



## **Disclosure Requirements for Solicitation of Charitable Contributions Pursuant to New York State Executive Law § 174-b**

### **Office of the Attorney General – Charities Bureau Issue date: August 2019**

This guidance was drafted to assist charitable organizations in complying with the amended disclosure requirements in section 174-b of the Executive Law that became effective on March 21, 2019.

The guidance is not intended to serve as a substitute for advice from an organization's attorney, nor should it be construed to have anticipated or addressed every issue that an organization should consider when planning or conducting a fundraising campaign.

New York's Executive Law requires that solicitations of contributions by or on behalf of a charitable organization that is required to register and file annual financial reports with the Attorney General's Charities Bureau, must:

- Include a clear description of the programs and activities for which contributions are solicited, or include a statement that such a description may, upon request, be obtained from the organization.
- Include a statement that a copy of the organization's latest annual financial report may be obtained from the organization or from the Attorney General's Charities Bureau's Website – [www.charitiesnys.com](http://www.charitiesnys.com) – or from the organization and include the address of the organization to which a request should be addressed.
- Include the phone number of the Attorney General - (212) 416-8686 - where an individual may get information about charities.
- If the solicitation is conducted by a Professional Fund Raiser; or a Professional Solicitor, such as an individual employed by a Professional Fund Raiser to solicit contributions by phone or door-to-door, the solicitation must **also** include:
  - The name of the Professional Fund Raiser, as registered with the Charities Bureau, and a statement that the solicitation is being conducted by a Professional Fund Raiser, and
  - If applicable, the name of the Professional Solicitor, as registered with the Charities Bureau, conducting the solicitation and a statement that the solicitor is being paid to solicit contributions.

If a solicitation is in writing, the above disclosures must be placed conspicuously in the solicitation material in at least ten-point **bold** face type or, in the alternative, typeface that is no smaller than the size of the print used for most of the words in the disclosures.

**Please note** - any organization that has not previously been required to file an annual financial report with the Charities Bureau must state the date on which its annual financial report will be filed. For example, a recently registered charity whose annual financial report is not yet due must make this additional disclosure in its solicitations.

For immediate access to a charity's annual financial report, the Charities Bureau recommends visiting the publicly available registry at [www.charitiesnys.com](http://www.charitiesnys.com) where all filed reports are posted.