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

AN ACT

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

Be it enacted by the Legislature of Louisiana:

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

CHAPTER 24-A. ANNUAL FILINGS BY CHARITABLE ORGANIZATIONS

§1909.11. Charitable organizations; requirements

A. Absent the 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.

B. Notwithstanding any other provisions of law to the contrary, any such
filing or reporting requirement that is more restrictive may be reviewed by the
Senate Committee on Commerce, Consumer Protection and International
Affairs and the House Commerce Committee.

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

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

Section 2. This Act shall become effective upon signature by the governor or, if not
signed by the governor, upon expiration of the time for bills to become law without signature
by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
vetoed by the governor and subsequently approved by the legislature, this Act shall become
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)

Coding: Words which are struck through are deletions from existing law;
words in boldface type and underscored are additions.
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.

Coding: Words which are struck through are deletions from existing law; words in boldface type and underscored are additions.