
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1421 Session of
2017

INTRODUCED BY GREINER, RYAN, LONGIETTI, PICKETT, MILLARD,
MENTZER, B. MILLER, WARD, SAINATO, NEILSON, DUNBAR,
ZIMMERMAN, WHEELAND AND MAHER, MAY 19, 2017

REFERRED TO COMMITTEE ON FINANCE, MAY 19, 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 registration of professional
10 fundraising counsel and contracts and for registration of
11 professional solicitors, contract and disclosure
12 requirements, bonds, records and books.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Sections 5(a), (k) and (r), 8(c) and 9(d) of the
16 act of December 19, 1990 (P.L.1200, No.202), known as the
17 Solicitation of Funds for Charitable Purposes Act, are amended
18 to read:

19 Section 5. Registration of charitable organizations; financial
20 reports; fees; failure to file.

21 (a) Registration and approval required.--A charitable
22 organization, unless exempted from registration requirements

1 pursuant to section 6, shall file a registration statement with
2 the department. This statement must be refiled annually and
3 postmarked by the fifteenth day of the fifth month following the
4 close of its fiscal year in which the charitable organization
5 was engaged in solicitation activities. The department shall
6 review the statement pursuant to subsection (r). No charitable
7 organization shall solicit contributions or have contributions
8 solicited in its behalf before approval of its registration
9 statement by the department.

10 * * *

11 (k) Time extension for filings.--For good cause shown, the
12 department may extend the time for the annual filing of a
13 registration statement or financial report to a mailing date not
14 to exceed the fifteenth day of the eleventh month following the
15 close of the fiscal year during which time the previous
16 registration remains in effect.

17 * * *

18 (r) Department review.--The department shall examine each
19 registration statement and supporting documents filed by a
20 charitable organization and shall determine whether the
21 registration requirements are satisfied. If the department
22 determines that the registration requirements are not satisfied,
23 the department must notify the charitable organization within
24 [ten] 15 working days of its receipt of the registration
25 statement; otherwise the registration statement is deemed to be
26 approved. Within [seven] 15 days after receipt of a notification
27 that the registration requirements are not satisfied, the
28 charitable organization may request a hearing. The hearing must
29 be held within [seven] 15 days of receipt of the request, and a
30 determination must be rendered within three working days of the

1 hearing.

2 * * *

3 Section 8. Registration of professional fundraising counsel and
4 contracts.

5 * * *

6 (c) Department review of registration statement.--The
7 department shall examine each registration statement and
8 supporting documents filed by a professional fundraising counsel
9 and shall determine whether the registration requirements are
10 satisfied. If the department determines that the registration
11 requirements are not satisfied, the department must notify the
12 professional fundraising counsel within [ten] 15 working days of
13 its receipt of its registration statement; otherwise the
14 registration statement is deemed to be approved. Within [seven]
15 15 days after receipt of a notification that the registration
16 requirements are not satisfied, the professional fundraising
17 counsel may request a hearing. The hearing must be held within
18 [seven] 15 days of receipt of the request, and a determination
19 must be rendered within three working days of the hearing.

20 * * *

21 Section 9. Registration of professional solicitors; contract
22 and disclosure requirements; bonds; records; books.

23 * * *

24 (d) Department review of registration statement.--The
25 department shall examine each registration statement and
26 supporting documents filed by a professional solicitor and shall
27 determine whether the registration requirements are satisfied.
28 If the department determines that registration requirements are
29 not satisfied, the department must notify the professional
30 solicitor within [ten] 15 working days of its receipt of its

1 registration statement; otherwise the registration statement is
2 deemed to be approved. Within [seven] 15 days after receipt of a
3 notification that the regulation requirements are not satisfied,
4 the professional solicitor may request a hearing. The hearing
5 must be held within [seven] 15 days of receipt of the request,
6 and a determination must be rendered within three working days
7 of the hearing.

8 * * *

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