

# STATE OF NEW YORK

5499--A

2023-2024 Regular Sessions

## IN SENATE

March 6, 2023

Introduced by Sen. KRUEGER -- 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

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 [~~(e)~~]  
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.