

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 390 Session of 2017

INTRODUCED BY SCHEMEL, DUNBAR, GILLEN, A. HARRIS, KAUFFMAN, ORTITAY, RADER, RYAN, WARD AND ZIMMERMAN, FEBRUARY 7, 2017

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 7, 2017

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," further providing for
 8 registration of charitable organizations, financial reports,
 9 fees and failure to file, for exemptions from registration
 10 and for short form registration.

11 The General Assembly of the Commonwealth of Pennsylvania
 12 hereby enacts as follows:

13 Section 1. Sections 5(p), 6(a)(8) and 7(a)(3) of the act of
 14 December 19, 1990 (P.L.1200, No.202), known as the Solicitation
 15 of Funds for Charitable Purposes Act, are amended to read:

16 Section 5. Registration of charitable organizations; financial
 17 reports; fees; failure to file.

18 * * *

19 (p) Annual registration fees.--A charitable organization
 20 which submits a short form registration statement pursuant to
 21 section 7 or receives contributions of [\$25,000] \$50,000 or less
 22 during the immediately preceding fiscal year shall pay an annual

1 registration fee of \$15. A charitable organization which
2 receives contributions in excess of [\$25,000] \$50,000 but less
3 than \$100,000 during the immediately preceding fiscal year shall
4 pay an annual registration fee of \$100. A charitable
5 organization which receives contributions in excess of \$100,000
6 but not exceeding \$500,000 during the immediately preceding
7 fiscal year shall pay an annual registration fee of \$150. A
8 charitable organization which receives contributions in excess
9 of \$500,000 during the immediately preceding fiscal year shall
10 pay an annual registration fee of \$250. A parent organization
11 filing on behalf of one or more affiliates and a federated
12 fundraising organization filing on behalf of its member agencies
13 shall pay a single annual registration fee for itself and such
14 other affiliates or member agencies included in the registration
15 statement.

16 * * *

17 Section 6. Exemptions from registration.

18 (a) General rule.--The following charitable organizations
19 shall be exempt from the registration requirements of this act:

20 * * *

21 (8) Any charitable organization which receives
22 contributions of [\$25,000] \$50,000 or less annually, provided
23 that such organization does not compensate any person who
24 conducts solicitations. Charitable organizations which
25 receive more than [\$25,000] \$50,000 in contributions shall
26 file the appropriate registration statement within 30 days
27 after the contributions are received.

28 * * *

29 Section 7. Short form registration.

30 (a) Organizations required to file.--The following

1 charitable organizations shall be required to file short form
2 annual registration statements with the department in lieu of
3 the registration statement required by section 5:

4 * * *

5 (3) Charitable organizations whose fundraising
6 activities are carried on by volunteers, members, officers or
7 permanent employees and which do not receive contributions in
8 excess of [~~\$25,000~~] \$50,000 during a fiscal year, if no part
9 of their assets or income inures to the benefit of or is paid
10 to any officer or member, professional fundraising counsel,
11 professional solicitor or commercial coventurer. Charitable
12 organizations which do not intend to solicit and receive in
13 excess of [~~\$25,000~~] \$50,000, but do receive contributions in
14 excess of that amount shall file the financial report
15 required in section 5 within 30 days after contributions are
16 received in excess of that amount.

17 * * *

18 Section 2. This act shall take effect in 60 days.