GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2016 REGULAR SESSION

SENATE BILL NO. 54

THURSDAY, MARCH 17, 2016

The following bill was reported to the House from the Senate and ordered to be printed.

RECEIVED AND FILED
DATE April 8, 2016
2:31pm
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adler

1 AN ACT relating to donated clothing, household items, or other items.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 367.668 is amended to read as follows:

4 (1) Prior to orally requesting a contribution or when requesting a contribution in
5 writing, a professional solicitor shall clearly disclose:

6 (a) The professional solicitor's name, as set out in the registration statement filed
7 with the Attorney General pursuant to KRS 367.652, phone number or e-mail
8 address, and the fact that the professional solicitor is being paid for providing
9 services;

10 (b) The name of the charitable organization the professional solicitor represents
11 and a description of how the contributions raised by the solicitation will be
12 used for a charitable or civic purpose; and

13 (c) If the professional solicitor places or maintains a receptacle in public view for
14 the purpose of collecting contributions in the form of clothing, household
15 items, and other items, the receptacle shall contain a sign or label that:

16 1. Includes the information contained in paragraphs (a) and (b) of this
17 subsection;

18 2. Includes a statement that reads as follows: "Items donated here support,
19 in part, a for-profit professional solicitor.";

20 3. Is in lettering not less than ***two (2)***[~~three (3)~~] inches in height and one-
21 half (1/2) inch in width; and

22 4. Is placed immediately below the opening in the receptacle used to
23 deposit donations.

24 (2) Any individual who acts on behalf of the professional solicitor and identifies
25 himself by name shall give his legal name.

26 (3) Any responses given by or on behalf of a professional solicitor to an oral or written
27 request for information shall be truthful.

1 (4) The written confirmation, receipt, or reminder sent to a contributor or one who has
2 pledged to contribute, following an oral solicitation, shall clearly include the
3 information required by subsections (1) and (2) of this section.
4 (5) If the person being solicited requests information regarding the amount or
5 percentage of funds going to the charitable organization or for a charitable or civic
6 purpose, the professional solicitor shall inform the person solicited of the
7 percentage of the gross revenue or the reasonable estimate of the gross revenue that
8 the charitable organization will receive from the solicitation campaign. The
9 Attorney General shall promulgate administrative regulations necessary to
10 effectuate this disclosure.
11 ➔SECTION 2. A NEW SECTION OF KRS 367.650 TO 367.670 IS CREATED
12 TO READ AS FOLLOWS:
13 ***(1) If any person places or maintains a receptacle in public view or establishes or***
14 ***maintains some form of drop-off site for collecting donations of clothing or any***
15 ***other items that do not qualify as a charitable contribution as defined by Section***
16 ***170(c) of the Internal Revenue Code, the receptacle or drop-off site shall contain***
17 ***a permanently attached sign or label that includes, in lettering not less than two***
18 ***(2) inches in height and one-half (1/2) inch in width:***
19 ***(a) The name, address, telephone number, and e-mail address of the person***
20 ***who places or maintains the receptacle or establishes or maintains the drop-***
21 ***off site; and***
22 ***(b) A statement that reads as follows: "Donations do not qualify as a charitable***
23 ***contribution for federal tax purposes."***
24 ***(2) The sign or label shall be placed immediately below the opening in the receptacle***
25 ***or shall be prominently displayed at the drop-off site.***

President of Senate

Speaker-House of Representatives

Attest: Chief Clerk of Senate

Approved Governor

Date 8 APRIL 2016