filed is late, except that if the lobbyist making a late filing has not previously been required by statute to file such a statement, the fee for late filing shall not exceed ten dollars for each day that the statement required to be filed is late.

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

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

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

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

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

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