

January 11, 2023

New York Lobbyists and Their Clients Must Complete New Mandatory Training

On January 18, 2023, the New York Commission on Ethics and Lobbying in Government (COELIG) will roll out a new, mandatory training program for registered lobbyists and their clients. Nonprofit organizations registered to lobby with NY State, or that have retained an outside lobbyist who is registered with NY State, will have 60 days to complete the training. This Legal Alert provides information about the new training requirement.

Who must attend the training?

If a nonprofit organization is registered as a lobbyist, each of the following people must complete the training:

- The person listed as Chief Administrative Officer (CAO) on the organization's lobbyist registration
- All people listed as an "Individual Lobbyist" on the organization's registration

To find out who is listed as CAO and as an "Individual Lobbyist," log into the organization's profile in COELIG's Lobbying Application at <https://ethics.ny.gov/lobbying-online-filing-systems>. Another way to identify "Individual Lobbyists" is to search for the organization's registration in the publicly accessible COELIG database at <https://reports.ethics.ny.gov/publicquery/>

If you need help accessing the training or figuring out who must attend the training, contact COELIG's Education Team Helpdesk at 518-408-3976 or education@ethics.ny.gov

If a nonprofit organization is a client of an outside lobbyist, the person listed on the lobbyist's registration as the client's Chief Administrative Officer must complete the training.

If your organization is a client of an outside lobbyist, ask your outside lobbyist who is listed as the client's Chief Administrative Officer.

Is this a new requirement?

Prior to 2023, lobbyists registered with NYS were required to complete training once every three years.¹ That requirement remains in place. The Ethics Commission Reform Act of 2022 requires COELIG to develop and administer training courses for lobbyists and their clients.² While that law does not require clients to attend the training, on January 4, 2023 COELIG issued an emergency regulation requiring clients of registered lobbyists to attend training every three years.³

¹ NY Legis. Law sec. 1-d(h).

² L. 2022, ch 56, § 1, Part QQ, codified at Exec. Law sec. 94(8)(d).

³ The emergency rule is published at NYS Register (Jan. 4, 2023), p. 8, available at <https://dos.ny.gov/system/files/documents/2023/01/010423.pdf>. It will be codified at 19 NYCRR 943.5(b).

How can we access the training?

As of January 18, 2023, COELIG will make the training available on its website at <https://ethics.ny.gov/>.

Is there a cost for the training?

No. There is no cost for this training.

What is the deadline to complete the training?

- Organizations whose lobbyist registered with COELIG on or before Jan. 18, 2023: Training must be completed by March 18, 2023.
- Organizations whose lobbyist registered with COELIG after Jan. 18, 2023: Training must be completed within 60 days of the date of registration.

How can I find out whether my organization is a NYS registered lobbyist or a client of such lobbyist?

Search COELIG's online database of registered lobbyists at <https://reports.ethics.ny.gov/publicquery>

Does COELIG's training satisfy the training requirement for NYC registered lobbyists?

No. Organizations registered as a lobbyist with the NYC Clerk's Lobbying Bureau must designate at least one officer or employee to complete NYC's own training every two years. For information about this requirement, see <https://www.cityclerk.nyc.gov/content/training/mandatory-training>.

My organization does some advocacy but is not a registered lobbyist – should we register?

An organization that spends less than \$5,000 to lobby in New York is not required to register as a lobbyist. For information about the activities that count as reportable lobbying, and about how to calculate whether an organization will meet the \$5,000 expenditure threshold, see https://lawyersalliance.org/userFiles/uploads/legal_alerts/Nonprofits_and_Lobbying_FAQ.pdf.

This alert is meant to provide general information only, not legal advice. Please contact Senior Policy Counsel Laura Abel at label@lawyersalliance.org or visit our website www.lawyersalliance.org for further information or with specific questions.

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