

November 21, 2019

Legal Alert: New York Lobbying Compliance Resources for Nonprofit Organizations

Does your organization weigh in on the state or city budget, immigration policy, criminal justice reform, rent regulation, or other pressing government issues? It may be lobbying. Public charities can lobby, so long as they stay within the IRS' limit on the amount of lobbying they can do, and they may need to comply with lobbyist registration and reporting requirements.

Lawyers Alliance's educational resources for nonprofit organizations that lobby in New York include:

- **FAQs on Nonprofit Organizations & Lobbying**,
https://lawyersalliance.org/userFiles/uploads/legal_alerts/Nonprofits_and_Lobbying_FAQ_Nov_2018_FINAL.pdf
Nonprofits that lobby in New York must pay attention to federal limits on lobbying activity and to federal, state, and local lobbying disclosure requirements. These FAQs provide an introduction to the many ways that legislative advocacy by nonprofit organizations is regulated at the federal, state, and city level. They are intended for use by nonprofit managers and by attorneys who represent them but may not be familiar with this complex area.
- **Careful Lobbying Compliance: Keeping Track of the Required Reports and Restrictions on Lobbyists' Activities** (archived webinar, recorded on May 7, 2019)
This webinar explains how to calculate the amount of lobbying a public charity can do, and when lobbying triggers an obligation to register with New York State or New York City as a lobbyist. It also provides easy to follow tips to help registered lobbyists file accurate reports and meet their other regulatory obligations. To obtain access to this webinar, register here: <https://lawyersalliance.org/recorded-webinars>. There is a \$25 fee.
- **Obligations of Directors, Officers and Managers of Organizations That Register to Lobby**
https://lawyersalliance.org/userFiles/uploads/legal_alerts/Directors_Managers_Obligations_Lobbying_Legal_Alert_Nov_2018_FINAL.pdf
If an organization is registered as a lobbyist with New York State or New York City, its Board members and senior managers have specific reporting and compliance obligations. This legal alert explains.
- **NY State Lobbying Disclosure Rules for Coalitions**
https://lawyersalliance.org/userFiles/uploads/legal_alerts/NY_State_Lobbying_Disclosure_Rules_for_Coalitions_Legal_Alert_Nov_2018_FINAL.pdf
If two or more organizations pool money for the primary purpose of lobbying, New York's Joint Commission on Public Ethics (JCOPE) considers them to be a "coalition" subject to specific lobbying reporting rules. This legal alert explains when coalitions must follow these rules, and what they must do.
- **Tips for Public Charities That Make Grants to Advocacy Groups**
https://lawyersalliance.org/userFiles/uploads/legal_alerts/Lobbying_Grants_Legal_Alert_Oct_2016_FINAL.pdf

Does your 501(c)(3) organization help other advocacy groups by fiscally sponsoring or providing grants to them? This legal alert explains how to draft fiscal sponsorship and grant agreements to ensure that advocacy by your sponsored entities and grantees is not attributed to your organization.

- **Making Your Voice Heard: Lobbying Within Limits**

Staff at many nonprofits engage in advocacy to protect their communities. They may seek government funds, urge legislative action regarding societal issues, or request government agencies to change their rules. They may also help community members communicate with government. Government regulators define some, but not all, of this activity as lobbying. This workshop will focus on the rules that govern lobbying by nonprofits. It will identify the federal limits on the amount of lobbying nonprofits can undertake, and the federal, state, and city laws requiring the disclosure of lobbying activity. It addresses advocacy concerning legislative, budgeting, and agency rule-making processes.

This three-hour, in-person workshop is offered periodically. To receive notices of upcoming workshops, sign up here: <https://lawyersalliance.org/mailling-list>

- **Political Activity and Lobbying by Nonprofits**, in *Advising Nonprofits* (6th ed., 2014)

This chapter of Lawyers Alliance's book, *Advising Nonprofits*, discusses Internal Revenue Code restrictions on the political and lobbying activities of tax exempt organizations, as well as lobbying disclosure requirements imposed by the federal Lobbying Disclosure Act, New York State, and New York City, and campaign finance restrictions imposed by federal and New York law. To purchase a hard copy or digital access, go to <https://lawyersalliance.org/publications/list>.

For additional legal alerts regarding lobbying and other advocacy compliance issues, go to <https://lawyersalliance.org/legal-alerts>, select "Lobbying and Political Activity" from the drop down "Category" menu, and hit "Search."

This alert is meant to provide general information only, not legal advice. If you have any questions about this alert please contact Senior Policy Counsel Laura Abel at (212) 219-1800 ext. 283 or visit our website at www.lawyersalliance.org for further information.

Lawyers Alliance for New York is the leading provider of business and transactional legal services for nonprofit organizations and social enterprises that are improving the quality of life in New York City neighborhoods. Our network of pro bono lawyers from law firms and corporations and staff of experienced attorneys collaborate to deliver expert corporate, tax, real estate, employment, intellectual property, and other legal services to community organizations. By connecting lawyers, nonprofits, and communities, Lawyers Alliance for New York helps nonprofits to develop and provide housing, stimulate economic opportunity, improve urban health and education, promote community arts, and operate and advocate for vital programs that benefit low-income New Yorkers of all ages.