SLS 22RS-94

REENGROSSED

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 Statues 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

Page 1 of 3 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

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 Committee on Commerce.
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 was prepared by Xavier Alexander. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

DIGESTSB 179 Reengrossed2022 Regular Session

Reese

<u>Proposed law</u> 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.

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

<u>Proposed law</u> 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.

Page 2 of 3 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

(Adds R.S. 51:1909.11)

Summary of Amendments Adopted by Senate

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

- 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.

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Corrects the name of the House Committee on Commerce.