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### SUMMARY of COMPLIANCE REQUIREMENTS under WASHINGTON STATE'S CHARITABLE SOLICITATIONS ACT

The following requirements may apply to **COMMERCIAL FUNDRAISERS**<sup>1</sup> that conduct activities in Washington State:

- All commercial fundraisers must register and renew annually with the Charities Program.
- Each commercial fundraiser must maintain a \$25,000 surety bond unless a bond waiver has been granted by the Charities Program.
- Any changes to the commercial fundraiser's registration information (e.g. name, address, telephone number, etc.) must be reported to the Charities Program in writing within 30 days; a *Commercial Fundraiser Amendment* form is available at <http://www.sos.wa.gov/assets/charities/CFR-Amendment.pdf>
- Commercial fundraisers soliciting contributions on behalf of charitable organizations are required to provide certain information at the point of solicitation; a summary of these disclosures is available at <http://www.sos.wa.gov/charities/DisclosureRequirements.aspx>
- Commercial fundraisers are prohibited from soliciting or receiving contributions in Washington State on behalf of one or more charitable organizations unless the following requirements are met:
  - A *Fundraising Service Contract Registration Form*, a copy of the written contract and a \$20 filing fee must be submitted to the Charities Program for each charity before fundraising activities begin. This form is available at <http://www.sos.wa.gov/charities/AllForms.aspx>
  - Each charitable organization must be currently registered with the Charities Program unless it qualifies as exempt from registration.
- Commercial fundraisers using subcontractors must ensure that the following requirements are met:
  - Each subcontracting commercial fundraiser must independently register and renew annually with the Charities Program.
  - Each subcontracting commercial fundraiser must maintain a \$25,000 surety bond, unless it has been granted a bond waiver by the Charities Program.
  - A commercial fundraiser that engages a subcontractor must include the subcontractor's financial information related to that campaign as part of the solicitation report it files with the Charities Program.
- Restrictions may apply to commercial fundraisers using the following in their names: "police", "sheriff", "firefighters", the name of a federally chartered or nationally recognized military veterans' service organization or a name that is identical to another entity.
- Commercial fundraisers cannot misrepresent: the tax deductibility of a charitable organization's donations, that the person soliciting them is a volunteer unless they are unpaid or that registration with the Charities Program is an endorsement. Commercial fundraisers are prohibited from making false misleading or deceptive statements during solicitation, placing solicitation calls before 8AM or after 9PM, and, in most cases, picking up donations by courier. A written commitment must be obtained from any person that accepts donated tickets to a fundraising event. Persons convicted of charitable solicitation crimes must not conduct solicitations.

<sup>1</sup> The definition of a "commercial fundraiser" can be found in RCW 19.09.020(5).  
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