

Support HB16-1318: Charitable Solicitations Senator Newell/Representative Wist

Background:

The Colorado Charitable Solicitations Act (CCSA) protects legitimate charities and the public by providing **accountability and preventing charitable fraud** through reporting and registration requirements placed on charities, paid solicitors, and professional fundraising consultants.

The **current law is unclear** regarding filing requirements and provides inadequate options for enforcing registration requirements. Organizations sometimes neglect to file required financial statements or are unaware of renewal requirements, and inadvertently, operate without a valid registration. These violations, whether intentional or not, **undermine the statute's goals of ensuring transparency and accountability in charitable solicitations**. Additionally, the law does not give clear guidance to the Department of State or charitable organizations for the withdrawal of a registration or the assessing of penalties for soliciting without a valid registration.

What HB16-1318 does:

HB16-1318 ensures accountability and effective administration of Colorado's Charitable Solicitations Act.

- **Aligns and clarifies** annual registration, renewal, and financial reporting requirements for Colorado charities.
- **Clarifies the process by which the Department of State conducts hearings** when a registration is denied, suspended or revoked for a charitable organization, paid solicitor, or professional fundraiser, aligning those procedures with the state's Administrative Procedures Act.
- Provides the Secretary of State the ability **to enforce the prohibition against a charity, paid solicitor, or professional fundraiser soliciting without a valid registration**.
- **Standardizes the affirmation requirements** on various registration forms and harmonizes registration requirements with the Multistate Registration and Filing Portal as required by section 6-16-104(3), C.R.S.