

Pursuant to the authority vested in section 94 of the Executive Law, Part 930 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended, to be effective upon filing as an Emergency Adoption and upon publication of a Notice of Adoption in the New York State Register, to read as follows:

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF
NEW YORK

TITLE 19. DEPARTMENT OF STATE

CHAPTER XX. [JOINT COMMISSION ON PUBLIC ETHICS] COMMISSION ON ETHICS
AND LOBBYING IN GOVERNMENT

PART 930 Honoraria.

Section 930.1(b) is amended to read as follows:

(b) The effect of these regulations is to supersede prior regulations and any Advisory Opinions or other guidance issued by predecessor agencies to the [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government to the extent such Advisory Opinions and guidance are inconsistent with this Part.

Sections 930.2(a) and (c) are amended to read as follows:

(a) *Approving Authority* for a State Officer or Employee shall mean the head of a State agency or appointing authority, or his or her appropriate designee. In the case of a Statewide Elected Official, the head of a Civil Department or the head of a State Agency, it shall mean the New York State [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government.

(b) *Commission* shall mean the New York State [Joint Commission on Public Ethics] Commission

on Ethics and Lobbying in Government.

Pursuant to the authority vested in section 94 of the Executive Law, Part 931 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended, to be effective upon filing as an Emergency Adoption and upon publication of a Notice of Adoption in the New York State Register, to read as follows:

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF
NEW YORK

TITLE 19. DEPARTMENT OF STATE

CHAPTER XX. [JOINT COMMISSION ON PUBLIC ETHICS] COMMISSION ON ETHICS
AND LOBBYING IN GOVERNMENT

PART 931 Official Activity Expense Payments and Service Payments to the State: Limitations
and Approval.

Section 931.1(b) is amended to read as follows:

(b) The effect of these regulations is to supersede prior regulations and any Advisory Opinions or other guidance issued by predecessor agencies to the [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government to the extent such Advisory Opinions and guidance are inconsistent with this Part.

Sections 931.2(a) and (b) are amended to read as follows:

(a) *Approving Authority* for a State Officer or Employee shall mean the head of a State Agency or appointing authority or his or her appropriate designee. In the case of a Statewide Elected Official and the head of a State Agency, it shall mean the New York State [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government.

(b) *Commission* shall mean the New York State [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government.

Pursuant to the authority vested in section 94 of the Executive Law, Part 932 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended, to be effective upon filing as an Emergency Adoption and upon publication of a Notice of Adoption in the New York State Register, to read as follows:

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF
NEW YORK

TITLE 19. DEPARTMENT OF STATE

CHAPTER XX. [JOINT COMMISSION ON PUBLIC ETHICS] COMMISSION ON ETHICS
AND LOBBYING IN GOVERNMENT

PART 932 Outside activity restrictions and approval procedures.

Section 932.2(b) is amended to read as follows:

(b) *Commission* shall mean the New York State [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government and, where applicable, its predecessor agencies.

Pursuant to the authority vested in section 94 of the Executive Law, Part 933 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended, to be effective upon filing as an Emergency Adoption and upon publication of a Notice of Adoption in the New York State Register, to read as follows:

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF
NEW YORK

TITLE 19. DEPARTMENT OF STATE

CHAPTER XX. [JOINT COMMISSION ON PUBLIC ETHICS] COMMISSION ON ETHICS
AND LOBBYING IN GOVERNMENT

PART 933 Gifts.

Section 933.1(b) is amended to read as follows:

(b) The effect of these regulations is to supersede prior Advisory Opinions issued by predecessor agencies to the [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government [, including Advisory Opinion Nos. 94-16, 96- 28, 97-03, and 08-01] to the extent they are inconsistent with this Part.

Section 933.2(e) is amended to read as follows:

(e) *Commission* shall mean the New York State [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government.

Pursuant to the authority vested in section 94 of the Executive Law, Part 934 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended, to be effective upon filing as an Emergency Adoption and upon publication of a Notice of Adoption in the New York State Register, to read as follows:

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF
NEW YORK

TITLE 19. DEPARTMENT OF STATE

CHAPTER XX. [JOINT COMMISSION ON PUBLIC ETHICS] COMMISSION ON ETHICS
AND LOBBYING IN GOVERNMENT

PART 934 Gifts (Pursuant to Legislative Law Article 1-A).

Section 934.1(b) is amended to read as follows:

(b) The effect of these regulations is to supersede prior Advisory Opinions issued by predecessor agencies to the [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government to the extent they are inconsistent with this Part.

Section 934.2(e) is amended to read as follows:

(e) *Commission* shall mean the New York State [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government.

Pursuant to the authority vested in section 94 of the Executive Law, Part 935 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended, to be effective upon filing as an Emergency Adoption and upon publication of a Notice of Adoption in the New York State Register, to read as follows:

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF
NEW YORK

TITLE 19. DEPARTMENT OF STATE

CHAPTER XX. [JOINT COMMISSION ON PUBLIC ETHICS] COMMISSION ON ETHICS
AND LOBBYING IN GOVERNMENT

PART 935 Procedure for Requesting an Exemption from Filing a Financial Disclosure
Statement.

Section 935.1(c) is amended to read as follows:

(a) *Commission* shall mean the New York State Commission on [Public Integrity] Ethics and
Lobbying in Government.

Section 935.3(b) is amended to read as follows:

(b) Upon receipt of a request for an Exemption from filing a Financial Disclosure Statement, the Commission shall review the material filed to determine whether the duties of the Title(s) or Job Classification(s) include any of the duties that are set forth in section 94(9)(k) of the Executive Law, without further inquiry. If no further information is required, the Commission shall render its decision on the request before it.

Pursuant to the authority vested in section 94 of the Executive Law, Part 936 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended, to be effective upon filing as an Emergency Adoption and upon publication of a Notice of Adoption in the New York State Register, to read as follows:

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF
NEW YORK

TITLE 19. DEPARTMENT OF STATE

CHAPTER XX. [JOINT COMMISSION ON PUBLIC ETHICS] COMMISSION ON ETHICS
AND LOBBYING IN GOVERNMENT

PART 936 Procedure for Extension of Time for Filing a Financial Disclosure Statement Due to Justifiable Cause or Undue Hardship or Automatic Extension of Time to File.

Section 936.2(a) is amended to read as follows:

(a) *Commission* shall mean the New York State Commission on [Public Integrity] Ethics and Lobbying in Government.

Pursuant to the authority vested in section 94 of the Executive Law, Part 938 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended, to be effective upon filing as an Emergency Adoption and upon publication of a Notice of Adoption in the New York State Register, to read as follows:

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF
NEW YORK

TITLE 19. DEPARTMENT OF STATE

CHAPTER XX. [JOINT COMMISSION ON PUBLIC ETHICS] COMMISSION ON ETHICS
AND LOBBYING IN GOVERNMENT

PART 938 Source of Funding Regulations.

Section 938.1(a) is amended to read as follows:

(a) The Public Integrity Reform Act of 2011 (“PIRA”) (Chapter 399, Laws of 2011) established the Joint Commission on Public Ethics, followed by the Ethics Commission Reform Act of 2022, which established the Commission on Ethics and Lobbying in Government (“Commission”). The Commission regulates lobbyists and their clients in New York State through the disclosure and enforcement provisions set in Legislative Law article one-A. PIRA amended Legislative Law article one-A by enacting unprecedented disclosure requirements to better inform the public about efforts to influence governmental decision-making through increased transparency, including the source of funding disclosure requirement set forth in Legislative Law § 1-h(c)(4) and § 1-j(c)(4). Effective June 1, 2012, the source of funding amendments required lobbyists who lobby on their own behalf and clients, who devote substantial resources to lobbying activity in New York State, to make publicly available each source of funding over \$5,000 for such lobbying. The legislation

intended for these new disclosures to provide the public with more information regarding the actual entities and individuals that support lobbying campaigns in New York State.

Section 938.7(a) is amended to read as follows:

(a) The Commission shall publicly disclose the fact that a Client Filer has submitted one or more applications for an exemption or that one or more of a Client Filer's requests for an exemption has been granted or denied. Information submitted in connection with an application for exemption or in support of an appeal from a denial of an exemption shall be publicly disclosed. Notwithstanding the foregoing, Executive Law § 94[(19)(a)(5)](13)(b)(v), Legislative Law § 1-s, and any corresponding regulations, the Commission may, in its discretion, grant a request from a Client Filer to keep confidential certain exemption-related information when particular circumstances merit confidential treatment of such information, including, but not limited to, an ongoing investigation by a governmental body or an unwarranted invasion of personal privacy. The Commission may, nevertheless, disclose such information:

Pursuant to the authority vested in section 94 of the Executive Law, Part 942 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended, to be effective upon filing as an Emergency Adoption and upon publication of a Notice of Adoption in the New York State Register, to read as follows:

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF
NEW YORK

TITLE 19. DEPARTMENT OF STATE

CHAPTER XX. [JOINT COMMISSION ON PUBLIC ETHICS] COMMISSION ON ETHICS
AND LOBBYING IN GOVERNMENT

PART 942 Procedure for Requesting an Exemption from Publicly Disclosing Client Information Pursuant to Questions 8(b-1), 8(b-2) or 8(c) on a Financial Disclosure Statement.

Section 942.1 is amended to read as follows:

The purpose of this Part is to implement the legislative direction set forth in Chapter 56 of the Laws of 2015 that the [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government receive and determine requests for exemption from the duty to publicly disclose client information in response to certain questions on the financial disclosure statement that must be filed in accordance with section 73-a of the Public Officers Law. Specifically, the statute carves out a limited exception to the general rule mandating disclosure of client information and permits a filer to ask either the Office of Court Administration or the [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government for authority not to disclose client information in responding to questions 8(b-1), (b-2) and (c) of section 73-a(3). The statute also

provides that disclosure of client information is not required in certain categories of cases delineated therein. With respect to clients represented in matters not otherwise exempt, this Part provides a procedure to request an exemption from publicly disclosing such clients and related information.

Section 942.2(a) is amended to read as follows:

- (a) *Commission* shall mean the New York State [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government.

Section 942.3(d) is amended to read as follows:

- (a) The Exemption request shall be made in writing, signed by the Covered Person requesting such Exemption, and sent to the Commission via email at [jcope@jcope.ny.gov] FDSHelpDesk@ethics.ny.gov. The Exemption request shall be deemed to be a part of his or her Financial Disclosure Statement and subject to all applicable enforcement and penalty provisions of Public Officers Law § 73-a, including without limitation subdivisions 4 and 6 of said section, and Executive Law § 94.

Pursuant to the authority vested in section 94 of the Executive Law, Part 943 of Title 19 of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended, to be effective upon filing as an Emergency Adoption and upon publication of a Notice of Adoption in the New York State Register, to read as follows:

OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF
NEW YORK

TITLE 19. DEPARTMENT OF STATE

CHAPTER XX. [JOINT COMMISSION ON PUBLIC ETHICS] COMMISSION ON ETHICS
AND LOBBYING IN GOVERNMENT

PART 943 Lobbying.

Section 943.1(a) is amended as follows:

(a) The purpose of these regulations is to provide those regulated by the [Joint Commission on Public Ethics] Commission on Ethics and Lobbying in Government (“Commission”), as well as the public, a consolidated resource for understanding and complying with the requirements of Article 1-A of the Legislative Law (the “Lobbying Act”), as authorized by section 94 of the Executive Law and the Lobbying Act. These regulations also serve to codify the constitutional authority to regulate grassroots lobbying that was recognized in *United States v. Harriss* (347 U.S. 612) in 1954, and exercised by the Commission’s predecessor agencies in accordance with the 1982 decision in *New York State Temporary Commission on Lobbying v. CICU* (534 F. Supp. 489).