

CHARITABLE ORGANIZATIONS AND SOLICITATIONS ACT (EXCERPT)
Act 169 of 1975

400.283 Exemptions from registration and reporting requirements.

Sec. 13.

A charitable organization's registration and reporting requirements under this act do not apply to any of the following:

(a) A person that requests a contribution for the relief or benefit of an individual, specified by name at the time of the solicitation, if the contributions collected are turned over to the named beneficiary after deducting reasonable expenses for costs of solicitation, if any, and if all fund-raising functions are carried on by persons that are unpaid, directly or indirectly, for their services.

(b) A charitable organization that does not intend to solicit and receive and does not actually receive contributions of more than \$25,000.00 during any 12-month period if all of its fund-raising functions are carried on by persons that are unpaid for their services and if the organization makes available to its members and the public a financial statement of its activities for its most recent fiscal year. If the gross contributions received during any 12-month period exceed \$25,000.00, the person shall register under this act within 30 days after the date its total contributions in that fiscal year exceed \$25,000.00.

(c) A charitable organization that does not invite the general public to become a member of the organization and confines solicitation activities to solicitation drives solely among its members, directors, trustees, or their immediate families. As used in this subdivision, "immediate family" means the grandparents, parents, spouse, brothers, sisters, children, and grandchildren of a member, director, or trustee.

(d) An educational institution certified by the state board of education.

(e) A veterans' organization incorporated under federal law.

(f) An organization that receives funds from a charitable organization registered under this act that does not solicit or intend to solicit or receive or intend to receive contributions from persons other than the registered charitable organization, if the organization makes available to its members and the public a financial statement of its activities for its most recent fiscal year.

(g) A licensed hospital, hospital-based foundation, or hospital auxiliary that solicits funds solely for 1 or more licensed hospitals.

(h) A nonprofit service organization that is exempt from taxation under a provision of the internal revenue code other than section 501(c)(3), 26 USC 501(c)(3), whose principal purpose is not charitable, but that solicits from time to time funds for a charitable purpose by members of the organization that are not paid for the solicitation. Funds solicited under this subdivision shall be wholly used for the charitable purposes for which they were solicited, and the organization must file with the attorney general a federal form 990 or 990-EZ.

(i) A nonprofit corporation, if its stock is wholly owned by a religious or fraternal society that owns and operates facilities for the aged and chronically ill and no part of its net income from the operation of the facility inures to the benefit of a person other than the residents.

(j) A charitable organization licensed by the department of human services that serves children and families.

(k) A person registered under and complying with the requirements of the public safety solicitation act, 1992 PA 298, MCL 14.301 to 14.327.

History: 1975, Act 169, Imd. Eff. July 20, 1975 ;-- Am. 1976, Act 368, Imd. Eff. Dec. 23, 1976 ;-- Am. 1992, Act 299, Imd. Eff. Dec. 18, 1992 ;-- Am. 2010, Act 377, Eff. Mar. 30, 2011