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Legal and Compliance

Responsible Office:
[University Counsel](#)

Other Requirement Title:
Lobbying Law Requirements

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This procedure item applies to:
State-Operated Campuses

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Summary

System Administration and each campus is responsible for its own compliance with the State Lobbying Act. System Administration will comply with the Lobbying Act's requirements only with respect to System Administration activities. Pursuant to the Lobbying Act, System Administration and each of its campuses is both a lobbyist and client. Copies of filings submitted to the Commission on Public Integrity by each campus should be forwarded to the University's Vice Chancellor for Government Relations - System Administration.

Requirement

Registration and Reporting Requirements

The Lobbying Act (Article 1-A of the Legislative Law; citations hereafter are to sections of the Legislative Law, unless otherwise indicated) sets forth registration and reporting requirements for lobbyists and reporting requirements for clients.

A campus which expects to spend more than \$5,000 in a calendar year for lobbying compensation and expenses should file a Statement of Registraion (§1 -e(a)) biennially, commencing 2005, by December 15 of the prior year with the Commission on Public Integrity (Commission). The campus, as lobbyist, is required to file with the Commission bi-monthly reports (by March 15, May 15, July 15, September 15, November 15 and January 15) listing specific legislation, executive orders, regulations and procurement contracts promoted or opposed, and expenses incurred (itemized over \$75) (§1-h).

In addition, lobbyists and clients are each required to file semi-annual reports with the Commission, by July 15 and January 15 (§ 1-j). The University and its campuses report as both lobbyist and client.

All statements and reports filed with the Commission are to be submitted on forms provided by the Commission. Forms may be downloaded from the [Commission's website](#). In addition, the web site can be used to review or download opinions of the Commission and the Commission's guidelines to the Lobbying Act. Questions can be

addressed to the Commission by phone or e-mail. Copies of filings submitted to the Lobbying Commission by each campus should be forwarded to the University's Vice Chancellor for Government Relations - System Administration.

Provisions Concerning Gifts

The Lobbying Act prohibits a lobbyist or client from offering or giving a public official or the spouse or unempancipated child of a public official, a gift more than nominal value unless under the circumstances it is not reasonable to infer that the gift was intended to influence such public official (§1-m).

Definitions

Lobbying - Attempting to influence the passage or defeat of state or local legislation, the adoption, amendment or rescission of a gubernatorial or local executive order, the adoption or rejection of state or local rules or regulations, the outcome of state or local rate-making or a determination by a public official with respect to a governmental procurement (§1-c(c)). "Lobbying" does not include, among other things, drafting legislation, rules or rates or advising clients and rendering opinions on proposed legislation, rules or rates, or preparing or submitting a response to a request for information or comments by the state legislature, governor, a state agency, or local governmental entity (§1-c(1),(5)).

Gift - anything of more than nominal value including money, service, loan, travel, lodging, meals, refreshments, entertainment, discount, forbearance or promise, but not including:

- complimentary attendance, including food and beverage, at widely-attended officially-related events, but only if the event is related to the attendee's duties as a public official or allows the public official to perform a ceremonial function appropriate to his position (§1-c(j)(ii))
- plaques and other ceremonial items but only if publicly presented in recognition of public service, provided they are the type of item customarily bestowed at similar events and are reasonable under the circumstances (§1-c(j)(iii))
- promotional items having no substantial resale value, including pens, mugs, calendars, hats and t-shirts which bear the organization's logo (§1-c(j)(v))
- travel reimbursement (transportation, meals, lodging) for a panelist, participant or speaker at an informational event, but only when reimbursement is made by a governmental entity or by a public or private college hosting an event on-campus; however, lodging must in close proximity to the host campus, and is limited to the night preceding and days of the event (§1-c(j)(ix))
- local transportation to inspect or tour facilities if the transportation is provided by the facility owner or operator (1-c(j)(x))
- meals or refreshments when participating in a professional or educational program if the meals or refreshments are provided to all participants (§1-c(i)(xi)).

Governmental Procurement – With respect to a contract for a commodity, service, construction, real property transaction, grant or concession involving an estimated annualized expenditure of more than \$15,000, the preparation of specifications, bid documents, RFPs, evaluation criteria, solicitation, evaluation of proposals, and award or denial of the contract or amendment, renewal or extension thereto (§1-c(p)).

Public official - Includes, among others, the governor, state comptroller, lieutenant governor, and attorney general; state legislators, their staff and employees of the legislature; employees and officers of state agencies (other than Board members who receive no compensation or per diem compensation); and municipal officers and employees (§ 1-c(1)).

Commission - The Commission on Public Integrity.

Related Procedures

There is no related procedures relevant to this requirement.

Forms

[Forms that may be downloaded from the Lobbying Commission's website](#)

Other Related Information

The following link to FindLaw's [New York State Laws](#) is provided for users' convenience; it is not the official site for the State of New York laws.

[Article 1-A of the Legislative Law](#)

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of [New York State Consolidated](#).

Memorandum to presidents from vice chancellor for external affairs, dated February 10, 2000 announcing the enactment of new state Lobbying Act. Campuses were advised that hereafter each campus shall be responsible for its own compliance with the Lobbying Act.

Appendices

There are no appendices relevant to this requirement.