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## MEMORANDUM

TO: Friends and Clients  
FROM: Lawyers Alliance for New York  
RE: Privacy Concerns Prevail: The City Scales Back Requirement to Disclose Names of Unemancipated Children on Lobbyist Registration Statements  
DATE: May 18, 2007

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The New York City Lobbying Act (the “Lobbying Act”) regulates “lobbying” activity, including “any attempt” to influence the passage or defeat of any local law or resolution by the city council, the approval or disapproval of any local law or resolution by the mayor, any determination made by an elected city official or an officer or employee of the city with respect to the procurement of goods, services, or construction, and other administrative agency appearances and efforts to influence decisions by New York City government of other kinds. The Lobbying Act applies to both individual lobbyists and their employers. Lobbyists and lobbying clients, including nonprofit organizations, that spend more than \$2,000 in a calendar year for the purpose of lobbying must register as lobbyists and file periodic and annual financial disclosure reports with the New York City Clerk.

On April 11, 2007 New York City Council’s Committee on Governmental Operations held a hearing to address certain changes to the Lobbying Act, including the provision that requires lobbyists to list on their lobbyist registration statements the name and contact information of their unemancipated children, as well as list the home and business address and phone numbers of their spouse or domestic partner. These disclosure requirements, which were added to the Lobbying Act effective December 10, 2006 in order to exclude individuals listed on lobbyist registration statements from participating in the City’s public finance program, have engendered significant controversy and opposition from those concerned about privacy.

In response, New York City Council passed Proposed Int. No. 502-B, but Mayor Bloomberg signed the bill into law in early May. The law eliminates the Lobbying Act’s requirement that a lobbyist must include the name and home address of his or her unemancipated child on a lobbyist annual registration statement, except in the circumstance that a campaign contribution is made in the name of the unemancipated child. Under the new law, if a campaign contribution is made to a participant in the City’s campaign finance program in the name of the unemancipated child of the lobbyist or his or her spouse or domestic partner, the lobbyist is then required to amend its registration statement within 48 hours. The information to be reported includes:

- the unemancipated child’s name and home address
- the child’s parent’s home and business address and business phone number

In addition, the new law amends the confidentiality provisions in the Lobbying Act and prohibits the New York City Clerk (the “City Clerk”) from making available for public inspection, other than by the Campaign Finance Board for purposes of administering the campaign finance program, the following information:

- home addresses of lobbyists, officers and employees of organization lobbyists listed on registration statements.
- names, home and business addresses of spouses, domestic partners and unemancipated children listed on registration statements.

These amendments are effective retroactively to December 10, 2006, which means that lobbyists were not required to include the names and home addresses of unemancipated children in their registration statements for 2007. The City Clerk plans to expunge all information on unemancipated children from the lobbyist registration statements that are already on file for this year. Lobbyists should verify that this corrective action was taken with respect to their 2007 Lobbyist Registration Statements.

***This alert is meant to provide general information only, not legal advice. The Lawyers Alliance website contains further information and details. The text of the New York City Lobbying Act can be found at: <http://nycmarriagebureau.com/LobbyingBureau/index.htm>. Please contact Senior Staff Attorney Sunita Subramanian or Staff Attorney Viva Obioha at Lawyers Alliance for New York at (212) 219-1800 for further information.***

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