

Charitable Solicitations Act
Summary of Changes as a Result of HB 1485, 2011 Legislative Session

The Changes Identified Below Become Effective
August 1, 2011

The amended law provides new definitions and refines existing definitions:

- Clarifies that “political” is not considered “charitable.”
- Clarifies that “general public” includes “entity.”
- “Gross Revenue” is defined.
- “Solicitation Report” is defined.

Amendments effecting registration provisions for Charitable Organizations:

- Removes the requirement that registering organizations must submit a copy of its IRS 990, 990EZ or 990PF to the Secretary of State.
- Requires organizations registering with the Secretary of State, that also file with the IRS, to follow federal provisions relating to the availability and public inspection of financial information upon request.
- Requires the governing body to review and accept the financial report submitted to the Secretary of State. Entity must also confirm the review annually via the registration document.
- Clarifies information required on Solicitation Report.
- Simplifies the Tiered Financial Reporting Requirements
- Provides a “20-day rule” for registering entities clarifying when fundraising activities may lawfully begin.
- Addresses specific items not subject to public disclosure.
- Requires organizations to notify the Secretary of State within 30 days information changes.

Amendments effecting registration provisions for Commercial Fundraisers:

- Provides a “20-day rule” for registering entities clarifying when fundraising activities may lawfully begin.
- Clarifies the criteria when a surety bond is required.
- Prohibits collection of contributions in person or by courier unless certain conditions exist.

The amended law authorizes the Secretary of State to:

- Send renewal or other notices by electronic mail.
- Request books, records, contracts, financial statements and supporting records from registering entities.
- Publish information to the public regarding unregistered entities.