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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 769 Session of  
2019

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INTRODUCED BY DeLUCA, McNEILL, HILL-EVANS, MILLARD, MURT,  
PICKETT, SAMUELSON, BOBACK, NEILSON AND JAMES, MARCH 11, 2019

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 11, 2019

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

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

14 Section 1. Section 3 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 a definition to  
17 read:

18 Section 3. Definitions.

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

22 \* \* \*

1 "Total operating expenses." The costs related to the  
2 provision of goods or services associated with the charitable  
3 organization's charitable purpose, as determined in accordance  
4 with generally accepted accounting principles applicable to the  
5 charitable organization.

6 Section 2. Sections 9(h) and 13(b) of the act are amended by  
7 adding paragraphs to read:

8 Section 9. Registration of professional solicitors; contract  
9 and disclosure requirements; bonds; records;  
10 books.

11 \* \* \*

12 (h) Required disclosures.--Prior to orally requesting a  
13 contribution or contemporaneously with a written request for a  
14 contribution, a professional solicitor shall be responsible for  
15 clearly and conspicuously disclosing:

16 \* \* \*

17 (4) The percentage of the charitable organization's  
18 funds received from solicitations or other fundraising  
19 activities that are used by the charitable organization for  
20 its total operating expenses.

21 \* \* \*

22 Section 13. Limitation on activities of charitable  
23 organizations; disclosure requirements.

24 \* \* \*

25 (b) Solicitation disclosures.--A charitable organization  
26 soliciting in this Commonwealth shall include all of the  
27 following disclosures at the point of solicitation:

28 \* \* \*

29 (5) The percentage of the charitable organization's  
30 funds received from solicitations or other fundraising

1 activities that are used by the charitable organization for  
2 its total operating expenses.

3 \* \* \*

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