

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1026 Session of
2021

INTRODUCED BY SCHEMEL, ECKER, FREEMAN, GREINER, HILL-EVANS,
JOZWIAK, KAUFFMAN, KEEFER, McNEILL, MOUL, NEILSON, RABB, RYAN
AND ZIMMERMAN, MARCH 26, 2021

REFERRED TO COMMITTEE ON FINANCE, MARCH 26, 2021

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

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

17 * * *

18 Section 6. Exemptions from registration.

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

21 * * *

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

29 * * *

30 Section 7. Short form registration.

1 (a) Organizations required to file.--The following
2 charitable organizations shall be required to file short form
3 annual registration statements with the department in lieu of
4 the registration statement required by section 5:

5 * * *

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

18 * * *

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