

SENATE, No. 1526

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
Senator MICHAEL J. DOHERTY
District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS

Exempts volunteer fire companies from charitable registration fees.

CURRENT VERSION OF TEXT

As introduced.



1 **AN ACT** concerning exemptions from charitable organization
2 registration requirements and amending P.L.1994, c.16.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 9 of P.L.1994, c.16 (C.45:17A-26) is amended to
8 read as follows:

9 9. a. The registration requirements of this act shall not apply
10 to any religious corporation, trust, foundation, association or
11 organization incorporated under the provisions of Title 15 or 16 of
12 the Revised Statutes or Title 15A of the New Jersey Statutes or
13 established for religious purposes. Any agency or organization
14 incorporated or established for charitable purposes and engaged in
15 effectuating one or more charitable purposes, which is affiliated
16 with, operated by, or supervised or controlled by a corporation,
17 trust, foundation, association, or organization incorporated or
18 established for religious purposes, or any other religious agency or
19 organization shall also be exempt.

20 b. The registration requirements of this act shall not apply to
21 any educational institution, the curriculums of which in whole or in
22 part are registered or approved by the State Department of
23 Education or the New Jersey Commission on Higher Education,
24 either directly or by acceptance of accreditation by an accredited
25 body recognized by these departments; an educational institution
26 confining its solicitation of contributions to its student body,
27 alumni, faculty and trustees, and their families; or a library
28 registered by the State Department of Education, provided that the
29 annual financial report of that institution or library shall be filed
30 with the State Department of Education where it shall be open for
31 public inspection.

32 c. The registration requirements of P.L.1994, c.16 (C.45:17A-
33 18 et seq.) shall not apply to any charitable organization or
34 organizations engaging in a charitable fund raising campaign which
35 do not receive gross contributions in excess of \$10,000 during the
36 fiscal year, if all of its functions, including fund raising activities,
37 are carried on by volunteers, members, officers or persons who are
38 not compensated for soliciting contributions, except that if the gross
39 contributions, whether or not all is received by any charitable
40 organization during any fiscal year, are in excess of \$10,000 the
41 charitable organization shall, within 30 days after the date on which
42 it shall have received the contributions, register with and report to
43 the Attorney General as required by section 7 of P.L. 1994, c.16
44 (C.45:17A-24);

45 d. A charitable organization that meets all of the following

**EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is
not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

1 requirements shall be considered registered as required by this act:

2 (1) The charitable organization is a local unit of a parent
3 organization which is registered pursuant to this act;

4 (2) The parent organization has provided all information
5 concerning the local unit required by subsection e. of section 7 or
6 subsection c. of section 8 of this act;

7 (3) All solicitations made by the local unit are made by
8 members of the local unit or volunteers;

9 (4) The local unit does not employ a fund raising counsel or
10 independent paid fund raiser or utilize paid staff in preparation of
11 materials or records concerning or related to the solicitations; and

12 (5) (a) The local unit does not receive gross contributions in
13 excess of \$25,000 during the fiscal year; or

14 (b) The local unit is an organization that limits membership to
15 persons who are or formerly were employed as officers statutorily
16 authorized to enforce the criminal laws of this State.

17 e. Nothing in subsection d. of this section shall be construed to
18 require a parent organization to register any or all of its local units.

19 f. The registration requirements of this act shall not apply to
20 any volunteer fire company actively engaged in the protection of
21 life and property and organized pursuant to Title 15 of the Revised
22 Statutes or Title 15A of the New Jersey Statutes or to an active
23 volunteer fire company or similar organization performing similar
24 services which is constituted in a fire district pursuant to
25 N.J.S.40A:14-70.

26 (cf: P.L.2005, c.283, s.5)

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28 2. This act shall take effect on the first day of the second month
29 after enactment.

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STATEMENT

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34 With the exception of religious organizations and schools, tax
35 exempt organizations that raise funds are subject to the payment of
36 fees under the State's "Charitable Registration and Investigation
37 Act." Fees are based on the level of funds raised by the
38 organization. For example, a volunteer fire company that raises
39 between \$100,000 and \$500,000 in contributions would pay \$150 in
40 fees. Organizations which raise \$25,000 or less are exempt from
41 fees.

42 This bill would exempt volunteer fire companies from payment
43 of these fees. Roughly 750 fire organizations, which pay fees
44 totaling approximately \$52,000, would benefit.