

13-22-5 Registration required.

- (1)
 - (a) It is unlawful for any organization to engage in an activity described in Subsection (1)(b) unless the organization is:
 - (i) exempt under Section 13-22-8; or
 - (ii) registered with the division in accordance with this chapter.
 - (b) Unless an organization meets the requirements of Subsection (1)(a), the organization may not knowingly solicit, request, promote, advertise, or sponsor a charitable solicitation if the charitable solicitation:
 - (i) originates in Utah;
 - (ii) is received in Utah; or
 - (iii) is caused to be made through business operations in Utah.
- (2) Subsection (1) does not prohibit an organization from receiving an unsolicited contribution.
- (3) It is unlawful for any professional fund raiser to knowingly solicit, request, promote, advertise, or sponsor the solicitation in this state of any contribution for a charitable organization, whether or not the charitable organization is exempt under Section 13-22-8, unless the professional fund raiser and any nonexempt charitable organization that is benefitted are registered with the division.
- (4) It is unlawful for any professional fund raising counsel or consultant to knowingly plan, manage, advise, counsel, consult, or prepare material for, or with respect to, the solicitation in this state of a contribution for a charitable organization, whether or not the charitable organization is exempt under Section 13-22-8, unless the professional fund raising counsel or consultant and any nonexempt charitable organization that is benefitted are registered with the division.

Amended by Chapter 18, 2005 General Session