

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 578 Session of 2017

INTRODUCED BY TOBASH, FEBRUARY 23, 2017

REFERRED TO COMMITTEE ON FINANCE, FEBRUARY 23, 2017

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.

10 The General Assembly of the Commonwealth of Pennsylvania  
 11 hereby enacts as follows:

12 Section 1. Section 5(a), (b)(6) and (k) of the act of  
 13 December 19, 1990 (P.L.1200, No.202), known as the Solicitation  
 14 of Funds for Charitable Purposes Act, are amended to read:

15 Section 5. Registration of charitable organizations; financial  
 16 reports; fees; failure to file.

17 (a) Registration and approval required.--A charitable  
 18 organization, unless exempted from registration requirements  
 19 pursuant to section 6, shall file a registration statement with  
 20 the department. This statement must be [refiled] postmarked  
 21 annually by the fifteenth day of the fifth month following the  
 22 close of its fiscal year in which the charitable organization

1 was engaged in solicitation activities. The department shall  
2 review the statement pursuant to subsection (r). No charitable  
3 organization shall solicit contributions or have contributions  
4 solicited in its behalf before approval of its registration  
5 statement by the department.

6 (b) Filing of statement.--It shall be the duty of the  
7 president, chairman or principal officer of each charitable  
8 organization to file the registration statement, financial  
9 report and fee required under this section. The registration  
10 statement shall be made by two authorized officers subject to 18  
11 Pa.C.S. § 4904 (relating to unsworn falsification to  
12 authorities), including the chief fiscal officer of the  
13 organization, and shall contain all of the following  
14 information:

15 \* \* \*

16 (6) A copy of any determination of the organization's  
17 tax-exempt status under the Internal Revenue Code of 1986  
18 (Public Law 99-514) and, for organizations granted tax-exempt  
19 status under section 501(c)(3), a copy of the last filed  
20 Internal Revenue Service Form 990 and [Schedule A] all filed  
21 schedules for every charitable organization and parent  
22 organization.

23 \* \* \*

24 (k) Time extension for filings.--For good cause shown, the  
25 department may extend the time for the annual filing of a  
26 registration statement or financial report to a mailing date not  
27 to exceed the fifteenth day of the eleventh month following the  
28 close of the fiscal year during which time the previous  
29 registration remains in effect.

30 \* \* \*

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