

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1175

By: Stark

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5
6 AS INTRODUCED

7 An Act relating to charitable organizations; amending
8 18 O.S. 2021, Section 552.3, which relates to
9 registration under the Oklahoma Solicitation of
Charitable Contributions Act; modifying fees; and
providing an effective date.

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

13 SECTION 1. AMENDATORY 18 O.S. 2021, Section 552.3, is
14 amended to read as follows:

15 Section 552.3. A. No charitable organization that is either
16 located within this state or that is soliciting contributions from
17 any person in this state, except those specifically exempt under
18 Section 552.4 of this title, shall solicit contributions until the
19 charitable organization shall have registered with the Office of the
20 Secretary of State and filed information, as required by the
21 Oklahoma Solicitation of Charitable Contributions Act, on forms
22 approved by that office. At the time of registration, each
23 charitable organization, except as otherwise provided in this
24 section, shall pay a fee of ~~Sixty-five Dollars (\$65.00)~~ Forty

1 Dollars (\$40.00). ~~The first Fifteen Dollars (\$15.00) of the fee~~
2 ~~shall be deposited to the credit of the General Revenue Fund of the~~
3 ~~State Treasury. Thirty-four Dollars (\$34.00)~~ Twenty-five Dollars
4 (\$25.00) of the fee shall be deposited to the credit of the Attorney
5 General Charitable Solicitations Enforcement Revolving Fund and the
6 remaining ~~Sixteen Dollars (\$16.00)~~ Fifteen Dollars (\$15.00) shall be
7 deposited to the credit of the Secretary of State Charitable
8 Solicitations Revolving Fund. Provided, a charitable organization
9 whose contributions during the previous registration period did not
10 exceed Ten Thousand Dollars (\$10,000.00) or if this is the
11 charitable organization's first registration period and the
12 anticipated contributions for the current registration period are
13 not expected to exceed Ten Thousand Dollars (\$10,000.00), shall pay
14 a fee of Fifteen Dollars (\$15.00) of which Ten Dollars (\$10.00)
15 shall be deposited to the credit of the Attorney General Charitable
16 Solicitations Enforcement Revolving Fund and the remaining Five
17 Dollars (\$5.00) shall be deposited to the credit of the Secretary of
18 State Charitable Solicitations Revolving Fund. Each charitable
19 organization that is required to register under this act shall
20 register annually with the Secretary of State by the date that the
21 charitable organization files its Form 990 or by the date, plus
22 extensions, that it is required to file its Form 990, whichever
23 occurs first. Registration shall not be deemed to constitute an
24 endorsement by the state or by the Secretary of State of any

1 charitable organization or the proposed uses of the funds solicited.
2 The information so filed shall be available to the general public.
3 The charitable organization shall provide the following information
4 on the required forms:

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

10 2. The mailing address of the charitable organization;

11 3. The name and mailing address of:

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

15 4. The name and mailing address of:

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

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

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

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

7 8. For the initial registration of a newly formed charitable
8 organization, a copy of a letter from the Internal Revenue Service,
9 or other evidence, showing that such organization is exempt from
10 federal income taxation; or, for a charitable organization that has
11 not applied for federal income tax exemption with the Internal
12 Revenue Service or is not required to apply for federal income tax
13 exemption, evidence showing that said charitable organization is
14 organized in any state or jurisdiction as a not-for-profit entity;

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

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

22 11. Whether the solicitation is to be conducted by the
23 following for or on behalf of the charitable organization:
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1 professional fundraisers, employees or volunteers of the charitable
2 organization, and/or others; and

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

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

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

23 2. The total Program Service Expenses of the charitable
24 organization;

1 3. The total Management and General Expenses of the charitable
2 organization;

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

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

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

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

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

9 SECTION 2. This act shall become effective November 1, 2025.

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11 60-1-10855 AQH 12/11/24
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