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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1421 Session of  
2017

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

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REFERRED TO COMMITTEE ON FINANCE, MAY 19, 2017

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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 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.