

## **ANNOUNCEMENT TO LOBBYIST FILERS<sup>1</sup> REGARDING STATEMENTS OF REGISTRATION AND RETAINER AGREEMENTS**

This announcement is meant to supplement the January 26, 2011 announcement available on the City Clerk's website. You should find it helpful as you prepare your filings for the upcoming registration year.

1. **Retainer agreements**- The duration of such agreements do not have to be limited to the current calendar year but the retainer agreements submitted must cover the period of representation that falls within the current calendar year for which the related statement of registration is being filed.
  - a. If an expired retainer is submitted, you must submit an extension letter, executed by both parties, stating that all terms and conditions of the original retainer remain in full force and effect together with a copy of the expired retainer.
  
2. **Retainer dates**- The dates of representation contained in the retainer must match the dates on the statement of registration. **The "start date" is the date the lobbyist was retained/authorized to engage in lobbying activity in the City of New York.**<sup>2</sup> The start date may also be the date the retainer takes effect. It is NOT the date lobbying began (unless lobbying began prior to the lobbyist being retained). If the retainer does not explicitly state the start date, the date the retainer was signed is the date the lobbyist was retained and thus must be listed as the start date. If there is more than one date on the signature page the latest date will be deemed the start date.
  - a. If there is a discrepancy between the start dates listed on the statement of registration and the retainer agreement, you will be required to either amend the statement of registration and/or the retainer agreement.<sup>3</sup> Such amendments may result in late filing penalties and civil penalties where the start date listed on the retainer agreement is earlier than the start date on the statement of registration.
    - i. The timeliness of the statement of registration will be based on the start date in the retainer agreement.
    - ii. Filing of required periodic reports will be based on the start date in the retainer agreement (even in the absence of lobbying activity in that filing period).
  
3. **Retainer name**- The client names in the retainer agreements must match the names enrolled in e-Lobbyist. If the names do not match, you must amend the retainer agreement to include the exact name on the enrollment (assuming the enrolled name is the correct legal entity name). If the name on the enrollment is not the correct legal entity name, the client must request a name change in writing to the Lobbying Bureau. Acronyms and abbreviations will no longer be accepted. In addition, listing d/b/a, affiliate(s), and subsidiary(s) as part of the entity name will not be accepted. In the latter instance, separate statements of registration may be required.

When filing an amended retainer/extension letter, please refer to the original retainer in the amended retainer/extension letter AND submit both the original retainer and the amended retainer/extension letter.

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<sup>1</sup> The content of this announcement (except for name requirements) does not apply to lobbyist/client or client filers.

<sup>2</sup> If the end date on the retainer is later than December 31 of the year for which the statement of registration was filed or the end date is open ended, December 31 of such year will be deemed the end date.

<sup>3</sup> Failure to amend in a timely manner may subject your entity to adverse consequences.