STATE OF NEW YORK

5155

2019-2020 Regular Sessions

IN SENATE

April 11, 2019

Introduced by Sen. BROOKS -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to statements by charities

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 2 of section 174-b of the executive law, as amended by chapter 373 of the laws of 2018, is amended to read as follows:

2. Any solicitation used by or on behalf of any charitable organization shall include:

(a) a clear description of the programs and activities for which it has requested and has expended or will expend contributions or shall include therein a statement that, upon request, a person may obtain from the organization such a description; [~~and~~]

(b) a statement identifying the website and telephone number of the New York state office of the attorney general where an individual can receive information on charitable organizations**; and**

(c) a statement clearly stating what percentage of the charity's proceeds are applied directly to such charity's stated mission.

[~~(c)~~] **(d)** If the solicitation is by an institution subject to article five-A of the not-for-profit corporation law, and is for an endowment fund, the solicitation must include a statement that, unless otherwise restricted by the gift instrument pursuant to paragraph (b) of section five hundred fifty-three of the not-for-profit corporation law, the institution may expend so much of an endowment fund as it deems prudent after considering the factors set forth in paragraph (a) of section five hundred fifty-three of the not-for-profit corporation law.

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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