



Testimony to New York State Commission on Ethics and Lobbying in Government (COELIG)

Re: Support for three bills and two policies that increase public trust in government

September 30, 2026

Good morning, members and staff of the Commission on Ethics and Lobbying in Government (COELIG). My name is Kyle Kennedy, and I am the Legislative Program Manager for Reinvent Albany. We advocate for a more transparent and accountable government in New York.

We appreciate COELIG's ongoing efforts to issue rules and act administratively to strengthen ethics and transparency. We are also glad to see several bills from your legislative agenda pass this session or be enacted in the state budget, and we urge the Governor to sign the bills that are still on her desk. These bills do a number of helpful things, including publishing [candidate financial disclosures](#), improving lobbyist [training compliance](#), and [requiring electronic filing of all lobbying filings](#).

However, as everyone at COELIG knows, there is still an enormous amount of work to do to ensure New York State government has the public's trust and is free from conflicts of interest and the pervasive influence of big money special interests.

Today, we urge you to add three already active bills to your next legislative agenda:

1. [S4197-A \(Gounardes\) / A6201-A \(Kelles\)](#) - Codifies harassment and discrimination in the code of ethics. This bill has sponsors in both houses, is consistent with your goals, and has a good chance of advancing with your support.
2. [S9577-B \(Mayer\) / A9559 \(Rajkumar\)](#) - Requires lobbyists to disclose their support or opposition for bills when they disclose lobbying public officials.
3. [S374 \(Gianaris\) / A7456 \(McDonald\)](#) - Requires disclosing lobbying related to Senate confirmation votes.

We also urge you to call for new legislation that:

1. Requires more timely disclosure for advertisements by lobbyists on behalf of their clients.
2. Changes COELIG's voting rules to require a majority vote of appointed members, not a majority of seats.

Sadly, [public trust in government](#) is declining to historic lows. This is probably driven in part because of the egregious corruption and self-dealing by national leaders, but it is also because New Yorkers can clearly see how powerful wealthy special interests in Albany regularly steamroll the public interest. It does not have to be this way. COELIG can help restore public trust in government, brick by brick, by supporting the everyday ethics and transparency improvements we have presented here today.

Comments on Specific Recommendations and Proposals

Our comments below expand on the five legislative recommendations – three for existing bills, and two that do not yet have bills – we are making and clarify our rationale for encouraging you to support these policies.

1. [S4197-A \(Gounardes\) / A6201-A \(Kelles\)](#) - Amends State Code of Ethics to Explicitly Prohibit Harassment and Discrimination

We are glad to see COELIG supports adding sexual harassment to the NYS Code of Ethics. However, we ask COELIG to support [S4197-A / A6201-A](#) because it includes both sexual harassment and discrimination as ethics violations, and is already supported by legislators and advocates. Both harassment and discrimination are often intrinsically linked to abuses of power within the context of government, and we believe it is within the scope of COELIG's responsibilities to stem those abuses.

This is the approach taken in the rules of ethics for lawyers, which makes discriminatory conduct a ground for disbarment. We understand that inclusion of discrimination may drive more complaints to COELIG (though we note sexual harassment has already been established as an ethical violation/abuse of power in prior enforcement actions), and accordingly support increased resources for COELIG. **We urge you to add this to your legislative agenda.**

2. [S9577-B \(Mayer\) / A9559 \(Rajkumar\)](#) - Requires Lobbyists to Report Support or Opposition to Legislation

The purpose of lobbying disclosure is to give the public insight into who is trying to influence their government, and that insight is greatly diminished if the public does not know whether the lobbying was supporting or opposing a law, regulation, or other

government action. This bill would address this knowledge gap by requiring lobbyists to report the disposition of their activity in four categories:

- Support
- Support with Proposed Amendments
- Oppose
- Oppose without Proposed Amendments

This would align New York with many other states that require similar reporting from lobbyists, including Idaho, Montana, Colorado, and Nebraska. This legislation – which passed the State Senate this year – mirrors the proposed legislation we included in our [2024 testimony to you](#), and **we strongly urge you to add it to your legislative agenda.**

3. [S374 \(Gianaris\) / A7456 \(McDonald\)](#) - Discloses Lobbying Activities for Confirmation or Nomination of Persons to State Office

The State Senate is responsible for confirming appointments to some of the most powerful and influential positions in state government, including appeals court judges, agency commissioners, and MTA board members. It makes no sense that lobbying activity related to confirmation votes is not subject to disclosure, leaving the public entirely in the dark about who is trying to influence appointments to these incredibly consequential positions.

This bill closes this loophole by requiring lobbyists to report their activity related to confirmation votes. The bill was amended in 2024 to no longer be retroactive following a veto by Governor Hochul in 2023. **We urge COELIG to include this bill in its legislative agenda.**

4. Strengthen Disclosure Requirements for Lobbyist Ads

New Yorkers should be able to know who is paying for a lobbying advertisement **when they see it, not months later.**

Under the current lobbying disclosure system, there can be a substantial delay between when the public sees an advertisement intended to influence government action and when information about who paid for that advertisement becomes publicly available. In some cases, as much as six months can pass between an advertisement's first distribution and the public release of the related Source of Funding report.

That delay undermines the purpose of disclosure. By the time the public learns who funded a lobbying campaign, the advertisement may have stopped running, the public debate may have moved on, or the government decision it sought to influence may already have been made. New Yorkers seeing messages urging them to contact

elected officials or government agencies should not have to wait months to learn who is paying for those messages.

We recommend that COELIG establish stronger and more timely disclosure requirements for lobbying advertisements. Attached to our testimony is a detailed proposal modeled in part on the New York City Campaign Finance Board's (CFB) disclosure system for advertisements by independent spenders.

Below is a summary of the key points of our proposal, which builds upon the current Source of Funding disclosure framework:

- **Who Reports:** Lobbyists would report advertisements they place on behalf of clients. Clients, other than 501(c)(3) nonprofits, would disclose the sources of funding for those advertisements.
- **Reporting Thresholds:** Advertisements costing **\$10,000 or more** would trigger disclosure, as would contributions of **\$2,500 or more** used to fund them.
- **Timely Disclosure:** Reports would be filed **within one week of an advertisement's distribution**, so information is available while the lobbying campaign is still relevant.
- **Meaningful Contributor Information:** Source of Funding disclosures would include the information already required by law, along with additional information designed to trace funding back to an actual person rather than stopping at an intermediary entity.
- **On-Ad Disclaimers:** Lobbying advertisements would include a clear **"paid for by" notice** identifying the five largest contributors funding the group behind the advertisement.
- **A Public Database of Advertisements:** COELIG would create a searchable, visual database where New Yorkers could see lobbying advertisements and easily identify who paid for them, similar to the [database maintained by the CFB](#). We recognize that building and maintaining such a system would require additional resources, and we support providing COELIG with the necessary funding.

This proposal is based on a straightforward principle: **disclosure should happen while major lobbying efforts are occurring**. If an organization spends substantial sums to influence government action through advertising, New Yorkers should be able to quickly and easily see who is behind that effort. More details about this proposal, as well as a summary of practices in other states, are in the [Appendix](#).

5. Change Voting Rules to Address Vacancies

Executive Law § 94 effectively requires six votes for COELIG to take action, even when seats on the 11-member commission are vacant. The result is that every vacancy gives a smaller minority of sitting commissioners greater power to block Commission action. This is not a hypothetical problem. COELIG has operated with at least one vacancy since its creation, meaning vacancies have affected the Commission throughout its existence.

We strongly support Harassment Free NY's proposal to amend the law so that a "majority vote" means a majority of the commissioners who are currently appointed and not recused from the matter before the Commission.

This is a narrow, commonsense technical correction to a structural problem with real-world consequences. **An empty seat cannot vote, so an empty seat should not be counted when determining a majority of votes.**

Appendix: Timely Lobbying Ad Disclosure Proposal

The Problem

Currently in New York State, lobbying disclosures are filed on an annual, bi-monthly, and semi-annual basis. Lobbyists and/or the clients who hire them are required to tell the public the following:

- What they intend to lobby on in the coming year (annual statement of registration)
- What they lobbied on and who they met with over the last two months (bi-monthly reports)
- What they lobbied on and who they met with over the last six months (semi-annual reports)
- Who funded their lobbying efforts over the last six months (semi-annual Source of Funding disclosures – not required for c3 organizations, however)

This means that in order to know who is paying for major lobbying efforts by political organizations like 501(c)4s, New Yorkers may need to wait as long as six months.

Independent Expenditure vs Lobbying Reporting

Lobbying disclosures are filed far less frequently than disclosures made by Independent Expenditure (IE) committees during election season – at their most frequent, IEs must file daily reports. Additionally, other states require more frequent reporting of spending on lobbying ads (see tables on following pages). We see no reason that NYS cannot have more timely disclosure for ads that seek to influence legislation or policy-making.

Proposed Changes to NYS Lobbying Law on Lobbying Ads

- **Who reports**
 - All lobbyists, including on behalf of clients
 - For sources of funding/contributions, c4s only (c3s are currently not required to report Sources of Funding because of NYS court ruling)
- **Thresholds**
 - Expenditures - advertisements and social media buys of \$10k
 - Contributions - \$2,500+ (NYS Source of Funding threshold and aggregation rules)
- **Timing of reports**
 - Weekly (NYC IE model)
- **Contributor information detail**
 - Use current Source of Funding rules (COELIG will be making improvements to this) – goal is to get to a human donor, not shell companies
- **Database of ads**
 - COELIG should have a public-facing database of all ads ([NYC IE model](#))
 - Should include position and give COELIG discretion to correct (CFB categorizes IE positions as support/oppose/none determined, not spenders)
- **Disclaimers**
 - “Paid for by” with top 5 contributors to the group behind the ads (current WA level)

Comparison Chart: NYS Source of Funding Disclosures vs NYC IE Disclosures

Category	NYS Source of Funding Lobbying Disclosures (N.Y. Leg. Law § 1-h , 19 NYCRR 938)	NYC Independent Expenditure Disclosures (N.Y. City Charter § 1052(a)(15) , 52 RCNY ch. 14)
<i>Thresholds/ reporting triggers</i>	Spending threshold: Disclosures required if the “Lobbying Client” has \$15,000+ in total reportable lobbying expenses that are at least 3% of total expenditures. Size of contributions disclosed: Sources of funding of \$2,500 or more are reported. There are two types of Sources: “single Source” and “multiple Source.” Multiple Source is when there is a known “affiliation”: living in the same household, parent/ subsidiary orgs, local chapters of national or regional orgs, etc. Each person or entity is reported under the “multiple Source” category; this aggregates their contributions.	Spending threshold: \$1,000 or more on a particular candidate for expenditure reporting. \$5,000 or more on a particular candidate for contribution reporting. Size of contributions disclosed: Contributions of any amount from organizations. Contributions aggregating to \$1,000 or more from individuals.
<i>Timing of disclosures</i>	Semi-annual reporting: - January 15 (July - Dec) - July 15 (Jan - Jun)	Weekly in the year of the election, up until the last 14 days, when there is a reportable expenditure. In the 14 days prior to the election, disclosures are made daily, when there is a reportable expenditure made or contribution received.

Category	NYS Source of Funding Lobbying Disclosures (N.Y. Leg. Law § 1-h , 19 NYCRR 938)	NYC Independent Expenditure Disclosures (N.Y. City Charter § 1052(a)(15) , 52 RCNY ch. 14)
<i>Contributor/ donor disclosures</i>	For all Sources: • Name of the Source • Name and address of principal place of business • Date of receipt of contribution • Amount of contribution Additional reporting is required for certain entities with a “controlling interest”. • name, address and principal place of business of at least one natural person (such as an officer, director, etc) who shares or exercises discretion or control over the activities of the entity; or • the Sources of the funds contributed by the entity to the Client Filer. (Donors to the Source)	• Name • Residential address • Occupation & Employer • Business address
<i>Test for additional reporting</i>	If there is a “Controlling Interest,” • The Client Filer makes decisions or establishes policy for the entity, or vice versa • The Client Filer has authority over personnel of the entity, or vice versa • The Client Filer and entire share a majority of directors on their governing boards, a majority of executive management, or maintain bank accounts with shared signatories	If the contribution is \$50,000 or more from an organization, spenders must report the Major Funders of the organization that provided the contribution. Major Funders are defined as individuals or entities that gave the Major Contributor \$25,000 or more in the year preceding the election.

Category	NYS Source of Funding Lobbying Disclosures (N.Y. Leg. Law § 1-h, 19 NYCRR 938)	NYC Independent Expenditure Disclosures (N.Y. City Charter § 1052(a)(15), 52 RCNY ch. 14)
<i>Exemptions</i>	501c3s are not required to report sources of funding. However, if they make an in-kind contribution to a 501c4 of \$2,500 or more, that may be reportable by the 501c4. Membership dues or fees are considered Sources, but no dollar amount is required to be reported. 501c4s may request exemptions if risk of harm or harassment to sources of funding; exemptions may be for one or all sources.	Membership dues from individuals and revenue from goods and services are not reportable, nor are restricted funds that cannot be spent on municipal elections. Contributions received more than 12 months before the election in which the candidate will appear on the ballot are not reportable.

Other Jurisdictions

State	Advertising-Specific Disclosure	Source of Funding Disclosure
<i>Washington</i> RCW § 29B.50.100	All advertising/mass communications must include: • Sponsor's name and address (written comms) • Sponsor's name (radio/TV) • If the sponsor is a political committee: full name of individual or entity If comm costs \$1,000 or more: • The statement "Top Five Contributors," followed by a listing of the names of each of the five largest sources of funding of \$1,000 or more • If one of the "Top Five Contributors" listed includes a political committee, the statement "Top Three Donors to PAC Contributors," followed by a listing of the names of the three individuals or entities other than political committees making the largest aggregate contributions to political committees	Expenditures of \$500 in one month or \$1,000 over 3 months triggers registration and monthly reporting requirements. Monthly reports require disclosure of all contributors of \$25 or more.
<i>California</i> CA Govt Code § 86114, § 86116, § 86119	Issue lobbying advertisements must include "Paid for by" followed by the legal name of the person who authorized and paid for the advertisement. Any payment to influence legislative or administrative action totaling \$2,500 or more during a reporting period that was made in connection with an issue lobbying advertisement must include the identification number or the title/name of the legislative action clearly referred to in the advertisement and the position of the filer (e.g. support, oppose, etc.) A person that pays or makes enforceable promises to pay \$5,000 or more during a calendar quarter for issue lobbying advertisements shall file a report with the Secretary of State within 72 hours.	Only for lobbyist employers, not underlying sources of funding - lobbying firms must file periodic reports containing the full name, business address, and telephone number of each person who contracted with the lobbying firm for lobbying services, a description of the specific lobbying interests of the person, and the total payments, including fees and the reimbursement of expenses, received from the person for lobbying services during the reporting period.

State	Advertising-Specific Disclosure	Source of Funding Disclosure
<i>Idaho</i> Idaho Code § 74-708(3), § 74-705	Any reportable public communication must state “Paid for by [filing entity, lobbyist client, or lobbyist employer].” If the communication is made for the purpose of soliciting funds, the disclosure shall also clearly state “This is an attempt to solicit funds.”	No underlying source of funding disclosure, but there are triggers for other reporting - lobbyists must report to the secretary of state any expenditure of \$100 or more that is related to any indirect lobbying efforts within 48 hours. The report includes the name of the lobbyist making the expenditure, the name and address of the client or employer on whose behalf the expenditure was made, the financial category of the expenditure, the date of the expenditure.
<i>New Mexico</i> NM Stat. § 2-11-3, § 2-11-6	An organization of two or more persons that expends more than \$2,500 within one year that is not otherwise reported under the Lobbyist Regulation Act to conduct an advertising campaign for the purpose of lobbying shall register with the secretary of state within 48 hours. Within fifteen days after a legislative session, the organization shall report the contributions, pledges to contribute, expenditures and commitments to expend for the advertising campaign for the purpose of lobbying, including the names, addresses, employers and occupations of the contributors.	Lobbyists must file "a full disclosure of the sources of funds used for lobbying." Reports are required 3 times per year and within 48 hours of each expenditure of \$500 or more during the legislative session.
<i>Minnesota</i> Minn. Stat. § 10A.04, § 10A.067	A paid advertisement must identify the principal responsible for the advertisement with a disclaimer that includes the name and a contact method.	Twice per year, a lobbyist must report each original source of money in excess of \$500 in any year used for the purpose of lobbying, including the name, address, and employer, or, if self-employed, the occupation and principal place of business, of each payer of money in excess of \$500.

State	Advertising-Specific Disclosure	Source of Funding Disclosure
<i>Vermont</i> 2 V.S.A. § 264c	An advertisement must contain the name of any lobbyist, lobbying firm, or lobbyist employer that made an expenditure for the advertisement and language that the advertisement was paid for, or paid in part, by the lobbyist, lobbying firm, or lobbyist employer. The lobbyist must file an advertising report within 48 hours of an advertising expenditure of \$1000 or more that identifies the lobbyist/firm/employer that made the expenditure; the amount and date of the expenditure and to whom it was paid; and a brief description of the advertisement or advertising campaign.	Only requires disclosure of lobbyist employers, not underlying sources of funding.