Lobbyist Bi-monthly and Bi-monthly Amendment Information

Any Principal Lobbyist required to file a Statement of Registration for a Client in a biennial period must also file Bi-monthly Reports, regardless of Compensation, Expenses, or Lobbying Activity, up to the Lobbying Agreement Termination (End) Date.

PURPOSE

The purpose of this document is to provide Filers with further clarification of the information required to be disclosed in Bi-monthly Reports and Bi-monthly Amendments utilizing the Lobbying Application ("LA").

> NOTES: This document is **not** intended to assist Individuals/Organizations in determining whether their activities require registration and reporting to the Commission.
>
> - For assistance in determining whether your activities are considered Lobbying Activities which require Registration and Bi-monthly reporting, please refer to the regulations available on the Commission's website.
> - For assistance with Filings themselves, please contact the Commission's Lobbying Helpdesk at LobbyingHelpDesk@ethics.ny.gov or by phone at 518-474-3973.

THINGS TO KNOW

Unlike the Registration, which is considered a *forward-looking* document which requires the Filer to disclose much ***broader information***, if known, the Bi-monthly Report requires the Filer to disclose with ***greater specificity*** the **actual** Lobbying Activities and monies spent. Proper disclosure of these Lobbying Activities necessitates a level of specificity that makes clear to the public exactly ***what*** and ***who*** was being lobbied during the specific Bi-monthly reporting period.

- There is NO minimum threshold requirement for filing any Bi-monthly Report. Consequently, ***all*** Bi-monthly Reports are required to be filed for a registration period, unless the Registration has been terminated. If, in fact, the agreement or authorization has terminated, you must comply with the Bi-monthly reporting requirements up to the date of termination.

- Separate Lobbyist Bi-monthly Reports are required for *each* Contractual Client/Beneficial Client relationship (pairing) for which the Lobbyist is registered to lobby.

- Bi-monthly Reports must be submitted even when **Compensation, Expenses**, or **Lobbying Activity** did **not** occur during a Bi-monthly reporting period. Bi-monthlies must continue to be submitted for as long as the Agreement/Contract is in effect (or "active"), even if only for a portion of a Bi-monthly reporting period.

LOBBYING APPLICATION INFORMATION

- A Bi-monthly Report may be started, saved, and submitted beginning on the first day of the Bi-monthly's reporting period (example – the March/April Bi-monthly can be started March 1); as long as the Lobbying Agreement is "active" during the reporting period for which the Bi-monthly Report is being filed.

- The LA allows for submission of Bi-monthly Reports even if your Registration or Registration Amendment is pending approval.

- Bi-monthly Reports must be submitted in chronological order based on the **Lobbying Agreement Start Date**.

- Once submitted, a Bi-monthly Report cannot be deleted. The Filer must submit a *Request to Withdraw* to remove the Filing from public view.

  - Requests to Withdraw should be emailed to Bimonthlies@ethics.ny.gov for review and must include, the reporting year/period, Principal Lobbyist, Contractual/Beneficial Client name, form confirmation number and the reason for the withdrawal.

- Once submitted, no changes can be made to the original document (Bi-monthly and/or Amendment). Any change or modification to information requires submission of a Bi-monthly Amendment.

BI-MONTHLY REPORTING PERIODS & DUE DATES

BI-MONTHLY REPORTING PERIOD	PERIOD COVERED	DUE DATE
January/February	January 1 – February 28	March 15
March/April	March 1 – April 30	May 15
May/June	May 1 – June 30	July 15
July/August	July 1 – August 31	September 15

September/October	September 1 – October 31	November 15
November/December	November 1 – December 31	January 15 (of the following year)

NOTE: There is a 7-day grace period from a Filing's statutory due date to submit a required Statement and/or Report(s) before any potential late fees *may* be imposed.

- Timely reports are those that are received by the Commission's office on or before the due date. If a report is due on a weekend or a State holiday, the report must be received in the Commission's office on the first business day following the weekend or State holiday. The Commission does not consider the postmarked date as the date of receipt for lobbying filings.

INFORMATION COLLECTED ON THE BI-MONTHLY REPORT

The online Bi-monthly Report contains its own main navigation menu and can be viewed in a "tabbed format" or in "full view", depending on Filer preference.

Online Filings will populate specific information from existing Profiles, if available, and the most recently submitted Filing of the associated Lobbyist/Client pairing (Biennial Registration, Registration Amendment, Bi-monthly or Amendment):

- Principal Lobbyist Information
- Contractual Client Information
- Beneficial Client Information
- Individual Lobbyist Information
- Co-Lobbyist Information
- Sub-Lobbyist Information

The Bi-monthly contains the following fields. Items denoted with a red asterisk '*' are required fields.

BIENNIAL PERIOD*

DEFINITION: Every two-year period commencing with the January 1, 2005 – December 31, 2006 period, and so on thereafter.

BI-MONTHLY REPORTING PERIOD*

- January/February
- March/April

- May/June
- July/August
- September/October
- November/December

PRINCIPAL LOBBYIST*

The name and contact information of the Principal Lobbyist listed on your corresponding Lobbyist Statement of Registration will automatically populate to your Bi-monthly Report.

CLIENT INFORMATION*

The name and contact information of the Contractual Client disclosed on your corresponding Lobbyist Statement of Registration will automatically populate to your Bi-monthly Report.

The name(s) of **both** the Contractual and Beneficial Client(s) must be identified on every Bi-monthly Report.

BENEFICIAL CLIENT INFORMATION*

The name and contact information of any Beneficial Client(s) disclosed on your corresponding Lobbyist Statement of Registration will automatically populate to your Bi-Monthly Report.

YOU *CANNOT* ADD A *NEW* BENEFICIAL CLIENT directly to a Lobbyist Bi-monthly Report. You must submit a Registration Amendment to add any Beneficial Client(s) not disclosed on your original Registration, **as long as** the Beneficial Client has an existing Profile established in the Lobby Application.

NOTE: You must contact Commission staff to have a ***new*** Beneficial Client(s) added to any applicable Bi-monthly Report(s).

Removing a Beneficial Client(s):

You can **remove a Beneficial Client(s)** from a Lobbyist Bi-monthly Report ***if* there are multiple Beneficial Clients listed.** Removing **a Beneficial Client** from a Lobbyist Bi-monthly Report does **NOT** create an Amendment and/or Termination. This change only applies to the Filing you are creating; it has no impact on the associated Registration Filing. If your relationship has terminated, you must submit a Termination.

CO-LOBBYIST(S) – AND – SUB-LOBBYIST(S) INFORMATION (if applicable)

The name(s) of any Co-Lobbyist and/or Sub-Lobbyist listed on the corresponding Registration will automatically populate to your Bi-monthly Report.

IMPORTANT

Lobbying arrangements involving Co-Lobbyists and Sub-Lobbyists are not typical. Statements of Registration and Reports should only identify Co or Sub-Lobbyists *if applicable.* Co-Lobbyists and Sub-Lobbyists are **NOT** considered Designated Lobbyists, Individual Lobbyists, Employee ('in-house') Lobbyists, or Retained Lobbyists by the Principal Lobbyist responsible for submitting this Filing.

The Principal Lobbyist should NOT be listed as a Co- and/or Sub-Lobbyist.

Adding a new Co- and/or Sub-Lobbyist(s):

You can add *new* Co- and/or Sub-Lobbyist(s) directly to a Bi-monthly Report **ONLY if** the Co/Sub-Lobbyist already has a Profile established in LA. Otherwise, you will be required to 'save' your form and create a 'placeholder' Organization Profile for each Co/Sub-Lobbyist you wish to add. ***Refer to 'Step 3: How to Claim or Create Organization Profiles'*** on the Commission's website.

Any new Co/Sub Lobbyist added to a Bi-monthly will create a system-generated Registration Amendment to add the new Co- and/or Sub-Lobbyist(s). LA will also ask you to identify any other Filings you would like updated to include the new Co/Sub Lobbyist information.

NOTE: System-generated **Registration Amendments** may require a new lobbying agreement/authorization in the case where a new Co-Lobbyist is added.

Removing a Co- and/or Sub-Lobbyist(s):

You can remove a Co- and/or Sub-Lobbyist from a Lobbyist Bi-monthly Report. Removing a Co- and/or Sub-Lobbyist from a Lobbyist Bi-monthly Report does **NOT** create an Amendment and/or Termination. This change only applies to the Filing you are creating; it has no impact on the associated Registration Filing. If your relationship has terminated, you must submit a Termination.

INDIVIDUAL LOBBYIST(S) INFORMATION

The names of any Individual Lobbyists disclosed on your corresponding Lobbyist Statement of Registration will automatically populate to your Bi-monthly Report.

Your Bi-monthly Report must disclose the name(s) of any Individual Lobbyist that performed Lobbying

Activities on behalf of the Principal Lobbyist for the benefit of the Client during the **specific** Bi-monthly reporting period. At least one Individual Lobbyist must be listed on any Filing where "Direct Lobbying" is indicated as the *Type* of Lobbying Activity. If the Individual Lobbyist is lobbying as a board member, director or officer for the Lobbying Organization or the person lobbies on behalf of themself, select the **'Designated Lobbyist'** check-box.

Individual Lobbyist(s) included in your Organization Profile do **NOT** automatically populate to your Bi- monthly Report; only Individual Lobbyists disclosed on previous Bi-monthly Reports populate to your new Bi-monthly Report.

However, all Individuals included in your Organization Profile are available to add to any Filing.

Adding a new Individual Lobbyist(s):

You can add *new* Individual Lobbyists directly to a Bi-monthly Report (***Individuals who were NOT previously listed on the Organization's Profile or a previous Bi-monthly Report***). LA will add the *new* Individual Lobbyist directly to the list of Individual Lobbyists contained in your Organization's Profile, making them available for selection on other Filings. ***Adding a 'new' Individual Lobbyist requires an "Effective Date"*.***

You may add the *new* Individual while filling-out your Bi-monthly Report or through your Organization Profile.

***Individual Lobbyist Effective Date**

The Individual Lobbyist's **"Effective Date"** is the earliest date that Individual was authorized to engage in Lobbying Activities for the Principal Lobbyist on behalf of at least one of the organization's clients. The date is used to determine that Individual's online ethics training requirement.

Removing an Individual Lobbyist(s):

You can remove an Individual Lobbyist from a Lobbyist Bi-monthly Report. Removing an Individual Lobbyist from a Lobbyist Bi-monthly Report does **NOT** create an Amendment and/or Termination. This change only applies to the Filing you are creating; it has no impact on the associated Registration Filing. Individuals removed from a Bi-monthly Report will still be available through the list of the Individual Lobbyists contained in your Organization's Profile.

COMPENSATION AND EXPENSE AMOUNTS FOR BI-MONTHLY REPORTING PERIOD*

Compensation and Expenses for Retained Lobbyists must be disclosed during the reporting period in which they are expended, received or incurred.

All Compensation and Expenses associated with Lobbying Activity should be accounted for using accrual basis accounting, i.e., ***costs are reported*** in the period in which ***they are incurred***.

Lobbying Agreement Compensation Amount

For your convenience, the Lobbying Agreement Compensation Amount disclosed on your Statement of Registration is available as a *read only*.

The 'Compensation and Expenses' section of the Bi-Monthly is comprised of two different reporting sub-categories: ***'Compensation and Reimbursed Expenses'*** and ***'Other Lobbying Expenses'***.

1. **Compensation and Reimbursed Expenses sub-tab**

   #### Compensation

   Compensation is all direct or indirect payments of salaries or other things of value provided to a Lobbyist in exchange for Lobbying or services that are otherwise in furtherance of Lobbying Activity, including year-end or other bonuses but not fringe benefits.

   #### Reimbursed Expense(s)

   The dollar amount reimbursed to the Retained Lobbyist in connection with a Lobbying Activity, excluding Lobbyist Compensation.

   NOTE: The Reimbursed Expense Total must be $0 if there are no Lobbying Expenses disclosed in the Expense Section.

2. **Other Lobbying Expenses sub-tab**

   Information contained in the **'Other Lobbying Expenses'** section includes aggregate expenses less than $75, aggregate expenses for salaries of non-lobbying employees, itemized expenses, and Coalition Member Contributions.

   #### (a) Expenses

An expense is any cost of Lobbying Activity that is **not** Compensation paid to a Lobbyist and that is incurred by or reimbursed in connection with a Lobbying Activity.

Expense Types required to be reported on a Filing include:

1. **Salaries of non-Lobbying staff** – Compensation paid to those professional and clerical employees who do not engage in Direct or Grassroots Lobbying Activity.

2. **Aggregated** – Expenses of $75 or less may be reported as a single aggregated total dollar amount.

3. **Itemized** – Expenses valued at more than $75 must be itemized and include the payee, date incurred and nature and value of the expense.

4. **Reimbursed** – A Lobbyist should report the aggregate value of all Expenses (regardless of the value of the individual Expense) that were reimbursed by the Client.

(b) Itemized Expenses

Any **Reportable Expense** valued at more than $75 must be fully identified on Bi-monthly Reports and must include the name of the person or entity to whom it was paid, the date of the Expense, as well as the purpose for which it was paid.

To indicate you have no **'Itemized Expenses to Report'**, click the check-box.

- Retained Lobbyists must indicate whether the Expense was reimbursed by their Client.

NOTE: Any **Reportable Expense** paid to an entity requires the Filer to provide an 'Expense Detail' for the **Itemized Expense** if any portion of the Expense is attributable to an individual or individuals. Each individual's identity must be disclosed. The Expense Detail may note numerous individuals per Itemized Expense.

(c) Expense Purposes – when to use

1. **Advertising – Billboards**
Expenses related to purchasing and maintaining a billboard advertisement.

2. **Advertising – Consulting**
Expenses related to hiring a consultant for the purpose of using their expertise in evaluating advertising, public relations, communications and/or marketing goals.

3. **Advertising – Design Services for Media Buy**
   Expenses related to hiring and utilizing the services of a graphic designer.

4. **Advertising – Flyers/Posters**
   Expenses related to staff time spent creating, designing, purchasing, and printing flyers and posters.

5. **Advertising – Media Relations and Strategy**
   Expenses related to the analysis of specific advertising goals for the purpose of developing a targeted media relations strategy related to Lobbying or advocacy efforts.

6. **Advertising – Multi-Platform Media Buy (Print, Online, TV, Web)**
   Expenses related to purchasing advertisements that include multiple platforms such as print, television, and online advertising. (i.e. purchasing an advertisement in the Times Union print newspaper and online web edition).

7. **Advertising – Newspaper Inserts**
   Expenses related to the design, development (including staff time), and market research related to the purchase and distribution of newspaper inserts.

8. **Advertising – Print Media/Publishing fees over $500**
   Expenses related to printing and publishing materials for advertising that is more than $500.

9. **Advertising – Social Media Platforms (Facebook, Twitter, Instagram, etc.)**
   Expenses related to the design and execution of advertisements posted to Social Media accounts including but not limited to Facebook, Twitter, Instagram, etc.

10. **Advertising – Television**
    Expenses related to airing advertisements on television stations/channels.

11. **Advocacy – Civic Engagement/Community Organizing**
    Expenses related to staff time preparing a Community event where lobbying activity will occur.

12. **Advocacy – Email marketing/Email blasts**
    Expenses related to the design, purchase of software applications/licenses, development and target audience research related to email marketing and mass emails.

13. **Advocacy- Expenses related to hiring an outside firm to handle administrative tasks.**

Expenses related to the hiring of an outside entity to complete administrative tasks related to lobbying such as scheduling meetings.

14. **Advocacy – Legislative Bill Tracking**
    Expenses related to subscriptions fees or hiring law firms to track legislative bills on search engines such as: Legislative Retrieval System (LRS), and State Watch.

15. **Advocacy – Legislative Research**
    Expenses related to subscriptions to legal search engines such as West Group or Lexis, POLITICO or hiring law firms to conduct Legislative Research.

16. **Advocacy – Mass Mailings/Bulk Mailing**
    Expenses related to the purchase of supplies and staff time spent developing and preparing mass/bulk mailings.

17. **Advocacy – Phone Advocacy**
    Expenses related to organizing, paying staff/volunteers, phone equipment and service fees related to phone advocacy efforts.

18. **Advocacy – Postage over $500**
    Expenses related to postage and mailing items valued more than $500.

19. **Advocacy – Technology (cellphones, iPad, hotspots)**
    Expenses related to purchasing devices, data plans, and internet services/personal hotspots to be used specifically for Lobbying Activities.

20. **Social Event – Booth Rentals/Meeting Space Fees**
    Expenses related to renting a conference space and/or booth table for a Lobby Day or other social event.

21. **Social Event – Buses/transportation for Lobby Day**
    Expenses related to transportation (bus, train, rental cars) of volunteers and staff members but NOT LOBBYISTS to a Lobby Day or other social event.

22. **Social Event – Catering/Meals for Lobby Day**
    Expenses related to supplying food for attendees of a Lobby Day.

23. **Social Event – Civic Engagement/Community Organizing**
    Expenses related to staff time planning and preparing for a Lobby Day or other social event.

24. **Social Event – Consulting**
    Expenses related to hiring an event planner or organizer for Lobby Day or other social event.

25. **Social Event – Equipment and A/V Rentals**
    Expenses related to the rental and usage of technology and audio-visual equipment for a Lobby Day or other social event.

26. **Social Event – Event Sponsorship**
    Expenses related to the act of supporting an individual, organization or event financially for the purpose of creating exposure to a brand or set of issues, access to attendee information, and/or speaking opportunities.

27. **Social Event – Lodging**
    Expenses related to hotel reservations and accommodations for staff and volunteers who attend a Lobby Day or other social event.

28. **Social Event – Parking fees**
    Expenses related to fees for parking for a Lobby Day or other social event.

29. **Social Event – Print fees over $500**
    Expenses related to printing of name badges, and informational materials/pamphlets distributed at a Lobby Day or other social event.

30. **Social Event – Promotional Materials**
    Expenses related to the creation and purchase of materials used to promote an Organization's message during a Lobby Day or other social event, such as shirts, hats, mugs, pencils and stress balls.

31. **Social Event – Rallies**
    Expenses related to staff time for setting up and organizing a Rally.

32. **Social Event – Reception/Banquet**
    Expenses related to staff time organizing a reception, renting out the banquet space, and catering/food expenses.

33. **Social Event – Rental Fees**
    Expenses related to renting equipment such as microphones and tables for events such as a Lobby Day or other social event.

34. **Social Event – Travel Reimbursement (Train, Airfare, Car, Hotel)**

Expenses related to reimbursing staff and or volunteers for travel expenses they paid for themselves.

35. **Social Event – Volunteer Training**
Expenses related to organizing and holding training events for volunteers prior to an event, such as a Lobby Day or other social event.

36. **Social Media – Media Relations and Strategy**
Expenses related to hiring an individual or company to establish and/or oversee an Organization's social media presence.

37. **Social Media – Online Advocacy (sponsored posts)**
Expenses related to search engine optimization and sponsoring, such as expenses incurred to create, or promote or place content on Social Media. This would also include the cost of hiring an individual to place content related to the Organization on the individual's own Social Media accounts based on the individual's popularity on Social Media (i.e. an "influencer").

(d) Expense Detail (if applicable)

If an Itemized Expense is **paid to an Organization** *on behalf of an Individual (or Individuals),* an **Expense Detail** is required and must include the following information:

- Name of individual(s) (Multiple individuals can be added)
- Amount of Detailed Expense that is attributed to the individual listed

The dollar amount(s) attributable to *each* Individual disclosed in the Expense Detail Section must, when added together, equal the Total (Dollar Amount) of the Itemized Expense paid to the Organization. (Expense Detail A + B + C = Total (Dollar amount) of the Itemized Expense.)

NOTE: Travel for Lobbyists are ***not*** **Reportable Expenses**. The EXAMPLE below illustrates **Expense Details** for paying for travel ***for non-lobbyists:***

EXAMPLE: If Principal Lobbyist ABC Company paid an expense in the amount of $300 to American Airlines (on behalf of Individuals affiliated to the Principal Lobbyist e.g a public relations consultant or volunteer's travel to a Lobby Day)) during the January/February reporting period, the disclosure might look like this:

NAME OF ORGANIZATION: American Airlines
DATE OF THE EXPENSE: February 20, YEAR

TOTAL (Dollar amount) of the Itemized Expense: $300

EXPENSE PURPOSE: Social Event – Travel Reimbursement (Train, Airfare, Car, Hotel)

EXPENSE DETAIL A

- **NAME OF INDIVIDUAL:** Last Name: Smith First Name: John Middle [optional]
- **TITLE OF INDIVIDUAL:** [Insert Title]
- **AMOUNT OF EXPENSE THAT IS ATTRIBUTED TO THE INDIVIDUAL:** $100
- **EMPLOYER OF INDIVIDUAL:** ABC Company

EXPENSE DETAIL B

- **NAME OF INDIVIDUAL:** Last Name: Doe First Name: Jane Middle [optional]
- **TITLE OF INDIVIDUAL:** [Insert Title]
- **AMOUNT OF EXPENSE THAT IS ATTRIBUTED TO THE INDIVIDUAL**: $100
- **EMPLOYER OF INDIVIDUAL:** ABC Company

EXPENSE DETAIL C

- **NAME OF INDIVIDUAL:** Last Name: Smith First Name: Peter Middle [optional]
- **TITLE OF INDIVIDUAL:** [Insert Title]
- **AMOUNT OF EXPENSE THAT IS ATTRIBUTED TO THE INDIVIDUAL:** $100
- **EMPLOYER OF INDIVIDUAL:** ABC Company

(e) Coalition Member Contributions to Unstructured Coalitions (if applicable)

Members of Unstructured Coalitions must disclose their Contributions to the Coalition in the 'Expense' section of their own Lobbying Reports. Typically, such Members must disclose Coalition Contributions in their Bi-monthly Report. (*See* our guidance document entitled ***Coalition Filing Requirements)***.

> NOTE: A **Structured Coalition** that files as a Lobbyist or Client is **NOT** required to disclose Coalition Member Contributions on their Bi-monthly Report. Instead, the **Structured Coalition** must file Lobbying Reports as a "Coalition" (selected "Coalition" Profile Type). Like every other organization, the **Structured Coalition** must disclose all of its Lobbying Activity, and Reportable Compensation and Expenses related to the **Structured Coalition**.

Refer to the Coalition guidance document entitled ***Coalition Filing Requirements*** for detailed guidance on Lobbying Activities involving Coalitions.

Lobbying Subjects for Bi-monthly Reporting Period*

Lobbying Subjects disclosed on your corresponding Lobbyist Statement of Registration will automatically populate on your Bi-monthly Report.

Lobbying Subjects identify the specific subject matter area(s) on which Lobbying occurred. These Subjects identify the 'Nature of Business' between the Lobbyist and Contractual Client. Multiple Lobbying Subjects can be selected.

***Refer to Appendix A within this document or the Commission's* website for the most up-to-date list**.

Lobbying Activities for Bi-monthly Reporting Period*

Reportable **"Lobbying"** or **"Lobbying Activity"** is defined as any ***Attempt to Influence*** activity included in Section 1-c(c) of the Lobbying Act and includes both Direct Lobbying and Grassroots Lobbying.

The ***actual*** Lobbying Activities that occurred during the specific reporting period must be disclosed by identifying the Focus Type, the Focus (Identifying Number or Description), the Type of Communication, and the Party(ies) Lobbied.

NOTE**:** Proper disclosure of these **Lobbying Activities** necessitates a level of specificity that makes clear to the public exactly ***what*** and ***who*** is being lobbied.

- ❖ If in fact you did **NOT** engage in any Reportable **"Lobbying Activity"** during the specified reporting period, you have the option to select "**NO**" from the drop-down menu next to the question, "***Do You have Lobbying Activities to Report?***".

Lobbying Activity information is populated from your previous Bi-monthly Reports (including Amendments) for the Lobbyist/Client pairing, and can be modified—added or removed—on a Bi-monthly Report.

NOTE: changes to this section do **not** require submission of a Registration Amendment.

1. **Level of Government**

   Filers are required to indicate the **'Level of Government'** lobbied – State Lobbying, Municipal ("local") Lobbying or Both (State and Municipal).

2. Lobbying Focuses

(a) Focus Type

A *Focus Type* (State and/or Municipal Bill, Rule, Regulation, Procurement Contract, Executive Order, etc.) must be identified for each **Identifying Number** (including the specific Bill, Resolution, Executive Order, etc.), if known; or **Description of the Focus** (if the Identifying Number is unknown).

- State Bill
- State Executive Order
- State Funding
- State Land Use
- State Permits/Licensing
- State Procurement
- State Resolution
- State Regulation/Rate-making/Rule
- State Tribal Compact Agreement - NYS Indian Nations
- Municipal Bill
- Municipal Executive Order
- Municipal Funding
- Municipal Land Use
- Municipal Ordinance
- Municipal Permits/Licensing
- Municipal Procurement
- Municipal Resolution
- Municipal Regulation/Rate-making/Rule

(b) Identifying Number (if known)

How to disclose an Identifying Number (such as a State and/or Municipal Bill, Rule, Regulation, Procurement Contract, Executive Order number, etc.)

1. **Chapter Laws** are identified by providing the complete title.
    - **Correct**: Chapter 16 of the laws of 1971
    - **Incorrect**: Chapter 16; or Laws of 1971
2. **Procurement Contracts** are identified by providing the number.
    - **Correct**: OER01-C11006MWBE-1120000

Certain Lobbying Focuses require unique formatting specifications.

3. **Senate and Assembly Bills** must be inputted by entering a **capital 'S'** for a Senate Bill number, or a **capital 'A'** for an Assembly Bill number. *Do not add a space, hyphen, period, or other character between the capital letter and the bill number.*
    - **Correct**: A1234
    - **Incorrect**: 'a1234'; **or** 'a 1234'; **or** 'A 1234'; **or** 'A_1234'

4. **Amended Senate and Assembly Bills** must be inputted by denoting the corresponding letter suffix (A, B, C, D and so on). Amended State bills are altered to add a letter suffix each time the bill is amended. Please ensure the letter at the end of the amended Bill number includes a dash before it.
    - **Correct**: A1345-A
    - **Incorrect**: 'a1234A'; **or** 'a 1234a'; **or** 'A 1234a'; **or** 'A_1234A'

All other Focus numbers do not require specific formatting rules for data-entry.

(c) Description of the Focus

If an **Identifying Number** (such as a State and/or Municipal Bill, Rule, Regulation, Procurement Contract, Executive Order number, etc.) is ***not known***, you must provide a **Description of the Focus** that clearly communicates the focus of the lobbying effort by entering the information in the "Enter Description" text box.

A Description of a Focus can include the subject matter of the anticipated lobbying.

- **Correct:** Corrections Funding
- **Incorrect**: Funding

FOR MORE INFORMATION: Please see the guidance documents entitled **'How to Properly Disclose Lobbying Activities'** located on the Commission's website.

3. Type of Communication

A *Type of Communication* (Monitoring Only, Direct Lobbying, Grassroots Lobbying or Both) must be assigned to every Lobbying Focus disclosed. This includes Focuses where the **identifying number** is known, or a brief description of the Focus is provided.

- **Direct Lobbying**
  Direct Lobbying is an attempt to influence a Lobbying Activity through Direct or Preliminary

Contact with a Public Official, or through communication or interaction directed to a Public Official, or the Public Official's staff.

- **Grassroots Lobbying**
  Grassroots Lobbying is an attempt to influence a Public Official indirectly, or through a person or organization who solicits another to deliver a message to a Public Official.

- **Both (Direct and Grassroots)**
  If you performed BOTH Direct and Grassroots Lobbying, you must disclose the following information:

  - ***For Direct Lobbying*** – identify the Parties (targets) of the Direct Contact (the name of a Public Official or Public Official's Office; OR Legislative Committee, etc.).

  - ***For Grassroots Lobbying*** – identify the intended 'targets' of the Grassroots Lobbying Activity, which may be a person; state agency; municipality; or legislative body.

- **Monitoring Only**
  If you have **not actually Lobbied a specific Party**, you may select **'Monitoring Only'**. You are not required to disclose the names of any **'Party(ies) Lobbied'** for that specific Focus.

(b) Parties Lobbied*

The target(s) of the Reportable **"Lobbying Activity"**, including the person, organization, entity, or legislative body before which the Lobbyist Lobbied.

The direct connection (one-to-one relationship) between the Focus and the target(s) (referred to as "**Party(ies) Lobbied'**) of any reportable **"Lobbying Activity"** must be identified by selecting the appropriate party from the dropdown.

Please see the Commission's guidance document, ***How to Properly File Lobbying Activities*** for **EXAMPLES** of 'how' to disclose additional information related to an EXISTING Party Name in LA.

Government Bodies associated to Parties Lobbied

Every 'Party' listed in the LA Database contains two components: the '**Government Body**' and the main '**Party**' name. Every 'Party' name is categorized into specific Government Bodies.

Identifying a Specific Group of Parties related to a Focus

If you sent a communication to a specific *group* regarding a specific Focus, the following options are available on a Bi-monthly Report in the **'Party'** field (so you do not have to select every Individual):

- A communication sent to entire Senate
- A communication sent to entire Assembly
- A communication sent to entire Legislature
- A communication sent to all NYC Council Members
- A communication sent to all [Specific County] Legislators

NOTE: ***For detailed instructions, see 'How to File: Lobbyist Bi-monthly Report Online Instruction')***.

Attestation Information*

An Attestation is required before any Filing can be submitted. By attesting, the Filer acknowledges that the information (provided by the Filer) in all statements and reports required under Legislative Law Article 1-A is true, correct and complete to the best knowledge and belief of the Responsible Party under penalty of perjury. (See Section 1-p of the Lobbying Act).

NOTE: Only the Responsible Party for the filer can attest and submit a Bi-Monthly Report.

BI-MONTHLY AMENDMENTS — WHEN TO FILE

All information will pre-populate from your Profile and most recently submitted Bi-monthly Report and Amended Bi-monthly Report.

Lobbyists are required to submit an Amended Bi-monthly Report to reflect any change, permanent or temporary, to the following information during the specified reporting period, which should be completed and submitted to the Commission **within 10 days of such change**.

Each Amended Bi-monthly Report requires the Filer to provide a specific date the change(s) are (or will be) effective; known as an **"Effective Date of Change"**. Multiple changes can be made on an Amended Bi-monthly Report **as long as all the changes being made on the Filing have the same Effective Date of Change**. Otherwise, separate Amendments are required for each Effective Date of Change.

Amended Bi-monthly Reports can be submitted at any time during the biennial period regardless of whether the original Bi-monthly Report or other Amended Bi-monthly Reports are pending, as long as the "**Effective Date of Change**" is within the same biennial period as the Bi-monthly Report being amended.

* **Effective Date of Change**

The Amendment **"Effective Date of Change"** is the date a specific change (or changes) takes effect; **not the date the Amendment is submitted**.

An Amended Bi-monthly Report is required to reflect any changes to:

1. Individual Lobbyists

You are required to submit an Amended Bi-monthly Report if the name(s) of any Individual Lobbyist(s) that performed Lobbying Activities on behalf of the Principal Lobbyist for the benefit of the Client changes during the specific Bi-monthly reporting period.

You can add *new* Individual Lobbyists directly to an Amended Bi-monthly Report (***Individuals who were NOT previously listed on the Organization's Profile or a previous Bi-monthly Report***). However, adding a *new* Individual Lobbyist directly to an amended Bi-monthly Report will **NOT** add the Individual to the list of Individual Lobbyists contained in your Organization's Profile. You must add the Individual directly to the list of Individual Lobbyists contained in your Organization Profile to make them available for selection on other Filings.

Whether you add the *new* Individual in your Amended Bi-monthly Report or through your Organization Profile, LA will also ask you to identify any other Filings you would like to add the *new* Individual(s) to; which will also create system-generated Amendments to those Filings. (**NOTE**: System-generated **Registration Amendments** may require a new lobbying agreement/authorization.)

NOTE: An Amendment to add a *new* Individual Lobbyist requires **two** Effective Dates.

Individual Lobbyist Effective Date

The Individual Lobbyist's **"Effective Date"** is the earliest date that Individual was authorized to engage in Lobbying Activities for the Principal Lobbyist on behalf of at least one of the organization's clients. The date is used to determine that Individual's online ethics training requirement.

Amendment Effective Date of Change

The Amendment **"Effective Date of Change"** is the date that Individual was authorized to engage in Lobbying Activities for this particular Principal Lobbyist on behalf of the this particular Contractual Client/Beneficial Client pairing.

If the *new* Individual Lobbyist is lobbying as a board member, director or officer of the Principal Lobbyist, select the **'Designated Lobbyist'** check-box.

You can remove an Individual Lobbyist inadvertently listed on your Amended Bi-monthly Report.

NOTES:

- Any Individuals removed from a Filing will still be available through the list of the Individual Lobbyists contained in your Organization's Profile.

- At least one Individual Lobbyist must be listed on any Filing where "Direct Lobbying" is indicated as the Type of Lobbying Activity.

2. Identities of other 'Parties' to the Lobbying Activity

Certain changes (additions/deletions) of Co-Lobbyists, or Sub-Lobbyists, or Beneficial Clients are permitted on an Amended Bi-monthly Report.

- You can add *new* Co- and/or Sub-Lobbyist(s) directly to an Amended Bi-monthly Report, which will create a system-generated Registration Amendment adding the new Co- and/or Sub-Lobbyist(s). LA will also ask you to identify any other Filings you would like to add the *new* Co- and/or Sub-Lobbyist(s) to; which will also create system-generated Amendments to those Filings. (**NOTE**: System-generated **Registration Amendments** may require a new lobbying agreement/authorization.)

- Removal of either a Co- and/or Sub-Lobbyist does **NOT** create an Amendment and/or Termination. This change only applies to the Filing you are creating; it has no impact on the associated Registration Filing. If your relationship has terminated, you must submit a Termination.

- You **cannot** add a *new* Beneficial Client(s) directly to a Lobbyist Bi-monthly Report. You must submit a Registration Amendment to add any Beneficial Client(s) not disclosed on your original Registration.

  NOTE: Currently, you must contact Commission staff to have the new Beneficial Client(s) added to any applicable Bi-monthly Report(s).

- ***If*** **you have an active Registration with multiple Beneficial Clients,** you can remove a Beneficial Client(s) directly from an Amended Lobbyist Bi-monthly Report. Removing a **Beneficial Client** from an Amended Lobbyist Bi-monthly Report does **NOT** create another Amendment and/or Termination; it has no impact on the associated Registration Filing. If your relationship has terminated, you must submit a Termination.

3. **Amounts and/or information relating to:**
   - Compensation
   - Expenses
   - Reimbursed Expenses

   NOTE: Any decision to waive, write down or otherwise reduce Compensation and Expenses owed to the Lobbyist by the Client after the Contract Termination of the Lobbying Agreement does **not** require an Amendment.

4. **Lobbying Activities**
   Since the Bi-monthly Report requires disclosure of the ***actual*** Lobbying Activities that occurred during the specific reporting period – including the direct relationships that exist between a Focus and Party(ies) Lobbied, **an Amended Bi-monthly Report is required if any of the information reported in the original Bi-monthly Report was inaccurate or changes**.

TICKETING IN THE LOBBYING APPLICATION

The Lobbying Application provides for a mechanism of communication between the Filer and Commission staff, facilitating filing issue awareness and deficiency resolution through a system of Ticketing. Tickets may be generated by Staff to address a specific issue, or in some cases, auto-generated by the Lobbying Application. Tickets will appear on your dashboard in the LA and within the associated filing.

APPENDIX A

LOBBYING SUBJECTS

Refer to the Commission's website for the most up-to-date list.

1. Agribusiness – General
2. Agribusiness – Agricultural Services & Products
3. Agribusiness – Food Processing & Sales
4. Agribusiness – Tobacco
5. Budget/Appropriations
6. Cannabis/Marijuana
7. Chemicals/Chemical Industry
8. Construction – General
9. Construction – Building Materials & Equipment
10. Construction – Construction Services
11. Consumer Issues/Safety/Protection
12. Criminal Justice – General
13. Criminal Justice – Criminal Law & Procedures (includes sentencing)
14. Criminal Justice – Law Enforcement
15. Criminal Justice – Police Issues
16. Corrections
17. Cryptocurrency
18. Economic Development – General
19. Economic Development – Tourism
20. Economic Development – Sports/Entertainment
21. Economic Development – Tax Incentives
22. Education – General
23. Education – Testing
24. Education – Funding
25. Education – Charter Schools
26. Education – Evaluations
27. Energy & Natural Resources – General
28. Energy & Natural Resources – Alternative Energy Production & Services
29. Energy & Natural Resources – Oil/Fuel/Gas
30. Energy & Natural Resources – Waste Management
31. Energy & Natural Resources – Environmental Conservation/Preservation

32. Energy & Natural Resources – Parks & Recreational Activities
33. Ethics Laws and Regulations
34. Finance, Insurance & Financial Services – General
35. Finance, Insurance & Financial Services – Commercial Banks & Credit Unions
36. Finance, Insurance & Financial Services – Finance & Credit Companies
37. Finance, Insurance & Financial Services – Mortgage Finance
38. Finance, Insurance & Financial Services – Securities & Investment
39. Gaming – General
40. Gaming – Casinos
41. Gaming – Horse Racing
42. Gaming – Lottery
43. Gaming – Recreation & Live Entertainment
44. Health – General
45. Health – Health Professions
46. Health – Health Services / HMOs
47. Health – Hospitals & Nursing Homes
48. Health – Pharmaceuticals/ Health Products
49. Health – Medicine/ Medicaid
50. Health – Cigarette/ Tobacco
51. Human Rights/Civil Rights
52. Insurance – General
53. Insurance – Auto
54. Insurance – Health
55. Insurance – Life
56. Insurance – Property & Casualty
57. Labor – General
58. Labor – Labor Issues/ Unions
59. Labor – Prevailing wage/ Minimum Wage
60. Labor – Pensions/ Retirement
61. Lobbying Laws and Regulations
62. Media – General
63. Media – Printing & Publishing
64. Media – Books, Magazines & Newspapers
65. Media – Motion Picture/Television/Recorded Music/Music Production & Distribution
66. Media – First Amendment – Press
67. Miscellaneous Business – General
68. Miscellaneous Business – Advertising/ Public Relations
69. Public Utilities – General

70. Public Utilities – Telecommunications
71. Public Utilities – Cable/Broadband
72. Public Utilities – Water
73. Public Utilities – Gas
74. Public Utilities – Electric
75. Real Estate – General
76. Real Estate – Affordable Housing
77. Real Estate – Construction
78. Tax – General
79. Tax – Corporate
80. Tax – Exempt Organizations
81. Tax – Personal Income
82. Tax – Real Property
83. Tax – School
84. Tax – Development Credits
85. Transportation – General
86. Transportation – Mass Transit
87. Transportation– Railroad/Canals
88. Transportation – Safety
89. Transportation - Trucking
90. Transportation – Air Transport
91. Transportation – Automotive Industry/ Manufacturers
92. Veterans Affairs