STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

SENATE BILL NO. 493 BY: BROWN

AS INTRODUCED

AN ACT RELATING TO STATE GOVERNMENT; AMENDING SECTION 9, CHAPTER 142, O.S.L. 1989, AS AMENDED BY SECTION 4, CHAPTER 291, O.S.L. 1990 (74 O.S. SUPP. 1990, SECTION 7009), WHICH RELATES TO QUALIFICATIONS FOR PARTICIPATING IN OKLAHOMA STATE EMPLOYEE CHARITABLE CONTRIBUTION CAMPAIGN; MODIFYING QUALIFICATIONS; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 9, Chapter 142, O.S.L. 1989, as amended by Section 4, Chapter 291, O.S.L. 1990 (74 O.S. Supp. 1990, Section 7009), is amended to read as follows:

Section 7009. A. Participation in the Oklahoma State Employee Charitable Contribution Campaign shall be limited to voluntary, charitable, health and welfare agencies that provide or support direct health and welfare services to individuals or their families and meet the criteria set out in this section. Such health and welfare services must be available to state employees, unless they are rendered to needy persons overseas. Such services must directly benefit human beings, whether children, youth, adults, the aged, the ill and infirm, or the mentally or physically handicapped. Such services must consist of care, research or education in the fields

of human health or social adjustment and rehabilitation; relief for victims of natural disasters and other emergencies; or assistance to those who are impoverished and, therefore, in need of food, shelter, clothing and basic human welfare services.

B. For the purposes of the Oklahoma State Employee Charitable Contribution Campaign, basic human welfare service shall not include:

1. Organizations whose primary purpose is the direct or indirect support of institutions of higher education;

~~2. Organizations engaging in litigation activities on behalf of parties other than themselves;~~

~~3.~~ 2. Lobbying; and

~~4.~~ 3. Religious activities.

C. To be included in the Oklahoma State Employee Charitable Contribution Campaign, a voluntary charitable agency, in addition to meeting the other requirements set forth in this section, shall:

1. Be a nonprofit, tax exempt charitable organization and submit to the participating federation a 501(c)(3) exemption from the Internal Revenue Service;

2. Be incorporated or authorized to do business in this state as a private, nonprofit organization;

3. Secure, annually, a license from the Oklahoma Tax Commission to raise funds in this state;

4. Submit to the participating federation an audit of the agency, conducted by an accounting firm or individual holding a permit to practice public accounting in this state according to the generally accepted standards of accounting for nonprofit organizations; and

5. Submit to the participating federation a copy of the annual form 990.

D. Applications to the Oklahoma State Employee Charitable Contribution Campaign shall be submitted to the State Agency Review

Committee from local federations which shall include United Ways, United Funds, Combined Health Appeals, International Social Service Agencies and any other local federation consisting of at least five local agencies which meet the requirements of this section. Each federation shall certify the application for its member agencies and shall give state charitable agencies precedence over national agencies if both qualify for the charitable contribution campaign. Applications from individual agencies shall not be accepted. Applications shall be postmarked on or before May 1 to be considered for eligibility in the current year's charitable contribution campaign.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-1-587 JY