

# EXPLANATION/LAPSE SAMPLE LETTER

Revised 3.19.20

## WHEN TO USE

You may submit an explanation/lapse letter with a Statement of Registration, or Amended Statement of Registration, as applicable, if:

- the Lobbying Agreement was not executed by a Client within 15 days of the date on which the Lobbyist agreed to – or was authorized to – begin Lobbying Activity (the start date); or
- there is a ‘gap in time’ from the expiration (end date) of a Lobbying Agreement already on file with JCOPE, and the start date of a ‘new’ extended agreement.

**NOTE:** You can NOT bill and/or receive Compensation related to the unexecuted Lobbying Agreement until AFTER execution of the Lobbying Agreement by both parties has occurred.

## HOW TO REPORT

- The Contract Start Date is the date on which the Lobbyist intended to commence Lobbying Activity; not the execution date.
- Compensation is reported on the Bi-monthly Report for the period the money was owed/paid. For example: K effective 1/1/19 – 12/31/19, \$5,000 per month, executed 2/3/19.
- The Lobbyist cannot perform lobbying activities, nor can they bill and/or receive Compensation prior to 2/3/19; \$10,000 in Compensation would be reported on the January/February Bi-monthly Report (\$5,000 per month).

## SAMPLE LETTER

### [DATE]

New York State Joint Commission on Public Ethics  
540 Broadway  
Albany, New York 12207

ATTN: Lobbying Compliance

We are aware we are prohibited by law from performing any Lobbying Activity or receiving Compensation for such activities until a completed **[STATEMENT OF REGISTRATION (OR REGISTRATION AMENDMENT)]** is filed with JCOPE, which includes the filing fee (if applicable) and an executed Lobbying Agreement, or in the event a contract does not exist, a copy of a signed, written Lobbying authorization.

Accordingly, this letter confirms that no Compensation was billed and/or received, nor were any Lobbying Activities performed on behalf of **[CLIENT NAME]** until the Lobbying Agreement was executed by both parties. We are also aware we may be assessed a late filing fee if the **[STATEMENT OF REGISTRATION (OR REGISTRATION AMENDMENT)]** is not submitted to JCOPE within 10 days of billing and/or receiving Compensation, or 15 days of being retained, employed, or designated to Lobby.

### LOBBYIST NAME



NAME, TITLE

DATE

\*If the Lobbyist is retained under terms of an oral agreement, a written summary of such terms must be submitted.