



Senate of Pennsylvania

APR 20 2012

April 20, 2012

TO: ALL SENATORS

FROM: Stewart J. Greenleaf *Stewart*

SUBJECT: Cosponsorship – **Charities Code**

I am introducing legislation amending Title 10 (Charities) of the Pennsylvania Consolidated Statutes, consolidating the Solicitation of Funds for Charitable Purposes Act and the Institutions of Purely Public Charity Act. Title 10 will be known as the Charities Code.

Chapter 13 of Title 10 encompasses the provisions relating to the solicitation of funds for charitable purposes. The chapter requires the proper registration of charitable organizations, professional fundraisers and professional solicitors. It protects the residents of Pennsylvania by requiring full public disclosure of the identity of persons who solicit contributions from the public, the purposes for which the contributions are solicited, and the manner in which the contributions are actually used.

Chapter 23 of Title 10 incorporates the provisions relating to institutions of purely public charity. The purpose of the chapter is to eliminate any inconsistent application of eligibility standards for charitable tax exemptions, reduce confusion and confrontation among traditionally tax-exempt institutions and political subdivisions, and by providing standards to be applied uniformly in all proceedings throughout Pennsylvania, ensure that charitable and public funds are not unnecessarily diverted from the public good to litigate eligibility for tax-exempt status.

In order to effectuate the consolidation of these provisions in Title 10, the legislation repeals the Solicitation of Funds for Charitable Purposes Act (1990 Act 202) and the Institutions of Purely Public Charity Act (1997 Act 55). While the underlying statutes for these provisions will be repealed in favor of the new consolidated provisions, no substantive changes in law are intended.

Pennsylvania remains the only state that has not completely consolidated its statutes. I believe that it is important to bring our statutes together in a concise and coordinated fashion. The use of a consistent style and common definitions for words and phrases makes the law more readable. It is easier for the public to access a well-organized and written body of statutory law.

It is not the intent of this consolidation to make revisions to the law other than the editorial changes needed to conform to the style of the consolidated statutes. By bringing the laws together that deal with one particular subject, in this case charities, the law is easier to research, read and understand. In the future, if there are substantive changes to this area of law, they can be made to one title instead various statutes.

If you would like to cosponsor this legislation, please contact Pat Snively of my office by e-mailing her at psnively@pasen.gov.