

**Effective 5/12/2015**

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

- (1) An applicant for registration or renewal of registration as a charitable organization shall:
  - (a) pay an application fee as determined under Section 63J-1-504; and
  - (b) submit an application on a form approved by the division which shall include:
    - (i) the organization's name, address, telephone number, facsimile number, if any, and the names and addresses of any organizations or persons controlled by, controlling, or affiliated with the applicant;
    - (ii) the specific legal nature of the organization, that is, whether the organization is an individual, joint venture, partnership, limited liability company, corporation, association, or other entity;
    - (iii) the names and residence addresses of the officers and directors of the organization;
    - (iv) the name and address of the registered agent for service of process and a consent to service of process;
    - (v) the purpose of the solicitation and use of the contributions to be solicited;
    - (vi) the method by which the solicitation will be conducted and the projected length of time the solicitation is to be conducted;
    - (vii) the anticipated expenses of the solicitation, including all commissions, costs of collection, salaries, and any other items;
    - (viii) a statement of what percentage of the contributions collected as a result of the solicitation are projected to remain available for application to the charitable purposes declared in the application, including a satisfactory statement of the factual basis for the projected percentage;
    - (ix) a statement of total contributions collected or received by the organization within the calendar year immediately preceding the date of the application, including a description of the expenditures made from or the use made of the contributions;
    - (x) a copy of any written agreements with any professional fund raiser involved with the solicitation;
    - (xi) disclosure of any injunction, judgment, or administrative order or conviction of any crime involving moral turpitude with respect to any officer, director, manager, operator, or principal of the organization;
    - (xii) a copy of all agreements to which the applicant is, or proposes to be, a party regarding the use of proceeds for the solicitation or fundraising;
    - (xiii) a statement of whether the charitable organization, or the charitable organization's parent foundation, will be using the services of a professional fund raiser or of a professional fund raising counsel or consultant;
    - (xiv) if either the charitable organization or the charitable organization's parent foundation will be using the services of a professional fund raiser or a professional fund raising counsel or consultant:
      - (A) a copy of all agreements related to the services; and
      - (B) an acknowledgment that fund raising in the state will not commence until both the charitable organization, its parent foundation, if any, and the professional fund raiser or professional fund raising counsel or consultant are registered and in compliance with this chapter;
    - (xv) any documents required under Section 13-22-15; and
    - (xvi) any additional information the division may require by rule.
- (2) If any information contained in the application for registration becomes incorrect or incomplete, the applicant or registrant shall, within 30 days after the information becomes incorrect or incomplete, correct the application or file the complete information required by the division.

- (3) In addition to the registration fee, an organization failing to file a registration application or renewal by the due date or filing an incomplete registration application or renewal shall pay an additional fee of \$25 for each month or part of a month after the date on which the registration application or renewal were due to be filed.
- (4) Notwithstanding Subsection (1)(a), the registration fee for a certified local museum under Section 9-6-603 is \$25 less than the registration fee established under Subsection (1).

Amended by Chapter 120, 2015 General Session