**R152. Commerce, Consumer Protection.**

**R152-22. Charitable Solicitations Act Rule.**

**R152-22-1. Purpose.**

The purpose of this rule is to:

(1) define terms;

(2) establish the form of the registration application for a professional fund raiser and professional fund raising consultant;

(3) establish the process by which a person may register as a professional fund raiser or professional fund raising consultant;

(4) establish the process by which a professional fund raiser may register a fund raising campaign;

(5) establish the manner and process by which a charitable organization shall file forms in accordance with Subsection 13-22-15(1); and

(6) aid the division's administration and enforcement of Title 13, Chapter 22, Charitable Solicitations Act.

**R152-22-2. Authority.**

This rule is promulgated in accordance with Subsections 13-2-5(1), 13-22-9(1)(b)(xiv), and 13-22-15(2)(b).

**R152-22-3. Definitions.**

As used in this rule and Section 13-22-24:

(1) "Bank account" means any account in which a professional fund raiser holds charitable contributions collected in connection with a fund raising campaign.

(2) "Bank account information" means:

(a) the bank account number;

(b) the name of the bank account holder;

(c) the name and address of the bank, credit union, or other financial institution that provides the bank account to the professional fund raiser.

**R152-22-4. Professional Fund Raiser and Professional Fund Raising Consultant Registration.**

(1) A professional fund raiser or professional fund raising consultant that applies for registration shall:

(a) apply using a form approved by the division, including information required by Section 13-22-9;

(b) submit its application electronically, or by using another method approved by the division; and

(c) pay the required application fee.

(2) A professional fund raiser or professional fund raising consultant that discloses an injunction, judgment, administrative order, or conviction in accordance with Subsection 13-22-9(1)(b)(ix) or (xi) shall include with its application:

(a) a case number or similar identifier, if available;

(b) information that identifies the jurisdiction in which the injunction, judgment, administrative order, or conviction occurred;

(c) a brief description of the underlying action; and

(d) a copy of the injunction, judgment, administrative order, or conviction.

**R152-22-5. Fund Raising Campaign Registration.**

(1) A professional fund raiser shall submit information required by Section 13-22-24 using the form and method approved by the division.

(2) A fund raising campaign registration shall include the start and end date for the fund raising campaign.

**R152-22-6. Registered Agent in Utah.**

A registered agent identified by a professional fund raiser in accordance with Subsection 13-22-9(1)(b)(vi) shall have a mailing address in Utah.

**R152-22-7. Charitable Organization Financial Reports.**

Reserved.

**KEY: charities, consumer protection, solicitations, registration**

**Date of Last Change: June 21, 2024**

**Notice of Continuation: November 24, 2021**

**Authorizing, and Implemented or Interpreted Law: 13-2-5; 13-22-6; 13-22-8; 13-22-9; 13-22-10**