
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2358 Session of
2015

INTRODUCED BY ENGLISH, FEE, MILLARD AND D. COSTA,
SEPTEMBER 22, 2016

REFERRED TO COMMITTEE ON FINANCE, SEPTEMBER 22, 2016

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 professional solicitors, contract and
9 disclosure requirements, bonds, records and books and for
10 limitation on activities of charitable organizations and
11 disclosure requirements.

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

14 Section 1. Section 9(h) of the act of December 19, 1990
15 (P.L.1200, No.202), known as the Solicitation of Funds for
16 Charitable Purposes Act, is amended by adding paragraphs and the
17 section is amended by adding a subsection to read:

18 Section 9. Registration of professional solicitors; contract
19 and disclosure requirements; bonds; records; books.

20 * * *

21 (h) Required disclosures.--Prior to orally requesting a
22 contribution or contemporaneously with a written request for a

1 contribution, a professional solicitor shall be responsible for
2 clearly and conspicuously disclosing:

3 * * *

4 (4) A statement of the percentage of total contributions
5 received and retained by the charitable organization during
6 the previous calendar year that was expended by the
7 organization for charitable purposes.

8 (5) A statement of the guaranteed minimum percentage of
9 the gross receipts from contributions that will be remitted
10 to or retained by the charitable organization for the
11 solicitation campaign.

12 (6) A statement of the percentage of the gross revenue
13 that the professional solicitor will be compensated for the
14 solicitation campaign or a reasonable estimate thereof as
15 provided in the written contract for the campaign.

16 (h.1) Required disclosure for oral requests for
17 contributions.--In addition to making the disclosures required
18 under subsection (h), an individual who acts on behalf of a
19 professional solicitor and intends to orally request a
20 contribution shall, prior to making the request, disclose that
21 the individual is not a volunteer but is compensated by the
22 professional solicitor.

23 * * *

24 Section 2. Section 13(b) of the act is amended by adding
25 paragraphs to read:

26 Section 13. Limitation on activities of charitable
27 organizations; disclosure requirements.

28 * * *

29 (b) Solicitation disclosures.--A charitable organization
30 soliciting in this Commonwealth shall include all of the

1 following disclosures at the point of solicitation:

2 * * *

3 (5) The percentage of total contributions received by
4 the charitable organization during the previous calendar year
5 that was expended by the organization for charitable
6 purposes.

7 (6) If the request is an oral request for contributions,
8 a statement as to whether the representative making the
9 request is a volunteer, a paid employee of the organization
10 or a representative of a professional solicitor.

11 * * *

12 Section 3. This act shall take effect in 60 days.