A Place at the Table
The A Place at the Table campaign seeks to increase access for smaller, grassroots nonprofits to engage in the policymaking process. According to national data, only 3% of nonprofits lobby.\(^1\) Despite having a legal and constitutional right to lobby,\(^2\) many under-resourced organizations\(^3\) choose not to engage in permissible advocacy because they fear they are ill equipped to handle the administrative burden that comes with lobbying rules, regulations, reporting, and penalties.\(^4\) This effectively takes the voices of organizations closest to communities out of the legislative process in New York. A Place at the Table wants to expand the range of voices heard by legislators by raising the state's lobbying expenditure threshold for 501(c)(3) not-for-profits required to register as a lobbyist from $5,000 to $10,000.

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2 26 U.S.C. § 501(c)(3)
3 BIPOC-led nonprofits have less access to resources compared to white-led organizations and may be particularly burdened. The Bridgespan Group and Echoing Green. (May 2020). Racial Equity and Philanthropy: Disparities in Funding for Leaders of Color Leave Impact on the Table.
4 Joint Commission on Public Ethics. Lobbying Laws and Regulations. 19 NYCRR Part 943

In 1981, New York enacted the Lobbying Act, establishing a $1,000 expenditure threshold required for entities to register as lobbyists with the state. In 1999, the Lobbying Act established a $2,000 expenditure threshold. The lobbying expenditure threshold increased from $2,000 to $5,000 in 2006, pursuant to legislation passed in 2005. According to the sponsor’s memo, the increased expenditure threshold was intended to “reflect inflation and to require that all thresholds shall be computed cumulatively for all lobbying activities.”

The State At Least Doubled the Threshold with Each Change

The expenditure threshold was doubled to $2,000 in 1999. Seventeen years later in 2006 the threshold increased by 150% from $2,000 to $5,000. Sixteen years later, in 2022, a 150% increase in the lobbying expenditure threshold would be $12,500.

In the period since the threshold was raised, the inflation rate was approximately 45%, and the current inflation rate is at a 40 year high.

Bureau of Labor Statistics, CPI for All Urban Consumers 2006 to 2022

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5 § 1 of Ch. 1040 of 1981. N.Y Legis. Law § 1 (McKinney)
6 Ch. 2 of 1999 § 1.e. 1999 Sess. Law News of N.Y. Ch. 2 (A. 9094) (McKinney)
7 Section 5 of Ch. 1 of 2005 § 5(3)(b). N.Y. Legis. Law § 1.e (McKinney)
8 Sponsor Memo - Ch 1 of 2005. Purpose (iv)
99% of Lobbying Activity Expenditures Would Still Be Reported with a $10,000 Threshold

Based on 2020 lobbying filing data, if the state raised the threshold from $5,000 to $10,000, 99% of all expenditures would still be reported.11

Data from JCOPE’s 2020 Annual Report Dataset for Clients

<table>
<thead>
<tr>
<th></th>
<th>Filers that Spent Under $10,000</th>
<th>Filers that Spent $5,000 to $9,000</th>
<th>All Filers</th>
<th>Filers that Spent Over $10,000</th>
<th>Top 100 Spenders</th>
<th>Top 200 Spenders</th>
</tr>
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<tbody>
<tr>
<td>Number</td>
<td>476</td>
<td>213</td>
<td>3,528</td>
<td>3,052</td>
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<tr>
<td>Percent of Total Number</td>
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<td>6%</td>
<td>100%</td>
<td>87%</td>
<td>3%</td>
<td>7%</td>
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<td>Total Spending</td>
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<td>$266,986,956</td>
<td>$265,123,251</td>
<td>$60,983,340</td>
<td>$87,112,527</td>
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<tr>
<td>Percent of All Spending</td>
<td>0.70%</td>
<td>0.57%</td>
<td>100%</td>
<td>99%</td>
<td>23%</td>
<td>33%</td>
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Raising the lobbying expenditure threshold to $10,000 after sixteen years is a reasonable policy proposal. This policy would ensure policy makers hear from the full range of their constituents and create greater access for under-resourced nonprofits, without reducing transparency and oversight of lobbying activities.

**Recommendations**

- The state should enact S6398 (Biaggi)/A6943 (González-Rojas), which would raise the expenditure threshold for 501(c)(3) not-for-profits required to register as a lobbyist from $5,000 to $10,000.
- The state should enact legislation that would adjust the expenditure threshold to the Consumer Price Index, similar to the federal Lobbying Disclosure Act.12
- The state should regularly hold hearings and listening sessions on challenges for under-resourced community based organizations to engage in the policymaking process.

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12 The federal Lobbying Disclosure Act updates the expenditure threshold every four years to reflect changes in the Consumer Price Index. Lobbying Disclosure Act of 1995.