



## Procurement Lobbying

### Facts

**Registration and Reporting** are requirements for anyone engaged in lobbying in New York State.

In 2006, the lobbying threshold increased from **\$2,000** to **\$5,000**. Any lobbyist who reasonably anticipates exceeding \$5,000 per biennial period for reportable compensation and expenses must register with the Commission on Public Integrity.

Clients who expend more than \$5,000 of combined reportable compensation and expenses in any calendar year are required to file semi-annual reports.

Beginning in 2006, lobbying relating to **Procurement Contracts, Executive Orders and Tribal-State Agreements** are also covered by the provisions of the Lobby Act.

### What is Procurement Lobbying?

In 2006, **lobbying** or lobbying activities are defined as any attempt to influence any determination by a public official (including officers or employees of the Unified Court System), **on a state or local level** or a person or entity working in cooperation with a public official, related to a governmental procurement.

### Procurement Contract

Any contract or agreement for an Article of Procurement involving an estimated annualized expenditure in excess of **\$15,000**.

### Governmental Procurement

For the purposes of the Lobby Act, a governmental procurement begins when a governmental entity makes a determination of need relating to an article of procurement.

The determination of need is the first step in the procurement process and should be the initial entry in the procurement record (See section three: selecting a Procurement Technique, of the State Procurement Council Guidelines.)

Articles of Procurement include the following when subject to Governmental Procurement:

- Commodities
- Services
- Technology
- Public Works
- Construction
- Revenue Contracts
- Real Property, including the purchase, sale, lease, or an acquisition or granting of other interest

### When does Lobbying begin?

Lobbying activity can take place during the period beginning with the determination of need and ending with the final contract award.

### What if I need to register?

Lobbyists requirements include:

- Biennial Statement of Registration
- \$200 Registration fee (\$100 prorated for the second year of a two year period.)
- All applicable bi-monthly reports