

2022 Regular Session

SENATE BILL NO. 179

BY SENATOR REESE

CHARITABLE ORGANIZATIONS. Provides relative to annual filing and reporting requirements of charitable organizations. (gov sig)

1 AN ACT

2 To enact Chapter 24-A of Title 51 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 51:1909.11, relative to annual filings and reporting requirements
4 by charitable organizations; to provide for legislative approval of certain
5 requirements; to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Chapter 24-A of Title 51 of the Louisiana Revised Statutes of 1950,
8 comprised of R.S. 51:1909.11, is hereby enacted to read as follows:

9 CHAPTER 24-A. ANNUAL FILINGS BY

10 CHARITABLE ORGANIZATIONS

11 §1909.11. Charitable organizations; requirements

12 A. Absent the showing of a compelling state interest, no state agency or
13 state official shall impose any additional annual filings or reporting
14 requirements by rule or policy on a charitable organization that is more
15 restrictive than the specific requirements for charitable organizations under
16 federal or state law.

17 B. Notwithstanding any other provisions of law to the contrary, any such

1 **filing or reporting requirement that is more restrictive may be reviewed by the**
 2 **Senate Committee on Commerce, Consumer Protection and International**
 3 **Affairs and the House Commerce Committee.**

4 **C. The provisions of Subsection A of this Section shall not apply to the**
 5 **state's direct spending programs including state grants and state contracts nor**
 6 **to fraud investigations, and shall not restrict enforcement actions against a**
 7 **specific nonprofit organization.**

8 **D. For the purpose of this Chapter, "charitable organization" shall mean**
 9 **a person who is or holds himself out to be benevolent, civic, recreational,**
 10 **educational, voluntary, health, law enforcement, social service, philanthropic,**
 11 **fraternal, humane, patriotic, religious, or eleemosynary organization.**

12 Section 2. This Act shall become effective upon signature by the governor or, if not
 13 signed by the governor, upon expiration of the time for bills to become law without signature
 14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 15 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 16 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Xavier I. Alexander.

DIGEST

SB 179 Engrossed

2022 Regular Session

Reese

Proposed law provides that absent a showing of a compelling state interest, no state agency or state official shall impose any additional annual filings or reporting requirements by rule or policy on a charitable organization that is more restrictive than the specific requirements for charitable organizations under federal or state law. Provides that the Senate Committee on Commerce, Consumer Protection and International Affairs, and the House Committee on Commerce may review any filing or reporting requirement that is more restrictive than the requirements for charitable organization as provided in the state and federal law.

Proposed law shall not apply to the state's direct spending programs including state grants and state contracts or to fraud investigations. Provides that proposed law shall not restrict enforcement actions against a specific nonprofit organization.

Proposed law defines "charitable organization" as a person who is or holds himself out to be a benevolent, civic, recreational, educational, voluntary, health, law enforcement, social service, philanthropic, fraternal, humane, patriotic, religious, or eleemosynary organization.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 51:1909.11)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the original bill

1. Removes the term burdensome and provides that no annual or reporting requirements be more restrictive than state on federal law.
2. Removes the provision authorizing certain legislative committees to approve the restrictive filings or reporting requirement.
3. Removes the requirement that the legislative committees meet jointly.
4. Make technical changes.