

2007 DRAFTING REQUEST

Bill

Received: 01/03/2008

Received By: tkuczens

Wanted: As time permits

Identical to LRB:

For: David Hansen (608) 266-5670

By/Representing: John Wagnitz

This file may be shown to any legislator: NO

Drafter: tkuczens

May Contact:

Addl. Drafters:

Subject: Occupational Reg. - prof lic

Extra Copies:

Submit via email: YES

Requester's email: Sen.Hansen@legis.wisconsin.gov

Carbon copy (CC:) to: tracy.kuczenski@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Posting of information about charitable organizations and professional fund riasers on the DRL Internet Web site

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/P1	tkuczens 01/03/2008	kfollett 01/03/2008		_____			
/1			nmatzke 01/03/2008	_____	cduerst 01/03/2008	sbasford 01/18/2008	State

FE Sent For: *at ynter*
2/25

<END>

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/P1	tkuczens	1/1 kgf 1/3	nwn 1/3	nwn 1/3			

FE Sent For:

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Kuczenski, Tracy

From: Williams, Ritch
Sent: Thursday, January 03, 2008 9:46 AM
To: Kuczenski, Tracy
Subject: Senate Companion to LRB 07-27612

LRB - 3748/1

Tracy -

Senator Dave Hansen would like to have a Senate companion bill drafted to LRB 2761/2. If you could do so, it would be most appreciated. The contact person in the Senator's office is John Wagnitz. Please let me know if you have any questions or concerns. Thanks in advance for your attention to this request.

Ritch Williams

Office of Rep. David Cullen
State Capitol, Room 216 North
P.O. Box 8952
Madison, WI 53708-8952

(608) 267-9836
ritch.williams@legis.wisconsin.gov

2007 ASSEMBLY BILL 656

soon
in 1/3/08

CPS: request
fix
sheet pls

January 3, 2008 - Introduced by Representatives CULLEN, ALBERS, BERCEAU, HAHN, JORGENSEN, KRUSICK, MOLEPSKE, MURSAU, MUSSER, PETROWSKI, SOLETSKI, VOS, A. WILLIAMS and ZIEGELBAUER, cosponsored by Senators HANSEN, GROTHMAN, LEHMAN and TAYLOR. Referred to Committee on State Affairs.

Regen

- 1 AN ACT *to amend* 440.44 (3) (intro.); and *to create* 440.47 (1m) of the statutes;
- 2 **relating to:** posting information about charitable solicitation campaigns
- 3 performed by professional fund-raisers on the Internet Web site of the
- 4 Department of Regulation and Licensing.

Analysis by the Legislative Reference Bureau

With certain exceptions, current law requires every charitable organization to register with the Department of Regulation and Licensing (department) before it solicits or has contributions solicited on its behalf. Excepted from this requirement is a fraternal, civic, benevolent, patriotic, or social organization that solicits contributions solely from its membership; a state agency or local governmental unit; and certain private schools. Current law also requires a professional fund-raiser to register with the department before the professional fund-raiser may solicit on behalf of a charitable organization that is required to be registered with the department. A professional fund-raiser is defined as a person who, for compensation, requests contributions and states or implies that the contributions will be used for a charitable purpose or will benefit a charitable organization.

In addition, current law requires the professional fund-raiser to enter into a contract with a charitable organization prior to soliciting contributions. The contract must clearly state the amount of revenue, expressed as a percentage of the gross revenue raised, that the charitable organization must receive under the contract. The professional fund-raiser must submit a solicitation notice to the department before performing services under the contract. The solicitation notice must provide

ASSEMBLY BILL 656

certain information, including the projected period during which the soliciting will take place and the location and telephone number from which the soliciting will be conducted, and be accompanied by a copy of the contract between the charitable organization and the professional fund-raiser.

This bill requires the department to compile the following information received from professional fund-raisers and to post this information on the department's Internet Web site:

1. The name and address of the professional fund-raiser.
2. The name and address of the charitable organization with which the professional fund-raiser has entered into a contract.
3. A full and fair description of the charitable purpose for which solicitations will be made.
4. The dates on which the soliciting services being performed under the contract begin and end.
5. The percentage of funds, solicited by the professional fund-raiser, that the charitable organization will receive under the contract.
6. The percentage of funds, solicited by the professional fund-raiser, that the professional fund-raiser will receive under the contract.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 440.44 (3) (intro.) of the statutes is amended to read:

2 440.44 **(3)** SOLICITATION NOTICE. (intro.) Before performing services under a
3 contract with a charitable organization that is required to be registered under s.
4 440.42 (1), a professional fund-raiser shall file with the department a completed
5 solicitation notice in the form prescribed by the department. The charitable
6 organization on whose behalf the professional fund-raiser is acting shall file with the
7 department a written confirmation that the solicitation notice and any
8 accompanying material are true and complete to the best of its knowledge. The
9 solicitation notice shall be accompanied by the form required under s. 440.47 (1m).
10 and shall include all of the following:

11 **SECTION 2.** 440.47 (1m) of the statutes is created to read:

ASSEMBLY BILL 656

1 **440.47 (1m)** PUBLIC ACCESS TO RECORDS OF SOLICITATIONS BY PROFESSIONAL
2 FUND-RAISERS. (a) The department shall require each professional fund-raiser to
3 submit with the solicitation notice required under s. 440.44 (3) and in a form specified
4 by the department the following information:

5 1. The name and address of the professional fund-raiser.

6 2. The name and address of the charitable organization with which the
7 professional fund-raiser has entered into a contract under s. 440.44 (4).

8 3. A full and fair description of the charitable purpose for which solicitations
9 will be made.

10 4. The dates on which the services being performed by the professional
11 fund-raiser pursuant to the contract under subd. 2. begin and end.

12 5. The percentage of funds, to be solicited by the professional fund-raiser
13 pursuant to the contract under subd. 2., that the charitable organization will receive
14 under the contract.

15 6. The percentage of funds, to be solicited by the professional fund-raiser
16 pursuant to the contract under subd. 2., that the professional fund-raiser will
17 receive under the contract.

18 (b) The department shall make the information obtained under par. (a)
19 available on the department's Internet Web site, and update the information as
20 necessary.

21

(END)

Barman, Mike

From: Wagnitz, John
Sent: Friday, January 18, 2008 10:35 AM
To: LRB.Legal
Subject: Draft Review: LRB 07-3748/1 Topic: Posting of information about charitable organizations and professional fund riasers on the DRL Internet Web site

Please Jacket LRB 07-3748/1 for the SENATE.