



**Rules of
Elected Officials
Division 60—Attorney General
Chapter 3—Charitable Organizations
and Solicitations Rules**

Title	Page
15 CSR 60-3.010 Definitions	3
15 CSR 60-3.020 Forms	3
15 CSR 60-3.030 Initial Registration Statement—Charitable Organization	3
15 CSR 60-3.040 Registration Statement—Professional Fund-Raiser Organization and Employment Statement-Solicitor	3
15 CSR 60-3.050 Registration Statement—Individual Professional Fund-Raiser	3
15 CSR 60-3.060 Registration Statement Procedures	3
15 CSR 60-3.070 Amendments to Initial Registration Statements Filed by Charitable Organizations and Professional Fund-Raisers, Whether Organization or Individuals	4
15 CSR 60-3.080 Exemption from Registration as a Charitable Organization or Professional Fund-Raiser	4
15 CSR 60-3.090 Charitable Organization Annual Report Form	5
15 CSR 60-3.100 Annual Reports for Charitable Organizations	5
15 CSR 60-3.110 Professional Fund-Raiser Organizations Renewal Application	5
15 CSR 60-3.120 Individual Professional Fund-Raisers Renewal Application	5
15 CSR 60-3.130 Renewal Application Procedure for Professional Fund-Raisers	5
15 CSR 60-3.140 Public Inspection of Register, Filing, Records, Investigative Material and the Like	6

Title 15—ELECTED OFFICIALS
Division 60—Attorney General
Chapter 3—Charitable Organizations
and Solicitations Rules

15 CSR 60-3.010 Definitions

PURPOSE: The attorney general enforces the provisions of sections 407.450—407.478, RSMo. The attorney general may make rules as are necessary to carry out the provisions of sections 407.450—407.478, RSMo and may define terms, whether or not used in those sections, insofar as the definitions are not inconsistent with those sections. This rule defines certain terms used in the administration of sections 407.450—407.478, RSMo and in the rules made thereunder.

(1) Unless inconsistent with meaning provided in Chapter 407, RSMo as used in sections 407.450—407.478, RSMo and in these rules, the following terms and phrases shall mean:

(A) *Bona fide* employee of charitable organization, a person who receives regular compensation, holds a permanent employee position with the charitable organization and has not been contracted with or primarily employed for a temporary period for the purpose of soliciting funds;

(B) Does business in this state, includes any mail, phone, personal or any other type of solicitation in Missouri. The phrase, does business in this state, is not limited to the traditional case law definition of the phrase previously defined as operating a principal place or location in the state in which they are doing business;

(C) Governmental agency, includes any agency, department, division, court, commission or any other type of governmental entity in any branch of the city, county, state or federal government;

(D) Individual professional fund-raiser, includes any natural person who, individually, by contract or by oral agreement, agrees to solicit funds on the behalf of any charitable organization or for any charitable purpose. This does not include a *bona fide* employee of a charitable organization or a solicitor;

(E) Professional fund-raiser organization, includes any person, as defined by section 407.010, RSMo, other than natural persons, who agree by written contract or by oral agreement, to solicit funds on behalf of any charitable organization or for any charitable purpose and who employs or contracts with others for the purpose of soliciting those funds;

(F) Register, a listing of all registration documents submitted to the attorney general's office as required under sections 407.450—407.478, RSMo including, but not limited to,

the name of the registrant, the date registration became effective and current status;

(G) Regular compensation, a salary or wage paid to a person holding a permanent employee position of a charitable organization and not contracted fees paid to a temporary employee; and

(H) Solicitation, includes the sale, offer for sale or advertisement of any merchandise for consideration that benefits or is purported to benefit a charitable organization or charitable purpose.

(I) Solicitor, any person employed or contracted by a professional fund-raiser organization, in a temporary or permanent position, to solicit funds for any charitable organization or for any charitable purpose;

*Auth: section 407.145, RSMo (1986).**
Original rule filed Jan. 9, 1987, effective June 25, 1987.

**Original authority 1986.*

15 CSR 60-3.020 Forms

PURPOSE: This rule prescribes the forms adopted and approved for filing with the office of the attorney general.

(1) The following forms have been adopted and approved for filing with the attorney general's office, trade offense division:

(A) Form 1-A Initial Registration Statement—Charitable Organization;

(B) Form 1-B Registration Statement—Professional Fund-Raiser Organization;

(C) Form 1-C Registration Statement—Individual Professional Fund-Raiser;

(D) Form 1-D Employment Statement—Solicitor;

(E) Form 2-A Charitable Organization Annual Report;

(F) Form 2-B Professional Fund-Raiser Organization Renewal Application; and

(G) Form 2-C Individual Professional Fund-Raiser Renewal Application.

*Auth: sections 407.145, 407.462 and 407.466, RSMo (1986).**
Original rule filed Jan. 9, 1987, effective June 25, 1987.

**Original authority 1986.*

15 CSR 60-3.030 Initial Registration Statement—Charitable Organization

PURPOSE: This form is adopted and approved as the initial registration statement for charitable organizations.

(See Form 1-A)

*Auth: sections 407.145 and 407.462, RSMo (1986).**
Original rule filed Jan. 9, 1987, effective June 25, 1987.

**Original authority 1986.*

15 CSR 60-3.040 Registration Statement—Professional Fund-Raiser Organization and Employment Statement—Solicitor

PURPOSE: This form is adopted and approved for filing as the registration statement for professional fund-raiser organizations.

(1) (See Form 1-B)

(2) (See Form 1-D)

*Auth: sections 407.145 and 407.466, RSMo (1986).**
Original rule filed Jan. 9, 1987, effective June 25, 1987.

**Original authority 1986.*

15 CSR 60-3.050 Registration Statement—Individual Professional Fund-Raiser

PURPOSE: This form is adopted and approved for filing as the registration statement for individual professional fund-raisers.

(See Form 1-C)

*Auth: sections 407.145 and 407.466, RSMo (1986).**
Original rule filed Jan. 9, 1987, effective June 25, 1987.

**Original authority 1986.*

15 CSR 60-3.060 Registration Statement Procedures

PURPOSE: This rule prescribes and clarifies the registration procedure for filing with the attorney general's office.

(1) Response to each registration statement question should be typewritten or neatly printed in ink.

(2) Each question blank of the registration statement must be completed. If a question is not applicable, such should be stated and a reason should be specified. Incomplete regis-



tration statements may result in ineffective registration.

(3) Additional pages may be attached to the registration statement if necessary to answer any question. The question number being answered must be referenced at the top of each attached page.

(4) Each registration statement must be signed and notarized before it may be filed with the attorney general's office. Failure to have the registration form signed and notarized will result in an ineffective registration.

(5) Each registration statement filing must be accompanied by a filing fee, with the exception of Form 1-D, Employment Statement—Solicitor. This filing fee must be paid by money order, cashier's check, personal check or corporate check payable to the Merchandising Practices Revolving Fund. The fees assessed to charitable organizations, professional fund-raiser organizations and individual professional fund-raisers will be as follows:

(A) Each entity defined as a charitable organization which is not exempted under sections 407.453—407.478, RSMo shall pay a filing fee of fifteen dollars (\$15) for the initial registration;

(B) Each entity defined as a professional fund-raiser, whether it is an organization or an individual, shall pay a filing fee of fifty dollars (\$50) for the initial registration statement; and

(C) It shall be the responsibility of each professional fund-raiser organization to provide solicitor employment statements to each solicitor upon employment. The professional fund-raiser organization shall return this completed statement to the attorney general's office within fifteen (15) days after the solicitor is hired.

(6) Each registration statement and its accompanying attachments and filing fee shall be mailed to the Missouri Attorney General's Office, Trade Offense Division, P.O. Box 899, Jefferson City, MO 65102 or may be brought to the Missouri Attorney General's Office, Supreme Court Building, Jefferson City, Missouri.

(7) Each registration statement shall be effective upon notification by the attorney general's office that the registration statement, its attachments and the requisite filing fee have been received in proper form.

(8) Within seventy-five (75) days of the close of its fiscal year, each charitable organization registrant shall file with the attorney general's office an annual report in the form and manner prescribed under 15 CSR 60-3.100.

(9) Beginning one (1) year from the date of filing its initial registration statement, as prescribed under 15 CSR 60-3.130, each professional fund-raiser organization and individual professional fund-raiser shall file with the attorney general's office a renewal application each year.

(10) Any questions regarding completion of a registration statement, filing fees, these rules or registration procedure should be directed by telephone to (314) 751-2616 or in writing to P.O. Box 899, Jefferson City, MO 65102.

*Auth: sections 407.145, 407.462 and 407.466, RSMo (1986). * Original rule filed Jan. 9, 1987, effective June 25, 1987.*

**Original authority 1986.*

15 CSR 60-3.070 Amendments to Initial Registration Statements Filed by Charitable Organizations and Professional Fund-Raisers, Whether Organization or Individuals

PURPOSE: This rule prescribes the method by which charitable organizations and professional fund-raisers, whether organizations or individuals, shall amend the initial registration statement filed with and accepted by the attorney general's office.

(1) In the event that any information required and supplied in the initial registration statement filed by a charitable organization or professional fund-raiser, whether an organization or individual, as required by section 407.462 or 407.466, RSMo, changes to the extent it causes the registration statement to be incomplete or incorrect, the charitable organization or professional fund-raiser shall file an amendment to its initial registration statement with the attorney general's office.

(2) All amendments to an initial registration statement shall be made in letter form and shall include:

- (A) Name or organization name registered under;
- (B) Registration file number;
- (C) A list of any amendments to the initial registration statement; and
- (D) The signature of the person who prepared the amendment statement, which signature shall be notarized.

(3) Each amendment to an initial registration statement filed pursuant to this rule shall be accompanied by the appropriate filing fee as follows:

(A) Each entity defined as a charitable organization which is not exempted under sections 407.453—407.478, RSMo shall pay a fee of fifteen dollars (\$15) for each amendment it files; and

(B) Each entity defined as a professional fund-raiser, whether it is an organization or an individual, shall pay a fee of twenty-five dollars (\$25) for each amendment it files.

*Auth: sections 407.145, 407.462 and 407.466, RSMo (1986). * Original rule filed Jan. 9, 1987, effective June 25, 1987.*

**Original authority 1986.*

15 CSR 60-3.080 Exemption from Registration as a Charitable Organization or Professional Fund-Raiser

PURPOSE: This rule is designed to give exempted charitable organizations and professional fund-raisers written positive affirmation that they do not have to register with the Missouri attorney general's office pursuant to sections 407.453—407.478, RSMo. Additionally, this rule will allow complete information to be maintained by the attorney general's office as required by section 407.459, RSMo.

(1) Every person, as defined in section 407.010, RSMo, who believes s/he may be exempted from registration as a charitable organization or professional fund-raiser under sections 407.453—407.478, RSMo may submit to the attorney general's office a written request for exemption. In the request s/he shall state the reason or basis on which they claim exemption and shall submit any supporting documents. The attorney general's office will then provide to each eligible requesting party a letter or certificate of exemption.

(2) A written request for exemption may be mailed to the Missouri Attorney General's Office, Trade Offense Division, P.O. Box 899, Jefferson City, MO 65102 or be delivered by hand to the Missouri Attorney General's Office, Supreme Court Building, Jefferson City, Missouri.

(3) A record of all letters of request for exemptions and letters granting and denying exemption shall be maintained as part of the register of all documents filed, as required by section 407.459, RSMo. These records will be open to public inspection in the same manner provided for other documents which are open for public inspection.

(4) Every person, as defined in section 407.010, RSMo, granted a letter or certificate of exemption under this rule shall notify the attorney general's office of any changes in circumstances which affect, directly or indirectly, information furnished by the person in his/her written request for exemption. The notification shall be no later than the fifteenth day after the day on which the change in circumstances occurred. All the changes in circumstances shall cause the letter or certificate of exemption in effect at the time the changes occur to become null and void as of the fifteenth day after the day on which the changes occurred. No person whose letter or certificate of exemption has become void as provided in this section shall solicit, nor have solicited on his/her behalf by professional fund-raisers, any funds until the person has been granted a new letter or certificate of exemption or has registered in accordance with sections 407.453—407.478, RSMo and the rules promulgated under those sections.

*Auth: section 407.145, RSMo (1986).
Original rule filed Jan. 9, 1987, effective
June 25, 1987.*

**Original authority 1986.*

15 CSR 60-3.090 Charitable Organization Annual Report Form

PURPOSE: This form is adopted and approved for filing as the annual report for use by charitable organizations.

(See Form 2-A)

*Auth: sections 407.145 and 407.462, RSMo (1986).
Original rule filed Jan. 9, 1987, effective June 25, 1987.*

**Original authority 1986.*

15 CSR 60-3.100 Annual Reports For Charitable Organizations

PURPOSE: This rule prescribes the forms and methods by which charitable organizations shall file annual reports following their initial registration.

(1) Within seventy-five (75) days of the close of each fiscal year, each charitable organization shall file an annual report with the attorney general's office using the form prescribed by 15 CSR 60-3.090. The first such annual report shall be due seventy-five (75) days after the close of the first fiscal year ending after the

date on which the charitable organization files its initial registration.

(2) Each annual report shall be accompanied by a fifteen dollar (\$15) filing fee, which fee must be paid by money order, cashier's check, personal check or corporate check. All fees shall be made payable to the Merchandising Practices Revolving Fund.

(3) Additional pages may be attached to the annual report if necessary to answer any questions. The question number being answered must be referenced at the top of the attached pages.

(4) Each annual report shall be signed and notarized before it may be filed with the attorney general's office. Failure to have annual report forms signed and notarized will result in an ineffective annual reporting.

(5) Failure to submit an annual report within seventy-five (75) days of the close of an organization's fiscal year shall cause the registration for that charitable organization to become delinquent. A charitable organization with a delinquent registration shall be considered in violation of section 407.462, RSMo.

(6) Each charitable organization which files its annual report more than seventy-five (75) days after the close of its fiscal year shall pay a late fee of ten dollars (\$10) in addition to the annual report filing fee of fifteen dollars (\$15).

(7) The registration of each charitable organization which does not file its annual report within six (6) months of the close of its fiscal year shall expire and the charitable organization must file a new initial registration statement. The new initial registration shall be accompanied by a reinstatement filing fee of thirty-five dollars (\$35) in addition to the fifteen dollar (\$15) filing fee required for initial registration statements. If funds are solicited during the period in which a charitable organization is delinquent or in which its registration has expired, the charitable organization shall be in violation of section 407.462, RSMo.

*Auth: sections 407.145 and 407.462, RSMo (1986).
Original rule filed Jan. 9, 1987, effective June 25, 1987.*

**Original authority 1986.*

15 CSR 60-3.110 Professional Fund-Raiser Organizations Renewal Application

PURPOSE: This form is adopted and approved as the renewal application for professional fund-raiser organizations.

(See Form 2-B)

*Auth: sections 407.145 and 407.466, RSMo (1986).
Original rule filed Jan. 9, 1987, effective June 25, 1987.*

**Original authority 1986.*

15 CSR 60-3.120 Individual Professional Fund-Raisers Renewal Application

PURPOSE: This form is adopted and approved as the renewal application for individual professional fund-raisers.

(See Form 2-C)

*Auth: sections 407.145 and 407.466, RSMo (1986).
Original rule filed Jan. 9, 1987, effective June 25, 1987.*

**Original authority 1986.*

15 CSR 60-3.130 Renewal Application Procedure for Professional Fund-Raisers

PURPOSE: This rule prescribes the procedures professional fund-raiser organizations and individual fund-raiser organizations shall use in filing a renewal application with the attorney general's office.

(1) Registration statements filed by professional fund-raisers shall expire one (1) year from the date of filing. Each professional fund-raiser organization and individual professional fund-raiser shall file, ten (10) days before the expiration date, a renewal application with the attorney general's office. The renewal application forms to be used are those prescribed in 15 CSR 60-3.110 and 15 CSR 60-3.120.

(2) Each question blank of the renewal application must be completed, either typewritten or neatly printed in black ink. If a question is not applicable, this should be stated and a reason should be stated and a reason should be specified. Incomplete renewal applications may result in the expiration of registration.



(3) Additional pages may be attached to the renewal application if necessary to answer any question. The question number being answered must be referenced at the top of each attached page.

(4) Each renewal application must be signed and notarized before it may be filed with the attorney general's office. Failure to have renewal application signed and notarized will result in an ineffective application and may result in expiration of registration.

(5) Each renewal application shall be accompanied by a money order, cashier's check, personal check or corporate check, made payable to the Merchandising Practices Revolving Fund, in the amount of fifty dollars (\$50).

(6) The registration of each professional fund-raiser organization and individual fund-raiser who does not file a complete renewal application by the renewal date shall be considered delinquent.

(7) Each renewal application filed thirty (30) days after the renewal date shall be assessed a late filing fee of ten dollars (\$10).

(8) Any professional fund-raiser organization or individual professional fund-raiser who fails to file a renewal application with the attorney general's office within forty-five (45) days after the renewal date shall forfeit its registration. Any solicitation of funds for a charitable purpose after forfeiture of registration shall be deemed a violation of section 407.466, RSMo.

(9) To renew a registration after its forfeiture, a professional fund-raiser organization or individual professional fund-raiser shall submit to the attorney general's office a complete registration statement. The registration statement shall be accompanied by a reinstatement filing fee of twenty-five dollars (\$25) in addition to the usual filing fee of fifty dollars (\$50). At the top of the first page of the registration statement, disclose the previous registration number and indicate the registration statement is for reinstatement.

(10) All inquiries regarding renewal applications should be directed, by mail, to the Office of the Attorney General, Trade Offense Division, P.O. Box 899, Jefferson City, MO 65102, (314) 751-2616.

*Auth: sections 407.145 and 407.466, RSMo (1986). * Original rule filed Jan. 9, 1987, effective June 25, 1987.*

**Original authority 1986.*

15 CSR 60-3.140 Public Inspection of Register, Filing, Records, Investigative Material and the Like

PURPOSE: This rule defines that information which shall be open for public inspection.

(1) The register of registrations for charitable organizations and professional fund-raisers filed with the attorney general's office shall be open for public inspection during normal office hours. Additionally, any person may request and be provided a copy of the register upon payment of the reasonable cost for duplication.

(2) Information reported to the attorney general's office by registrants in the course of completing their registration statements, at the discretion of the attorney general, may be deemed confidential. Information which may be disclosed by the attorney general's office includes, but is not limited to:

(A) The name and the address and telephone number of the principal place of business of any charitable organization, professional fund-raiser organization or individual professional fund-raiser;

(B) The percentage of funds directly expended for the cost of fund-raising in any given year for which records are kept;

(C) The total dollar amount of funds solicited, collected, or both, by any charitable organization or by professional fund-raisers on behalf of charitable organizations; and

(D) Any relevant criminal convictions on record for any officers, directors or anyone owning more than ten percent (10%) of a charitable organization; any officer, director or anyone who owns more than ten percent (10%) of a professional fund-raiser organization; or any individual professional fund-raiser under Missouri law, the laws of any sister state or comparable federal law. Relevant criminal records shall include, but are not necessarily limited to, stealing, fraud, misrepresentation and all other crimes based on deception or moral turpitude.

(3) Any part of any registration statement, amendment, annual report or renewal application including, but not limited to, criminal records, deemed confidential by the attorney general shall not be open for public inspection unless a court order, subpoena or other legal proceeding served upon the attorney general orders him/her to divulge this information for the court's inspection.

(4) Any person who wishes to inspect the register or any information open for public inspection should contact the Office of the Attorney General at (314) 751-2616 or write to P.O. Box 899, Jefferson City, MO 65102.

*Auth: sections 407.145 and 407.459, RSMo (1986). * Original rule filed Jan. 9, 1987, effective June 25, 1987.*

**Original authority 1986.*



ATTORNEY GENERAL OF MISSOURI

JAY NIXON
ATTORNEY GENERALJEFFERSON CITY
65102P.O. Box 899
(314) 751-3321Charitable Organizations and
Solicitations Registration FormsINSTRUCTIONS

Before completing enclosed registration statement(s), please read these instructions carefully.

1. Please type or neatly print in ink each response to each question.
2. Do not leave any question blank. If a question is not applicable, please so state and specify the reasons. Incomplete statements or unanswered questions may result in an ineffective registration.
3. Attach additional pages if necessary to answer specific questions. Please reference the question number being answered on the attached sheet at the top of the page.
4. Once the form is completed, the person providing the information for the registration statement and signing the statement must have the statement and signature notarized before being filed with the Attorney General's office.
5. Attach a money order, cashier's check or personal check in the amount of \$50.00 if you are filing an Individual Professional Fundraiser or Professional Fundraiser Organization Registration, or \$15.00 if you are filing a Charitable organization Registration, for each registration statement being submitted. The check is to be made payable to the Merchandising Practices Revolving Fund.
6. Mail the registration statement(s) and check(s) to the Missouri Attorney General's office.

The registration is effective upon being notified that the statement(s) and check(s) have been received, in their proper form, by the Missouri Attorney General. Should you have any questions, please feel free to contact Cathy L. Westergaard, Consumer Education Coordinator/Investigator, at (314) 751-4471.

Thank you for your cooperation.



INITIAL REGISTRATION STATEMENT: Form 1-A
CHARITABLE ORGANIZATION

1. List all names under which the charitable organization does business:

2. List the telephone number _____ and principal place of business of the charitable organization:

3. List the TELEPHONE NUMBER and ADDRESS of each location in the State of Missouri from which the charitable organization will solicit funds, either directly or through professional fundraisers:

4. What type of business entity is the charitable organization?
 Corporation (please attach articles of incorporation)
 Partnership (please attach partnership agreement)
 Sole Proprietorship
 Other (please explain:)

5. If the charitable organization is a corporation, list the NAME, ADDRESS, POSITION and TELEPHONE NUMBER of all officers and directors of the organization:

6. If the charitable organization is a partnership, list the NAME, ADDRESS and TELEPHONE NUMBER all partners of the organization:

7. List the NAME, ADDRESS, TELEPHONE NUMBER and INTEREST OWNED by any person that owns 10% or more interest in the charitable organization:

8. If the charitable organization is a corporation, what is the NAME, ADDRESS and TELEPHONE NUMBER of the registered agent of the organization?

9. List the NAME, ADDRESS and TELEPHONE NUMBER of each professional fundraiser who will solicit funds for the charitable organization:



10. What type of solicitation programs will be utilized by the charitable organization or the professional fundraisers? (Personal contact, direct mail, radio, newspaper, TV, etc. Please enclose any written sales presentations, ads, etc.)

11. List the NAME, ADDRESS and TELEPHONE NUMBER of any other governmental agency with which the charitable organization has been registered in the past three years:

12. Describe the manner in which the professional fundraisers will be compensated for its charitable solicitation activities:

13. Briefly describe the nature of the charitable purpose of the charitable organization:

14. What percentage of the funds solicited by the charitable organization, over the past five years, has been spent directly for the stated charitable purposes? (e.g. \$1,000 was collected, \$200 went to operating costs -- answer: 80%)

15. List the NAME, ADDRESS and TELEPHONE NUMBER of all banks, savings and loan associations, and all other such financial institutions in which the charitable organization will deposit the funds solicited. IDENTIFY THE NAMES IN WHICH THE FUNDS WILL BE DEPOSITED:

16. (A) Has the charitable organization or any professional fundraiser who solicits funds on its behalf, ever been denied a license or permit to solicit funds, or has any license or permit revoked? _____ Yes _____ No

(B) If the answer to 16(A) is "Yes", please explain in detail by providing the location of the action, the name of the governmental agency that brought the action, and the dates and nature of the action:



17. (A) Has the charitable organization, or any of the professional fundraisers who solicit on its behalf, ever been enjoined or prohibited from soliciting charitable contributions by any governmental agency? _____ Yes _____ No

(B) If the answer to 17(A) is "Yes", please explain in detail by providing the location of the action, the name of the governmental agency that brought the action, and the dates and nature of the action:

18. (A) Have any of the officers, directors, individual professional fundraisers, or anyone else owning more than 10% of the charitable organization, ever been convicted of a felony? _____ Yes _____ No

(B) If the answer to 18(A) is "Yes", please explain in detail:

19. For the purpose of annual reporting, please disclose the ending date of your fiscal year: _____

VERIFICATION

STATE OF _____)
 COUNTY OF _____) SS.

_____, being duly sworn deposes and says, that s/he has made the foregoing initial registration statement of a charitable organization, as required by section 407.462, RSMo; that s/he has read the foregoing registration statement and knows the contents thereof; that s/he is authorized to verify the foregoing registration statement; and that the foregoing registration statement is true to her/his own knowledge; and that the foregoing registration statement was made for the purpose of complying with the requirements of sections 407.450 through 407.478, RSMo.

 (Signature)

Subscribed and sworn to before me, this _____ day of _____,

_____ 19____.

 (Notary Public)