

1 AN ACT relating to charities.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 386 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) Absent the showing of a compelling state interest, a state agency or state official*
6 *shall not impose any filing or reporting requirements that are more burdensome*
7 *than the requirements authorized by the Kentucky Revised Statutes on an*
8 *organization that is determined to be a:*

9 *(a) Private foundation as defined in Section 509 of the Internal Revenue Code;*

10 *or*

11 *(b) Charitable trust governed by the provisions of KRS 386.350 to 386.365.*

12 *(2) The restrictions on filing and reporting in subsection (1) of this section do not*
13 *apply in the case of the state's direct spending programs, state grants, state*
14 *contracts, or enforcement of criminal law against specific nonprofit*
15 *organizations.*

16 *(3) Nothing in this section may be construed to limit or restrict the powers, duties,*
17 *remedies, or penalties available to the Attorney General, the Commonwealth of*
18 *Kentucky, or any private person under any other provision of statutory or*
19 *common law.*

20 ➔Section 2. This Act may be cited as the Nonprofit Protection Act.

21 ➔Section 3. This Act takes effect August 1, 2022.