



1 approved by that office. At the time of registration, each  
2 charitable organization, except as otherwise provided in this  
3 section, shall pay a fee of Sixty-five Dollars (\$65.00). The first  
4 Fifteen Dollars (\$15.00) of the fee shall be deposited to the credit  
5 of the General Revenue Fund of the State Treasury. Thirty-four  
6 Dollars (\$34.00) of the fee shall be deposited to the credit of the  
7 Attorney General Charitable Solicitations Enforcement Revolving Fund  
8 and the remaining Sixteen Dollars (\$16.00) shall be deposited to the  
9 credit of the Secretary of State Charitable Solicitations Revolving  
10 Fund. Provided, a charitable organization whose contributions  
11 during the previous registration period did not exceed Ten Thousand  
12 Dollars (\$10,000.00) or if this is the charitable organization's  
13 first registration period and the anticipated contributions for the  
14 current registration period are not expected to exceed Ten Thousand  
15 Dollars (\$10,000.00), shall pay a fee of Fifteen Dollars (\$15.00) of  
16 which Ten Dollars (\$10.00) shall be deposited to the credit of the  
17 Attorney General Charitable Solicitations Enforcement Revolving Fund  
18 and the remaining Five Dollars (\$5.00) shall be deposited to the  
19 credit of the Secretary of State Charitable Solicitations Revolving  
20 Fund. Each charitable organization that is required to register  
21 under this act, shall register annually with the Secretary of State  
22 by the date that the charitable organization files its Form 990 or  
23 by the date, plus extensions, that it is required to file its Form

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1 990, whichever occurs first. Registration shall not be deemed to  
2 constitute an endorsement by the state or by the Secretary of State  
3 of any charitable organization or the proposed uses of the funds  
4 solicited. The information so filed shall be available to the  
5 general public. The charitable organization shall provide the  
6 following information on the required forms:

7 1. The legal name of the charitable organization, any trade  
8 names that the charitable organization uses, any other name the  
9 organization may be identified or known as, and any distinctive  
10 names the organization uses for purposes of solicitation of  
11 contributions;

12 2. The mailing address of the charitable organization;

13 3. The name and mailing address of:

- 14 a. each officer, director, trustee, and/or equivalent, and  
15 b. each salaried executive employee of the charitable  
16 organization;

17 4. The name and mailing address of:

- 18 a. each professional fundraiser or professional solicitor  
19 that will have custody of the contributions, and  
20 b. each person associated with a professional fundraiser,  
21 professional solicitor or charitable organization that  
22 is directly responsible for the payment and  
23 distribution of funds collected;

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1 5. The name and mailing address of each professional  
2 fundraising counsel utilized by the charitable organization;

3 6. For charitable organizations that register for the first  
4 time, a statement of whether or not the charitable organization  
5 believes contributions for the first year of registration will  
6 exceed Ten Thousand Dollars (\$10,000.00);

7 7. The purposes for which the contributions solicited are to be  
8 used;

9 8. ~~A copy of Form 990 as filed by the charitable organization~~  
10 ~~for the most recently completed fiscal year; or, for~~ For the initial  
11 registration of a newly formed charitable organization, a copy of a  
12 letter from the Internal Revenue Service, or other evidence, showing  
13 that such organization is exempt from federal income taxation; or,  
14 for a charitable organization that has not applied for federal  
15 income tax exemption with the Internal Revenue Service or is not  
16 required to apply for federal income tax exemption, evidence showing  
17 that said charitable organization is organized in any state or  
18 jurisdiction as a not-for-profit entity;

19 9. An identification of the period of time or periods during  
20 which solicitations are to be conducted, which may be specific  
21 periods, estimated or projected time frames, or continuous, and  
22 which may involve different periods for different types of  
23 solicitations by the same charitable organization;

1 10. An identification of the specific method or methods of  
2 solicitation utilized by the charitable organization and its agents;

3 11. Whether the solicitation is to be conducted by the  
4 following for or on behalf of the charitable organization:  
5 professional fundraisers, employees or volunteers of the charitable  
6 organization, and/or others; and

7 12. If the solicitation is to be conducted in whole or in part  
8 by professional fundraisers, the names and addresses of each  
9 professional fundraiser involved in the solicitation; the basis of  
10 payment or other consideration payable to each professional  
11 fundraiser and the nature of the arrangements between the charitable  
12 organization and each professional fundraiser, the specific amount,  
13 formula or percentage of compensation, or property of any kind or  
14 value to be paid or provided to each professional fundraiser; and if  
15 payment is based on a percentage, the amount of compensation as a  
16 percentage of the total contributions received, and the net amount  
17 of the total contributions received (total contributions received,  
18 less expenses of solicitation other than amounts payable to any  
19 professional fundraiser).

20 B. In addition to the required information in subsection A of  
21 this section, every charitable organization subject to the  
22 provisions of the Oklahoma Solicitation of Charitable Contributions  
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1 Act that has solicited contributions during the previous fiscal year  
2 shall provide the following information:

3 1. The gross amount of the contributions, gifts, grants and  
4 other similar amounts received by the charitable organization;

5 2. The total Program Service Expenses of the charitable  
6 organization;

7 3. The total Management and General Expenses of the charitable  
8 organization;

9 4. The total Fundraising Expenses of the charitable  
10 organization; and

11 5. The aggregate amount paid, or payable, to professional  
12 fundraisers and professional fundraising counsel.

13 C. Any registration form required to be filed under this  
14 section shall be executed by signature, without more, of the person  
15 or persons signing the form, in which case the signature or  
16 signatures shall constitute the affirmation of the signatory, under  
17 penalty of perjury, that the signature is that person's act and deed  
18 or the act and deed of the organization, and that the facts stated  
19 therein are true.

20 D. If a charitable organization that is registered with the  
21 Secretary of State to solicit contributions in this state changes  
22 its name or the mailing address of its principal office, or plans to  
23 engage in the solicitation of contributions using a name that is not  
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1 listed on its registration form, then it shall, prior to soliciting  
2 any funds in this state using any such name, file with the Secretary  
3 of State a statement executed by an authorized officer of the  
4 organization setting forth any new name and mailing address along  
5 with a fee of Twenty-five Dollars (\$25.00). Such fee shall be  
6 deposited to the credit of the General Revenue Fund of the State  
7 Treasury.

8 E. Any fraternal or membership organization not based in  
9 Oklahoma which solicits contributions from any person of this state  
10 by telephone, or contracts with professional fundraisers to solicit  
11 such contributions, shall be required to have at least one member or  
12 employee of the fraternal or membership organization residing within  
13 the county where the call is received.

14 SECTION 2. This act shall become effective November 1, 2013.

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16 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 03/19/2013 - DO  
17 PASS.

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