

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

ACT 708 OF 1997
SENATE BILL 525

4
5 By: Senator Brown
6
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For An Act To Be Entitled

8
9 "AN ACT TO AMEND ARKANSAS CODE TITLE 4, CHAPTER 28,
10 SUBCHAPTER 4 CONCERNING SOLICITATION OF CONTRIBUTIONS; AND
11 FOR OTHER PURPOSES."
12

Subtitle

13
14 "AN ACT CONCERNING SOLICITATION OF
15 CONTRIBUTIONS."
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code 4-28-406 is amended to read as follows:

20 "4-28-406. ~~Reports~~ Reporting.

21 (a) On or before ~~March 31~~ May 15 of each year, every charitable
22 organization subject to the provisions of this subchapter which has received
23 contributions in excess of ten thousand dollars (\$10,000) during the previous
24 calendar year but which is not required to submit tax or information returns
25 to the Internal Revenue Service shall file the following information on forms
26 to be provided by the Attorney General:

- 27 (1) The gross amount of the contributions pledged or collected;
28 (2) The amount allocated and dedicated to the charitable purpose
29 represented for each promotion;
30 (3) The aggregate amount paid and to be paid for the expense of
31 the promotion including overhead; and
32 (4) The aggregate amount paid to and to be paid to professional
33 fundraisers and solicitors.

34 (b) On or before May 15 of each year, each charitable organization
35 subject to the provisions of this subchapter which is required to file tax or
36 information returns with the Internal Revenue Service shall, in lieu of an

1 annual report, file with the Attorney General's office a copy of all tax or
 2 information returns, including all schedules and amendments, submitted by the
 3 charitable organization to the Internal Revenue Service for the previous
 4 calendar year except any schedules of contributors to the organization.

5 ~~—— (b) (c)~~ A charitable organization which maintains its books on other
 6 than a calendar-year basis may, upon application to the Attorney General, be
 7 permitted to file ~~its report~~ the information referred to above within ~~ninety~~
 8 ~~(90) days~~ six (6) months after the close of its fiscal year.

9 ~~—— (c)~~ ~~In addition, the Attorney General may require that within ninety~~
 10 ~~(90) days after the close of any special period of solicitation, the~~
 11 ~~charitable organization conducting the solicitation shall file a special~~
 12 ~~report of the information specified in this section for the special period of~~
 13 ~~solicitation.~~

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15 SECTION 2. All provisions of this act of a general and permanent nature
 16 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 17 Revision Commission shall incorporate the same in the Code.

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19 SECTION 3. If any provision of this act or the application thereof to
 20 any person or circumstance is held invalid, such invalidity shall not affect
 21 other provisions or applications of the act which can be given effect without
 22 the invalid provision or application, and to this end the provisions of this
 23 act are declared to be severable.

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25 SECTION 4. All laws and parts of laws in conflict with this act are
 26 hereby repealed.

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29 APPROVED: 3-20-97

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