

30 **9-6-603. Duties of office.**

31 The office shall:

32 (1) recommend to the Museum Services Advisory Board:

33 (a) policies regarding:

34 (i) a grants program; and

35 (ii) the equitable dissemination of office technical assistance; and

36 (b) guidelines for determining eligibility for office grants;

37 (2) advise state and local government agencies and employees regarding museum

38 related issues, including museum capital development projects;

39 (3) provide to Utah museums technical advice and information about sources of direct
40 technical assistance;

41 (4) assist and advise Utah museums in locating sources of training for their museum
42 staff members;

43 (5) develop and coordinate programs, workshops, seminars, and similar activities
44 designed to provide training for staff members of Utah museums;

45 (6) undertake scholarly research as necessary to understand the training needs of the
46 museum community and to assess how those needs could best be met; ~~and~~

47 (7) administer a state Museum Grant Program to assist eligible Utah museums[-]; and

48 (8) establish a program by January 1, 2009, by rule, creating a certified local museum
49 designation, including any provisions necessary to ensure public confidence in charitable
50 solicitation undertaken by a certified local museum.

51 Section 2. Section **13-22-6** is amended to read:

52 **13-22-6. Application for registration.**

53 (1) An applicant for registration or renewal of registration as a charitable organization
54 shall:

55 (a) pay an application fee as determined under Section 63-38-3.2; and

56 (b) submit an application on a form approved by the division which shall include:

57 (i) the organization's name, address, telephone number, facsimile number, if any, and the

58 names and addresses of any organizations or persons controlled by, controlling, or affiliated
59 with the applicant;

60 (ii) the specific legal nature of the organization, that is, whether it is an individual, joint
61 venture, partnership, limited liability company, corporation, association, or other entity;

62 (iii) the names and residence addresses of the officers and directors of the organization;

63 (iv) the name and address of the registered agent for service of process and a consent to
64 service of process;

65 (v) the purpose of the solicitation and use of the contributions to be solicited;

66 (vi) the method by which the solicitation will be conducted and the projected length of
67 time it is to be conducted;

68 (vii) the anticipated expenses of the solicitation, including all commissions, costs of
69 collection, salaries, and any other items;

70 (viii) a statement of what percentage of the contributions collected as a result of the
71 solicitation are projected to remain available for application to the charitable purposes declared
72 in the application, including a satisfactory statement of the factual basis for the projected
73 percentage;

74 (ix) a statement of total contributions collected or received by the organization within
75 the calendar year immediately preceding the date of the application, including a description of
76 the expenditures made from or the use made of the contributions;

77 (x) a copy of any written agreements with any professional fund raiser involved with the
78 solicitation;

79 (xi) disclosure of any injunction, judgment, or administrative order or conviction of any
80 crime involving moral turpitude with respect to any officer, director, manager, operator, or
81 principal of the organization;

82 (xii) a copy of all agreements to which the applicant is, or proposes to be, a party
83 regarding the use of proceeds for the solicitation or fundraising;

84 (xiii) a statement of whether or not the charity, or its parent foundation, will be using
85 the services of a professional fund raiser or of a professional fund raising counsel or consultant;

86 (xiv) if either the charity or its parent foundation will be using the services of a
87 professional fund raiser or a professional fund raising counsel or consultant:

88 (A) a copy of all agreements related to the services; and

89 (B) an acknowledgment that fund raising in the state will not commence until both the
90 charitable organization, its parent foundation, if any, and the professional fund raiser or
91 professional fund raising counsel or consultant are registered and in compliance with this
92 chapter; and

93 (xv) any additional information the division may require by rule.

94 (2) If any information contained in the application for registration becomes incorrect or
95 incomplete, the applicant or registrant shall, within 30 days after the information becomes
96 incorrect or incomplete, correct the application or file the complete information required by the
97 division.

98 (3) In addition to the registration fee, an organization failing to file a registration
99 application or renewal by the due date or filing an incomplete registration application or renewal
100 shall pay an additional fee of \$25 for each month or part of a month after the date on which the
101 registration application or renewal were due to be filed.

102 (4) Notwithstanding Subsection (1), the registration fee for a certified local museum
103 under Section 9-6-603 is 65% of the registration fee established under Subsection (1).