



2022 Legislative Memo

March, 2022

Subject: [S6398](#) (Biaggi)/[A6943](#) (González-Rojas)

Position: Strongly Support

The over 110 undersigned organizations **strongly support [S6398](#) (Biaggi)/[A6943](#) (González-Rojas)** because it would alleviate the administrative burden for smaller, grassroots nonprofits to engage in the legislative advocacy process by raising the “lobbying threshold” to \$10,000.

Nonprofits Have a Legal Right to Lobby Yet Fewer Than 3% Exercise This Right

Nonprofits often represent the needs of our communities, but many nonprofits do not do legislative advocacy. **Fewer than 3% of nonprofits lobby,¹ despite having a legal and constitutional right to do so.²** In a time when New Yorkers and nonprofits face economic uncertainty, record unemployment, racial injustice, a looming eviction crisis, affordability, and other challenges, policymakers need to hear more community organizations, not less. **Nonprofit advocacy brings more voices into the policymaking process.**

New York State’s Lobbying Regulations Are Costly and Burdensome

New York State’s “lobbying threshold” is \$5,000. This means if an organization spends \$5,000 in a year doing legislative advocacy, they must register and report as a lobbyist. We want to create more space for nonprofits to have a place at the table, by raising the lobbying threshold from \$5,000 to \$10,000. [S6398](#) (Biaggi)/[A6943](#) (González-Rojas) would raise the State’s “lobbying threshold” to \$10,000. Raising the threshold will encourage more nonprofit advocacy and alleviate the administrative burden placed on grassroots organizations’ advocacy.

An organization that plans to spend \$5,000 in a year doing legislative advocacy must: register as a lobbyist and submit bi-monthly reports on their activities to the state (and city); file a minimum of 6 reports each year; and risk paying late filing fees ranging from \$75 to \$2,000 per filing. This causes many nonprofits to decide not to lobby at all - taking their voices, and the voices of their communities, out of the conversation. Reporting lobbying activity can be expensive - **big lobbyists spend upwards of \$500 a month on reporting alone.** Small nonprofits simply can’t afford that.

Nominally Raising the Lobbying Threshold Will Not Reduce Transparency

Raising the threshold will encourage more nonprofit advocacy and alleviate the administrative burden placed on grassroots organizations’ advocacy. **Lobbying filers who spent less than \$10,000 in 2020**

¹ National Council of Nonprofits. (2019). [Nonprofit Impact Matters](#).

² 26 U.S.C. § 501(c)(3)

collectively spent 1% of total spending,³ which means that **99% of all lobbyists will still have to report**, even with this higher threshold. **Raising the threshold will not compromise transparency** for professional lobbyists, or even those nonprofits that do a lot of lobbying as a part of their work. In fact, raising the threshold will allow JCOPE to use more resources to monitor lobbyists who are spending the most money (in 2018 4% of filers spent 34% (\$89 million) of total spending).

For more information, please contact Chai Jindasurat, Vice President of Policy at Nonprofit New York: cjindasurat@nonprofitnewyork.org.

Signatories

82nd Street Academics	Mount Vernon Neighborhood Health Center
ABENY	New Destiny
AE3INC	New Economy Project
American Indian Artists, Inc. (AMERINDA)	NEW Pride Agenda
ARC XVI Fort Washington, Inc.	New York City Anti-Violence Project
Asian American Arts Alliance	New York City Arts in Education Roundtable
Asian American Federation	New York Immigration Coalition
Association of Legal Aid Attorneys - UAW Local 2325	New York Public Interest Research Group (NYPIRG)
Astor Services for Children & Families	New York State Tourism Industry Association
Big Reuse	New Yorkers for Culture & Arts
Black Artist Collective	Nonprofit New York
BRC	Nonprofit Westchester
Brooklyn Defender Services	NYC Alliance Against Sexual Assault
Caribbean Equality Project	Oliver Scholars
Center for Community Alternatives, Inc.	Paul J. Cooper Human Resource, Inc.
Center for Employment Opportunities	People In Need, Inc.
Chenango Health Network	Philanthropy New York
Child Care Council of Westchester	Piatigorsky Foundation
Children's Aid	Princess Janae Place, Inc.
Children's Rights, Inc.	Sabater Foundation
Chinese-American Planning Council	Sand Hill Cemetery
Chocolate Factory Theater	South Bronx Rising Together
Citizens Union	Southwest Brooklyn Industrial Development Corporation (SBIDC)
Citymeals on Wheels	St. George Theatre Restoration
College and Community Fellowship	Staten Island Not for Profit Association

³ New York State Joint Commission on Public Ethics. (2021). Lobbying Datasets. Retrieved from <https://jcope.ny.gov/lobbying-datasets>. Filers spending less than \$10,000 spent a total of \$1.86M in 2020, compared to \$266.7 million in total spending. For major spending comparison, the top 100 spenders accounted for 3% of filers and 23% of total spending at \$61M. For more data, see the *addendum* to this memo.

Community Services with Faith Hope & Charity, Inc
Coney Island Prep
Correctional Association of New York
Dance/NYC
Dancewave
Eglise Baptiste d'expression Francaise de Mt Vermont
Equity Advocates
Faith in New York
First Steps To Heal, Inc.
Flatbush Development corporation
Gender Equality New York, Inc.
Girl Vow
Habitat for Humanity of Otsego County, Inc.
Habitat for Otsego County, Inc.
Health and Welfare Council of Long Island
Health People
Hour Children
Howl Arts, Inc.
Human Development Services of Westchester
Human Services Council
Huntspoint Alliance for Children
JMacforFamilies
José Limón Dance Foundation, Inc.
Lawyers Alliance for New York
Liberated Success, Inc.
LIFE Progressive Services Group, Inc.
Lifting Up Westchester
Literacy Assistance Center
Make the Road NY
Mission: Cure
Mixteca Organization, Inc.
Mohawk Valley Latino Association

Strong Economy For All Coalition
Support Center for Nonprofit Management
The Alliance of Resident Theatres/New York
The Bridgespan Group
The Children's Agenda
The Climate Museum
The Korean American Family Service Center
The Laundromat Project
The Local Development Corporation of Crown Heights, Inc.
The Maternity and Early Childhood Foundation
The Sex Workers Project of the Urban Justice Center
Trippinz Care, Inc.
Truth Pharm
Union Settlement
United Auto Workers Region 9A
United Community Center of Westchester, Inc.
United Neighborhood Houses
United Way of Buffalo and Erie County
United Way of New York City
United Way of the Dutchess-Orange Region
United Way of Westchester and Putnam
Unity House of Troy
Universe City NYC
Urban Green Council
Urban Pathways
UrbanGlass
Veteran In Command
Violence Intervention Program
Volunteers of Legal Service
We Run Brownsville
West Indian Day Carnival Association
Women's Empowerment Coalition of NYC

Addendum: Analysis of 202 New York State Lobbying Expenditures

	Clients that spend under \$10,000	Clients that spent \$5,000 to \$9,000	All Clients	Clients that Spent Over \$10,000	Top 100 Spenders	Top 200 Spenders
Number	476	213	3,528	3,052	100	200
% of total #	13%	6%	100%	87%	3%	7%
Total Spending	\$1,863,705	\$1,533,681	\$266,986,956	\$265,123,251	\$60,983,340	\$87,112,527
% of All Spending	0.70%	0.57%	100%	99%	23%	33%

Data from JCOPE's 2020 Annual Report Dataset for Clients (jcope.ny.gov/2020-annual-report-and-related-data).

99% of all lobbying expenditures will still be reported if the threshold is raised