

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 456 Session of 2011

INTRODUCED BY PETRI, CALTAGIRONE, DENLINGER, FLECK, GEIST,
GIBBONS, HENNESSEY, HESS, MARSICO, MOUL, MURT, RAPP,
READSHAW, K. SMITH AND WAGNER, FEBRUARY 4, 2011

REFERRED TO COMMITTEE ON FINANCE, FEBRUARY 4, 2011

AN ACT

1 Amending the act of December 19, 1990 (P.L.1200, No.202),
2 entitled "An act providing for the registration and
3 regulation of solicitations by charitable organizations,
4 professional fundraisers and other solicitors; imposing
5 additional powers on the Department of State and the Office
6 of Attorney General; prescribing civil and criminal
7 penalties; and making a repeal," defining "youth athletic
8 organization"; and providing for exemptions.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Section 3 of the act of December 19, 1990 (P.L.
12 1200, No.202), known as the Solicitation of Funds for Charitable
13 Purposes Act, is amended by adding a definition to read:

14 Section 3. Definitions.

15 The following words and phrases when used in this act shall
16 have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 * * *

19 "Youth athletic organization." Any organization composed
20 mainly of youth and organized for the purpose of promoting

1 healthy competition in a sport.

2 Section 2. The act is amended by adding a section to read:

3 Section 15.1. Exemptions from this act.

4 (a) General rule.--If all fundraising activities of an
5 organization or association under paragraph (1) or (2) are
6 performed by volunteers, members of an auxiliary or affiliate
7 thereof, and the volunteers, members and affiliates receive no
8 compensation, directly or indirectly, for the fundraising
9 activities, the following charitable organizations shall be
10 exempt from the requirements of this act except as set forth in
11 subsection (b):

12 (1) A bona fide organization of volunteer firemen.

13 (2) A bona fide youth athletic organization.

14 (b) Use of professional fundraiser.--If the charitable
15 organization that uses a professional solicitor or professional
16 fundraising counsel to act on the charitable organization's
17 behalf, the exemption provided under subsection (a) does not
18 apply, except that the written notice prescribed under sections
19 9(k) and 13(c) shall not be required.

20 Section 3. This act shall take effect immediately.