

CHAPTER 48

CHARITABLE FUND RAISING

Authority

N.J.S.A. 45:17A-18 et seq., specifically 45:17A-21b

Source and Effective Date

R.2005 d.70, effective January 21, 2005.
See: 36 N.J.R. 4370(a), 37 N.J.R. 618(a).

Chapter Expiration Date

Chapter 48, Charitable Fund Raising, expires on January 21, 2010.

Chapter Historical Note

Chapter 48, Charitable Fund Raising, was adopted as R.1979 d.311, effective August 13, 1979. See: 11 N.J.R. 257(a), 11 N.J.R. 466(a). Pursuant to Executive Order No. 66(1978), Chapter 48 expired on August 13, 1984. New fund raising rules were adopted as R.1985 d.698, effective January 21, 1986. See: 17 N.J.R. 1244(a), 18 N.J.R. 205(b).

Pursuant to Executive Order No. 66(1978), Chapter 48 was readopted as R.1991 d.64, effective January 17, 1991. See: 22 N.J.R. 3108(b), 23 N.J.R. 608(b).

Chapter 48 was repealed and new Chapter 48, Charitable Fund Raising was adopted as R.1994 d.494, effective September 19, 1994. See: 26 N.J.R. 2746(a), 26 N.J.R. 3882(a).

Pursuant to Executive Order No. 66(1978), Chapter 48, Charitable Fund Raising, was readopted as R.1999 d.339, effective September 9, 1999. See: 31 N.J.R. 1899(a), 31 N.J.R. 2892(a).

Subchapters 4 through 15 were adopted as new rules by R.1999 d.385, effective November 15, 1999. See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).

Chapter 48, Charitable Fund Raising, was readopted as R.2005 d.70, effective January 21, 2005. See: Source and Effective Date. See, also, section annotations.

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“Act” means the Charitable Registration and Investigation Act of 1994, P.L. 1994, c.16.

“Address” means the principal street address where a person or organization is most reasonably likely to receive actual notice of a mailing.

“Attorney General” means the Attorney General of the State of New Jersey or, as applicable, the Attorney General’s designee, the Director of the Division of Consumer Affairs.

“Caging agent” means the person, firm or company responsible for retrieving responses to solicitations from a return post office box, depositing any monies received and reporting the amount of contributions and non-contributions from the responses.

“Campaign” means an operation or plan organized to solicit a contribution to further a charitable organization’s stated or implied purpose.

“Certified public accountant” includes an individual licensed by the New Jersey Board of Accountancy to practice as a certified public accountant or its equivalent in another jurisdiction; an individual licensed as a public accountant by the New Jersey Board of Accountancy to practice as a public accountant or its equivalent in another jurisdiction; or an individual licensed to practice as a registered municipal accountant by the New Jersey Board of Accountancy.

“Charitable organization” means:

1. Any person determined by the Federal Internal Revenue Service to be a tax-exempt organization pursuant to section 501(c)(3) of the Internal Revenue Code of 1986, 26 U.S.C. § 501(c)(3); or

2. Any person who is, or holds himself or herself out to be, established for any benevolent, philanthropic, humane, social welfare, public health, or other eleemosynary purpose, or for the benefit of law enforcement personnel, firefighters or other persons who protect the public safety, or any person who in any manner employs a charitable appeal as the basis of any solicitation, or an appeal which has a tendency to suggest there is a charitable purpose to any such solicitation.

“Charitable purpose” means:

1. Any purpose described in section 501(c)(3), of the Internal Revenue Code of 1986, 26 U.S.C. § 501(c)(3); or

2. Any benevolent, philanthropic, humane, social welfare, public health, or other eleemosynary objective, or an objective that benefits law enforcement personnel, firefighters, or other persons who protect the public safety.

SUBCHAPTER 1. GENERAL PROVISIONS

13:48-1.1 Director

(a) The Director of the Division of Consumer Affairs shall be the person charged with the administration and enforcement of the Charitable Registration and Investigation Act, P.L. 1994, c.16.

Case Notes

The Charities Registration and Investigation Section of the Division of Consumer Affairs is entrusted with the administration and enforcement of the Charitable Fund Raising Act of 1971. *Degnan v. Nordmark & Hood Presentations, Inc.*, 177 N.J.Super. 186, 425 A.2d 1091 (App.Div.1981) appeal dismissed 87 N.J. 427, 434 A.2d 1098.

13:48-1.2 Applicability

(a) These rules shall govern the registration and charitable fund raising activities of charitable organizations, federated fund raising organizations, professional fund raisers, solicitors, and commercial co-venturers, pursuant to the Charitable Registration and Investigation Act of 1994.

(b) These rules shall apply to any person engaging within this State in any of the activities regulated by the Act, including persons whose principal place of business is located outside this State.

(c) Upon initial request by a potential registrant, or as the result of independent information received by the Attorney General, a determination form, to determine the applicability of the Act, will be supplied. There is no fee for this form, which may be requested by telephone, facsimile, or letter sent to the address set forth in N.J.A.C. 13:48-1.4.

Case Notes

Contract whereby defendants agreed to put on a circus for a registered charity for costs plus 50 percent of profits fell within the statutory proscription in that it involved use of an unrequested professional fundraiser and provided for compensation beyond amount permitted by statute; Appellate Division of Superior Court has exclusive review of administrative decisions. *Degnan v. Nordmark & Hood Presentations, Inc.*, 177 N.J.Super. 186, 425 A.2d 1091 (App.Div.1981) appeal dismissed 87 N.J. 427, 434 A.2d 1098.

13:48-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings:

“Contract” means an agreement between two or more parties and includes, but is not limited to, initial contracts, extensions, renewals and amendments.

“Contribution” means the conveyance, promise or pledge of money, credit, property, financial assistance or other thing of any kind or value in response to a solicitation. “Contribution” does not include any of the following: bona fide fees, dues or assessments paid by members provided that membership is not conferred solely as consideration for making a contribution in response to a solicitation; monies received pursuant to a governmental grant or contract; or personal services rendered by a volunteer.

“Custody, control or access” means that a person has responsibility for the collection, distribution, protection, or preservation of a charitable organization’s money; or that a person has the power or authority to manage, direct, restrict, administer or oversee a charitable organization’s money; or that a person has the power, authority, opportunity or right to make use of a charitable organization’s money. By way of example, but not by limitation, the following demonstrate custody or control of, or access to, a charitable organization’s money:

1. A fund raising counsel or independent paid fund raiser has an agreement with an escrow, lock box or caging agent concerning a charitable organization’s money;
2. A fund raising counsel or independent paid fund raiser has access to or the right to direct the use of a charitable organization’s money in any financial or bank account; or
3. A fund raising counsel or independent paid fund raiser has the authority or the opportunity to direct the manner in which collected contributions are handled, disbursed, transferred or deposited.

“Division” means the Division of Consumer Affairs within the Department of Law and Public Safety.

“Escrow agent” means the person, firm or company responsible for operating any escrow or other account into which all monies are deposited and for distributing those monies.

“Event” means a planned happening, occurrence, activity or social occasion.

“Federated fund raising organization” means a federation of independent charitable organizations which have voluntarily joined together for purposes of raising and distributing money.

“Fund raising counsel” means any person, including any assignee, subcontractor or any other successor in interest, who is retained by a charitable organization for a fixed fee or rate to plan, manage, advise, consult or prepare material for or with respect to the solicitation in this State of contributions for a charitable organization, but who does not solicit contributions or employ, procure or engage any com-

pensated person to solicit contributions. “Fund raising counsel” does not include a bona fide salaried officer, employee, or volunteer of a charitable organization or an attorney, accountant or banker who renders professional services to a charitable organization or advises a person to make a charitable contribution during the course of rendering professional services to that person.

“Government grant” means:

1. Any amounts received from a governmental unit, including donations or contributions and amounts received in connection with a contract entered into with a governmental unit for the performance of services or in connection with a government research grant;
2. Tax revenues levied for the organization’s benefit and either paid to or expended on its behalf;
3. The value of services or facilities furnished by a governmental unit to the organization without charge.

“Gross contributions” means the total amount of contributions received nationwide by a charitable organization before any deductions for expenses of collection or for overhead or for compensation for any services such as the services provided by a fund raising counsel or an independent paid fund raiser.

“Gross receipts” means the total amount, without deductions, of cash or other assets received, including, but not limited to, all contributions.

“Gross revenue” means the total amount of revenue, without deductions, of cash or other assets received including, but not limited to, all contributions, government grants, program service revenue, membership dues, performance fees, interest and dividends, pledges, rents, and other support. “Gross revenue” does not include items purchased by other entities for the use of the charitable organization where ownership of the item is retained by the original purchaser. For the purpose of determining if an audit is required, “gross revenue” does not include one-time bequests, fund raising campaigns for capital property in a single fiscal year or the value of services performed by volunteers.

“Honor box” means a container in which a person places a contribution and selects a piece of gum, candy or token gift such as a toy or magnet.

“Independent paid fund raiser” means any person, including any assignee, subcontractor or any successor in interest, who for compensation performs for a charitable organization any service in connection with which contributions are, or will be solicited in this State by that compensated person or by any compensated person he employs, procures, or engages, directly or indirectly to solicit contributions. “Independent paid fund raiser” does not include a bona fide salaried officer, employee, or volunteer of a charitable organization or an attorney, accountant or banker who advises a person to make a charitable contribution during the course of rendering professional services to that person.

“Local unit” means a charitable organization that is affiliated with a parent organization under terms specified in the parent organization’s charter, articles of organization, agreement of association, instrument of trust, constitution or other organizational instrument or by-laws.

“Membership” means a relationship which entitles a person to the privileges, professional standing, honors or other direct benefit of the organization and either the right to vote or elect officers, or hold office in the organization. “Membership” does not include any relationship granted solely upon making a contribution as a result of a solicitation.

“Parent organization” means a charitable organization which charters or affiliates local units under terms specified in the charitable organization’s charter, articles of organization, agreement of association, instrument of trust, constitution or other organizational instrument or bylaws.

“Person” means an individual, corporation, association, partnership, trust, foundation or any other entity, however established within or without this State.

“Professional fund raisers” means both independent paid fund raisers and fund raising counsel.

“Registrant” means any person who has filed a registration statement with the Attorney General required by the Act.

“Registration statement” means an initial registration, renewal, financial report, or any other document or report required pursuant to N.J.S.A. 45:17A-23 through 28 to be filed with the Attorney General.

“Secretary of State” means the Secretary of State of the State of New Jersey.

“Solicitation” or “solicit” means the request, directly or indirectly, for money, credit, property, financial assistance, or other thing of any kind or value which will be used for a charitable purpose or benefit a charitable organization. A solicitation takes place whether or not the person making the solicitation receives any contribution, except that a charitable organization’s use of its own name in any communication is not alone sufficient to constitute a solicitation. “Solicitation” includes, but is not limited to, the following methods of requesting or securing money, credit, property, financial assistance or other thing of value:

1. Any oral or written request;
2. The making of any announcement in the press, over the radio or television, by telephone, through the mail or any other media concerning an appeal or campaign by or for any charitable organization or purpose;

3. The distribution, circulation, posting or publishing of any handbill, written advertisement or other publication which directly or by implication seeks to obtain a contribution;

4. The offer of, attempt to sell, or sale of any advertising space, book, card, tag, coupon, device, magazine, membership, merchandise, subscription, flower, ticket, candy, cookies or other tangible item in connection with which any appeal is made for any charitable organization or purpose, or where the name of any charitable organization is used or referred to in any appeal as an inducement or reason for making any sale, or where any statement is made that the whole or any part of the proceeds from the sale will be used for any charitable purpose or benefit any charitable organization; and

5. The use of or employment of canisters, cards, receptacles or similar devices for the collection of money or other thing of value in connection with which any appeal is made for any charitable organization or purpose.

“Solicitor” means any individual who attempts to solicit or solicits contributions, for compensation, and who is subject to the control of an independent paid fund raiser. The term “control” means the direct management, direction and supervision of performance of a solicitor’s activities in connection with the solicitation of contributions by the independent paid fund raiser.

Amended by R.1999 d.385, effective November 15, 1999.
See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).
Rewrote the section.

13:48-1.4 Address for all matters related to registration

All matters related to registration should be communicated to:

Division of Consumer Affairs
Office of the Attorney General
Charities Registration Section
PO Box 45021
Newark, N.J. 07101

Amended by R.1999 d.385, effective November 15, 1999.
See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).
Changed addressee, and deleted telephone and fax numbers.

SUBCHAPTER 2. FEES

13:48-2.1 Fee schedule

(a) The fees charged by the Division of Consumer Affairs for registration of charitable organizations (which shall be read to include, for the purposes of this subchapter, federated fund raising organizations), fund raising counsel, independent paid fund raisers, and solicitors, and for filing of contracts and other documents, shall be the following:

1. A charitable organization, which is required under the Act to file a short form registration statement and which received gross contributions of not more than \$10,000 during the most recently filed fiscal year of the organization, shall not be required to pay an annual registration fee. A late fee of \$25.00 shall be incurred by any organization that fails to submit a complete annual registration filing within 30 days of the annual filing deadline.

2. A charitable organization, which is required under the Act to file a short form registration statement and which received gross contributions in excess of \$10,000 during the most recently filed fiscal year of the organization, shall pay an annual registration fee of \$30.00 a year with the annual filing unless a filing extension was granted pursuant to N.J.A.C. 13:48-3.1(c). A late fee of \$25.00 shall be incurred by any organization that fails to submit a complete annual registration filing along with the applicable annual registration fee within 30 days of the annual filing deadline.

3. A charitable organization, which is required under the Act to file a long form registration statement and which received gross contributions of not more than \$100,000 during the most recently filed fiscal year of the organization, shall pay an annual registration fee of \$60.00 a year with the annual filing unless a filing extension was granted pursuant to N.J.A.C. 13:48-3.1(c). A late fee of \$25.00 shall be incurred by any organization that fails to submit a complete annual registration filing along with the applicable annual registration fee within 30 days of the annual filing deadline.

4. A charitable organization, which is required under the Act to file a long form registration statement and which received gross contributions of more than \$100,000 but not more than \$500,000 during the most recently filed fiscal year of the organization, shall pay an annual registration fee of \$150.00 a year with the annual filing unless a filing extension was granted pursuant to N.J.A.C. 13:48-3.1(c). A late fee of \$25.00 shall be incurred by any organization that fails to submit a complete annual registration filing along with the applicable annual registration fee within 30 days of the annual filing deadline.

5. A charitable organization, which is required under the Act to file a long form registration statement and which received gross contributions of more than \$500,000 during the most recently filed fiscal year of the organization, shall pay an annual registration fee of \$250.00 a year with the annual filing unless a filing extension was granted pursuant to N.J.A.C. 13:48-3.1(c). A late fee of \$25.00 shall be incurred by any organization that fails to submit a complete annual registration filing along with the applicable annual registration fee within 30 days of the annual filing deadline.

6. A parent organization that registers local units in accordance with the Act shall pay its own fee and an additional fee of \$10.00 for each local unit.

7. All fund raising counsel and independent paid fund raisers shall pay an annual registration fee of \$250.00, payable upon initial registration and on July 1 of each renewal year thereafter. A partnership or corporation which offers either fund raising counsel or independent paid fund raiser services, or both types of services, shall pay a single annual registration fee, payable upon initial registration and on July 1 of each renewal year thereafter. Upon renewal of registration, failure to submit a complete annual registration filing along with the applicable fee within 30 calendar days of July 1 shall result in a late fee of \$25.00.

8. In addition to the fee paid by independent paid fund raisers, a solicitor shall pay a registration fee of \$15.00, payable upon initial registration and on July 1 of each renewal year thereafter. Upon renewal of registration, failure to submit a complete annual registration filing along with the applicable fee within 30 calendar days of July 1 shall result in a late fee of \$25.00.

9. The fee for filing a contract, or for the renewal or the extension thereof, defined for purposes of this subsection as any written agreement between a charitable organization and a fund raising counsel, independent paid fund raiser or commercial co-venturer, shall be \$30.00 and shall be paid at least 10 days prior to commencement of any solicitation activity in the State set forth in that contract.

10. The fee for filing a final report, required to be filed by the charitable organization under Section 12b of the Act at the conclusion of a charitable sales promotion conducted by a commercial co-venturer on behalf of a charitable organization, shall be \$10.00.

11. The fee for filing a financial report required to be filed by a fund raising counsel or independent paid fund raiser under Section 10g(3) of the Act for a solicitation campaign, shall be \$10.00.

12. The fee for filing a written commitment, required to be filed by a fund raising counsel or independent paid fund raiser under Section 15e(1) of the Act, confirming a charitable organization's acceptance of donated tickets to an event, shall be \$10.00.

13. The fee for filing a 10 day notice, required to be filed by Section 13d(1) of the Act by a law officers' organization to provide notice of any campaign involving multiple solicitations, shall be \$10.00.

14. The fees for photocopies of any public record maintained pursuant to the Act shall be in accordance with the "Open Public Records Act," N.J.S.A. 47:1A-1 et seq.

(b) Where the fee imposed is based upon the gross contributions received during the most recently filed fiscal year, and a charitable organization failed to make a required filing which reports gross contributions, the fee shall be based upon the gross contributions received in the prior fiscal year.

(c) A late fee shall be deemed a primary, but not exclusive, remedy for any registration statement or other document which is not filed in a timely fashion. Any failure to file in a timely fashion is a violation of the Act and may be enforced accordingly.

(d) All fee payments shall be in the form of a check or money order made out to "The N.J. Division of Consumer Affairs," and sent to:

Division of Consumer Affairs
Charities Registration Section
PO Box 45021
Newark, NJ 07101

Amended by R.1999 d.385, effective November 15, 1999.

See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).

In (a)9, inserted "or for the renewal or the extension thereof," following "contract", inserted "shall be \$30.00 and shall be paid" following "co-venturer", and deleted ", shall be \$30.00" at the end; and in (d), substituted a reference to the Charities Registration Section for a reference to the Regulated Business Section.

Amended by R.2005 d.70, effective February 22, 2005.

See: 36 N.J.R. 4370(a), 37 N.J.R. 618(a).

In (a), substituted "submit a complete annual registration filing" for "submit the annual filing" in 1, substituted "submit a complete annual registration filing along with the applicable" for "pay any" and "pay the" in 2 through 5 and 7 and 8 respectively, and rewrote 14.

SUBCHAPTER 3. GENERAL REQUIREMENTS

13:48-3.1 Registration

(a) A charitable organization, fund raising counsel, independent paid fund raiser or solicitor shall not solicit or counsel solicitation of a resident of this State for a contribution before the Attorney General has been given the opportunity to review the registration statement filed with the Attorney General, unless the Attorney General has determined that the person or organization is exempt from registration after having reviewed the request for an exemption determination filed pursuant to N.J.A.C. 13:48-3.3(b).

(b) A charitable organization shall meet the filing requirements of N.J.A.C. 13:48-4 or 5.

(c) A fund raising counsel shall meet the filing requirements of N.J.A.C. 13:48-7.

(d) An independent paid fund raiser shall meet the filing requirements of N.J.A.C. 13:48-7.

(e) A solicitor shall meet the filing requirements of N.J.A.C. 13:48-8.

(f) A charitable organization shall maintain its registration by filing a renewal statement annually within six months after the close of the charitable organization's fiscal year.

New Rule, R.1999 d.385, effective November 15, 1999.

See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).

Former N.J.A.C. 13:48-3.1, Extensions of time for annual filing of the renewal statement and financial report, recodified to N.J.A.C. 13:48-3.4.

13:48-3.2 When registration deemed accepted; failure to satisfy registration requirements; notice and hearing

(a) If the Attorney General determines that the registration requirements established by the Act or these rules are not satisfied, the Attorney General shall notify the filing party or registrant in writing within 10 business days of receipt of the registration. If notification is not sent by the Attorney General within 10 business days to a filing party or registrant, the registration shall be deemed accepted.

(b) Upon receipt of notification that the requirements have not been satisfied, the charitable organization, fund raising counsel, independent paid fund raiser, or solicitor, has 10 business days in which to satisfy the requirements or request a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

(c) If the Attorney General determines that the registration requirements of this Act or these rules have not been satisfied and the person or organization does not request a hearing as set forth in (b) above, the registration application shall be denied. This does not prohibit the person or organization from registering at a future date.

(d) Acceptance of a registration statement shall not foreclose the Attorney General from later taking appropriate action based on information that may be subsequently discovered.

New Rule, R.1999 d.385, effective November 15, 1999.

See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).

13:48-3.3 Organizations exempt from registration

(a) The registration requirements of these rules shall not apply to:

1. Any religious corporation, trust, foundation, association or organization incorporated under the provisions of Title 15 or 16 of the Revised Statutes or Title 15A of the New Jersey Statutes or established for religious purposes;

2. Any agency or organization incorporated or established for charitable purposes and engaged in effectuating one or more charitable purposes, which is affiliated with, operated by or supervised or controlled by a corporation, trust, foundation, association, or organization incorporated or established for religious purposes, or any other religious agency or organization;

3. Any educational institution, the curricula of which in whole or in part are registered or approved by the State Department of Education or the Commission on Higher Education, either directly or by acceptance of accreditation by an accrediting body recognized by these agencies;

4. An educational institution confining its solicitation to its student body, alumni, faculty and trustees, and their families;

5. A library registered with the Secretary of State, provided that the annual financial report of that library shall be filed with the Secretary of State, where it shall be open for public inspection; or

6. A local unit registered by a parent organization in accordance with N.J.A.C. 13:48-6.

(b) Nothing in this section shall preclude the Attorney General from requiring an entity or organization claiming an exemption from registration to demonstrate that it meets the requirements of (a) above or from taking other appropriate action based on information which may be subsequently discovered.

New Rule, R.1999 d.385, effective November 15, 1999.
See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).

13:48-3.4 Extensions of time for annual filing of the renewal statement and financial report

(a) The annual filing of the renewal statement and financial report shall be due no later than six months after the close of an organization's fiscal year unless the organization has been granted an extension of time as set forth below.

(b) For good cause shown, the Attorney General in his or her discretion may extend the time for the annual filing of the renewal statement and financial report, for a period not to exceed 180 days, during which time the previous registration shall remain in effect.

(c) For purposes of this section the petitioner shall set out in full the facts which constitute "good cause" and shall append thereto any documents supporting the request for an extension.

(d) The written request for an extension shall be accompanied by the full payment of the fee due for the annual filing, and shall be sent to the Attorney General at the address set forth in N.J.A.C. 13:48-1.4. The request must be received by the Attorney General before the filing deadline.

(e) The request shall be signed by an officer of the charitable organization who shall certify that the organization has filed the previous year's report; that the charitable organization has paid all fees and penalties due and owing to the Division of Consumer Affairs, if any, and that the request for an extension contains complete and accurate information.

(f) Subsections (b) and (c) notwithstanding, the Attorney General shall deny an application for an extension if:

1. The charitable organization has not filed the previous year's report;
2. The charitable organization has not paid all fees and any penalties owing to the Division of Consumer Affairs; or

3. The extension request does not contain full and accurate information.

(g) An application for an extension of time shall be deemed approved unless an applicant is notified by certified mail, return receipt requested, within 15 business days that the extension has been denied.

Recodified from N.J.A.C. 13:48-3.1 and amended by R.1999 d.385, effective November 15, 1999.
See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).
Rewrote the section.

Case Notes

Professional solicitor was entitled to preliminary injunction preventing enforcement. *Telco Communications, Inc. v. Barry*, D.N.J.1990, 731 F.Supp. 670.

13:48-3.5 Forms

Forms for filing information required by the Act are available upon request from the Division of Consumer Affairs.

New Rule, R.1999 d.385, effective November 15, 1999.
See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).

13:48-3.6 Notification of change of address; service of process

(a) A registrant shall notify the Attorney General in writing of any change of address from the address currently filed with the Attorney General. Such notice shall be mailed to the Attorney General by certified mail, return receipt requested, not later than 10 days following the change of address.

(b) Failure to notify the Attorney General of any change of address pursuant to (a) above shall be a violation of the Act and these rules.

(c) Service of an administrative complaint or other process at the registrant's address currently on file with the Attorney General shall be deemed adequate notice for the commencement of any enforcement action.

New Rule, R.1999 d.385, effective November 15, 1999.
See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).

SUBCHAPTER 4. REGISTRATION OF CHARITABLE ORGANIZATIONS—SHORT FORM REGISTRATION

Authority

N.J.S.A. 45:17A-18 et seq., specifically 45:17A-21b.

Source and Effective Date

R.1999 d.385, effective November 15, 1999.
See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).

13:48-4.1 Short form registration

(a) Prior to commencing solicitation activities in this State, the following charitable organizations, except those exempt from registration pursuant to N.J.A.C. 13:48-3.3, or those required to file a long form registration pursuant to N.J.A.C. 13:48-5, shall file a short form registration statement with the Attorney General:

1. Charitable organizations or organizations engaging in a charitable fund raising campaign which do not receive gross contributions in excess of \$25,000 during a fiscal year, if all of their fund raising activities are performed by volunteers, members, officers or persons who are not compensated for soliciting contributions. However, if gross contributions should exceed \$25,000, whether or not the money is actually received by the charitable organization within the fiscal year, the organization shall, within 30 days of reaching that figure, notify the Division in writing that the organization will file a long form at the end of the next fiscal year, as required by N.J.A.C. 13:48-5;

2. Fraternal, patriotic, social or alumni organizations, historical societies, and similar organizations organized under the provisions of Title 15 of the Revised Statutes or Title 15A of the New Jersey Statutes, when solicitation of contributions is confined to their membership and solicitation is performed by members of that organization;

3. Persons requesting any contributions for the relief of any individual, specified by name at the time of the solicitation, if all of the contributions collected, without any deductions whatsoever, are turned over to the named beneficiary; and

4. Any local post, camp, chapter or similarly designated element, or a county unit of that element, of a bona fide veterans' organization which issues charters to the local elements throughout this State, or to any veterans' organization chartered under Federal law or to any service foundation of such an organization recognized in its by-laws.

(b) Information required for the short form registration statement shall include the following:

1. The name and address of the organization;
2. A statement whether the organization has engaged an independent paid fund raiser, fund raising counsel or commercial co-venturer;
3. The purpose for which the charitable organization is organized;
4. The purposes for which the funds are raised;
5. The tax status of the charitable organization;
6. The reason the organization is eligible to file a short form registration;

7. A copy of the organization's most recent Internal Revenue Service Form 990, Form 990EZ and Schedule (A) 990 if the organization filed these forms;

8. A completed financial report;

9. A statement whether the organization has ever been denied registration or had its registration revoked in this or any other jurisdiction along with a list of those jurisdictions; and

10. Any other information as may be requested of the applicant.

(c) Any material change in any information filed with the Attorney General shall be reported in writing to the Attorney General within 10 business days of the change.

(d) In addition to the information required in (b) above, a parent organization filing registrations for local units shall include in its initial filing the information required by N.J.A.C. 13:48-6.

(e) A registrant who is eligible to file a short form shall renew its registration at the end of each fiscal year pursuant to N.J.A.C. 13:48-4.2.

(f) A short form registration shall be signed by two authorized officers, including the chief fiscal officer of the organization, who shall certify that all information contained in the registration statement is correct. If an organization does not have two officers of the corporation or organization, the sole authorized officer shall file a certification attesting to the fact that the organization is solely controlled and operated by only one officer.

13:48-4.2 Short form renewal

(a) An organization which has filed an initial short form registration shall file a short form for renewal of its registration within six months after the close of its fiscal year provided the organization continues to meet the requirements of N.J.A.C. 13:48-4.1(a).

(b) If an extension for filing the short form renewal was requested, a copy of the request shall accompany the short form renewal.

13:48-4.3 Financial reports

(a) A charitable organization filing a short form registration or a short form renewal shall file an accompanying annual financial report on a form prescribed by the Attorney General. The financial report form shall include the following:

1. The name, address and telephone number of the organization and the New Jersey charitable registration number;

2. Gross contributions, through direct and indirect public support;

3. Government grants, if any;
4. Other support;
5. Total expenses including:
 - i. Program expenses;
 - ii. Management and general expenses;
 - iii. Fund-raising expenses, if any; and
 - iv. Any other costs;
6. Revenues over/under expenses for the year;
7. Whether the organization has engaged the services of an independent paid fund raiser, fundraising counsel or commercial co-venturer;
8. A copy of the organization's most recently filed Internal Revenue Service Form 990 and Schedule (A)990, if required to be filed by the Internal Revenue Service, must be submitted with the financial report; and
9. Any other information as may be requested of the applicant.

4. A statement whether any officer, director, trustee or principal salaried executive staff employee has been adjudged liable in an administrative or civil action involving theft, fraud, or deceptive business practices, or convicted in a criminal action, involving theft, fraud, or deceptive business practices. For purposes of this paragraph:

i. A plea of guilty, non vult, nolo contendere or any similar disposition of alleged criminal activity shall be deemed a conviction; and

ii. "Each principal salaried executive staff employee" shall be limited to no more than the five most highly compensated employees in the organization;

5. A copy of the most recently filed Internal Revenue Service Form 990 and Schedule (A)990 for every registrant;

6. A clear description of the specific programs and charitable purpose for which contributions will be used and a statement whether such programs are planned or are in existence;

7. A statement whether any of the organization's officers, directors, trustees, or principal salaried executive staff employees above are related by blood, marriage or adoption to each other or to any officers, agents, or employees of any fund raising counsel or independent paid fund raiser under contract to the organization, or are related by blood, marriage or adoption to any chief executive employee, any other employee of the organization with a direct financial interest in the transaction, or any partner, proprietor, director, officer, trustee, or to any shareholder of the organization with more than a two per cent interest of any supplier or vendor providing goods or services to the organization and the name and business and home address and telephone number of each related party;

8. The amount of any grant or financial assistance from any agency of government in its preceding fiscal year; and

9. Any other information as may be requested of the applicant.

(c) A charitable organization may incorporate by reference any information reported by the organization on Internal Revenue Service Form 990 and Schedule (A)990.

(d) Upon initial registration only, every charitable organization required to file a long form registration shall include the following additional information which shall not be required upon renewal:

1. A copy of the organization's charter, articles of organization, agreement of association, instrument of trust, constitution or other organizational instrument and by-laws;

2. A statement setting forth the place where and the date when the organization and its tax exempt status were legally established, the form of its organization, along with

SUBCHAPTER 5. REGISTRATION OF CHARITABLE ORGANIZATIONS—LONG FORM REGISTRATION

Authority

N.J.S.A. 45:17A-18 et seq., specifically 45:17A-21b.

Source and Effective Date

R.1999 d.385, effective November 15, 1999.
See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).

13:48-5.1 Long form registration

(a) Prior to commencing solicitation activities in this State a charitable organization, except those exempt from registration pursuant to N.J.A.C. 13:48-3.3 or those qualified to file a short form pursuant to N.J.A.C. 13:48-4, shall file a long form registration statement with the Attorney General.

(b) Information required for the initial and renewal long form registration statement shall include the following:

1. The name of the organization and any other name or names under which it intends to solicit contributions in this State;
2. The purposes for which the charitable organization has been organized;
3. The name, address and telephone number of each officer, director and trustee and each principal salaried executive staff employee;

copies of Federal or State tax exemption determination or exemption ruling letters;

3. The address and telephone number of the organization and the address and telephone number of each office in this State. If the organization does not maintain an office in this State, the name, address and telephone number of the individual having custody of its financial records shall be disclosed;

4. The name, address and telephone number of each affiliate which shares in the contributions or other revenue raised in this State;

5. The date when the organization's fiscal year ends;

6. A statement whether:

i. The organization is authorized by any other state to solicit contributions, and if so, a listing of the states in which authorization has been obtained;

ii. The organization or any of its present officers, directors, executive personnel or trustees are or have ever been enjoined in any jurisdiction from soliciting contributions or have been found to have engaged in unlawful practices in the solicitation of contributions or the administration of charitable assets;

iii. The organization's registration has been denied, suspended or revoked by any jurisdiction, together with a listing of those jurisdictions and the reasons for that denial, suspension, or revocation; and

iv. The organization has voluntarily entered into an assurance or voluntary discontinuance or agreement with any jurisdiction or Federal agency or officer and a listing of those jurisdictions;

7. Photocopies of any and all written documentation (such as a court order, administrative order, judgment, formal notice, or written assurance) supporting an affirmative response to (d)6ii, iii and iv above; and

8. A statement whether the organization intends to solicit contributions from the general public.

(e) All long form registrations shall be signed by two authorized officers, including the chief fiscal officer of the organization, who shall certify that all information contained in the registration statement is correct. If an organization does not have two officers of the corporation or organization, the sole authorized officer shall file a certification attesting to the fact that the organization is solely controlled and operated by only one officer.

(f) In addition to the information required in (b) through (e) above, a parent organization filing registrations for local units shall include in its initial registration and renewal statement the information required by N.J.A.C. 13:48-6.

13:48-5.2 Long form renewal

(a) An organization which has filed an initial long form registration shall file a renewal of its registration within six months after the close of its fiscal year.

(b) If an extension was requested, a copy of the request shall accompany the long form renewal.

13:48-5.3 Financial reports; audits

(a) A charitable organization filing a long form registration shall file an annual financial report with the Attorney General.

(b) Information required for the financial report shall include the following:

1. A statement of financial position;
2. A statement of activities, revenue, gains and other support, expenses and losses and changes in net assets;
3. A statement of functional expenses classified into:
 - i. Program expenses;
 - ii. Management and general expenses; and
 - iii. Fund raising;
4. A statement of cash flows.

(c) The annual financial report of every charitable organization which received more than \$100,000 in gross revenue during its most recently completed fiscal year shall be accompanied by an audited financial statement prepared in accordance with generally accepted accounting principles by an independent certified public accountant for the purpose of issuing an auditor's report thereon.

(d) The annual financial reports of all charitable organizations which receive more than \$25,000 but less than \$100,000, shall be certified by the organization's president or other authorized officer of the organization's governing board. If the Attorney General requests an audit, the organization shall be notified in writing. In response, the organization shall, within 120 days of the Attorney General's notification, submit an audited financial statement prepared in accordance with generally accepted accounting principles by an independent certified public accountant.

(e) For the purpose of determining if an audit is required pursuant to (d) above, a charitable organization's gross revenue shall not include one-time bequests, fund raising campaigns for capital property in a single fiscal year, the value of services performed by volunteers, or items purchased by other entities for the use of the charitable organization where ownership of the item is retained by the original purchaser.

(f) An independent member agency of a federated fund raising organization shall independently comply with the provisions of this section.

(g) The Attorney General will accept a copy of a current audit performed for a State agency such as the New Jersey Department of Community Affairs or the New Jersey Department of Education, an A-133 audit performed for the United States government, or an audit performed for another state agency or officer in compliance with the laws of that state, provided that the audit is substantially similar in content and scope to the audit required by this section.

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**SUBCHAPTER 6. REGISTRATION OF
CHARITABLE ORGANIZATIONS—
REGISTRATION OF LOCAL UNITS BY
PARENT ORGANIZATIONS**

13:48-6.1 Registration of local units by parent organizations

(a) A parent organization may, but is not required to, register any or all of its local units. If a parent organization elects to register one or more of its local units, it shall follow the procedures set out in this subchapter.

(b) A local unit shall register if it has not been registered by its parent organization pursuant to this subchapter or if it does not meet the requirements of (c) below. Each local unit shall be responsible to determine if it has been registered by the parent organization.

(c) A local unit of a parent organization which meets all of the following requirements shall be considered registered:

1. The parent organization is registered pursuant to the Act;
2. All solicitations on behalf of the local unit are performed by members of the local unit or volunteers;
3. The local unit does not employ a fund raising counsel or independent paid fund raiser or utilize paid staff in the preparation of materials or records concerning or related to the solicitations; and
4. The local unit:
 - i. Does not receive gross contributions in excess of \$25,000 during the fiscal year; or
 - ii. Is an organization that limits membership to persons who are, or formerly were, employed as officers statutorily authorized to enforce the criminal laws of this State.

(d) The parent organization also shall provide all of the following information:

1. Upon initial registration, a copy of the parent organization's charter, articles of organization, agreement of association, instrument of trust, constitution or other organizational instrument and by-laws.

2. Upon initial registration and annual renewal, a separate statement that provides the following:

- i. The name, address, and phone number of all local units within this State that it is registering;
- ii. The amount of gross contributions received by each such unit and the purpose or purposes for which these funds were raised in the preceding fiscal year; and
- iii. A statement asserting that each such local unit has provided the parent organization with a written statement reporting the information included on its behalf and asserting that the local unit meets all of the requirements set forth in this subchapter.

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**SUBCHAPTER 7. REGISTRATION OF FUND
RAISING COUNSEL AND INDEPENDENT
PAID FUND RAISER**

13:48-7.1 General requirements

(a) A fund raising counsel, independent paid fund raiser or any assignee, subcontractor or other successor in interest shall, before commencing performance of any service or any solicitations within this State:

1. Register annually with the Attorney General; and
2. File contracts or service agreements pursuant to N.J.A.C. 13:48-9.1.

(b) The registration statement shall be on a form prescribed by the Attorney General, which shall contain the following information:

1. The business name, address, Federal tax identification number, and telephone number of the fund raising counsel or independent paid fund raiser;
2. The name, address, and home telephone number of the principal executive officer and the principal financial officer, if any, of the fund raising counsel or independent paid fund raiser;
3. A statement whether the fund raising counsel or independent paid fund raiser has or intends to have custody, control, or access to any charitable organization's money;
4. A statement whether:
 - i. The fund raising counsel or independent paid fund raiser is authorized or permitted by any other state to solicit contributions, and if so, a listing of the states in which authorization has been obtained.
 - ii. The fund raising counsel or independent paid fund raiser or any of its present officers, directors, executive personnel or trustees have been convicted of any criminal offense committed in any jurisdiction in

connection with the performance of activities regulated under the Act or these regulations, or any criminal offense involving untruthfulness or dishonesty, or any criminal offense relating adversely to the registrant's fitness to perform activities regulated by the Act or these regulations and a listing of the jurisdictions. For the purpose of this subparagraph, a plea of guilty, non vult, nolo contendere or any other similar disposition of alleged criminal activity shall be deemed a conviction.

iii. The fund raising counsel or independent paid fund raiser has been enjoined in any jurisdiction from soliciting contributions or have been found to have engaged in unlawful practices in the solicitation of contributions or the administration of charitable assets and a listing of those jurisdictions.

iv. The fund raising counsel's or independent paid fund raiser's registration has been denied, suspended or revoked by any jurisdiction, together with the reasons for that denial, suspension, or revocation and a listing of those jurisdictions.

v. The fund raising counsel or independent paid fund raiser has voluntarily entered into an assurance or voluntary discontinuance or agreement with any jurisdiction or Federal agency or officer and a listing of those jurisdictions;

5. Photocopies of any and all written documentation (such as a court order, administrative order, judgment, formal notice or written assurance) supporting an affirmative response to (b)4ii, iii, iv and v above;

6. A list of all the charitable organizations which have engaged or retained the services of the fund raising counsel or independent paid fund raiser within the last five years to plan or conduct solicitation activities in the State of New Jersey; and

7. Any other information as may be requested of the applicant.

(c) The accuracy and completeness of all information contained in the registration statement shall be signed and sworn to by the principal executive officer.

(d) The registration statement shall be accompanied by the fee specified in N.J.A.C. 13:48-2.1. A fund raising counsel or independent paid fund raiser which is a partnership or corporation shall pay a single fee.

(e) Any material change in any information, including registration information required by N.J.A.C. 13:48-9.1, filed with the Attorney General shall be reported in writing to the Attorney General within 10 business days after the change.

(f) The registration of each fund raising counsel or independent paid fund raiser shall expire annually on June 30.

13:48-7.2 Bond requirements for fund raising counsel and independent paid fund raisers

(a) A fund raising counsel or independent paid fund raiser who has or intends to have custody, control, or access to a charitable organization's money shall, at the time of making application for registration, file with the Attorney General a bond in which it shall be the principal obligor for the sum of \$20,000 for the initial registration.

(b) The bond shall provide for one or more sureties whose liability in the aggregate shall equal at least \$20,000.

(c) The fund raising counsel or independent paid fund raiser shall maintain the bond in effect during the entire period of registration.

(d) The bond shall be payable to the Attorney General for the benefit of any person who may have a cause of action against the principal obligor of the bond for any violation of the Act.

(e) If at any time, the Attorney General receives information from any state or Federal agency or notice from a court of competent jurisdiction that a surety on any bond is not acceptable, the Attorney General shall provide notice to the fund-raising counsel or the independent paid fund raiser by certified mail, return receipt requested, whereupon a new bond shall be provided, or a request for a hearing made, to the Attorney General within 10 days following the registrant's receipt of the notice.

1. If the registrant fails to provide a new bond after the registrant has been given notice and an opportunity for a hearing, the Attorney General may revoke or suspend the fund raising counsel's or independent paid fund raiser's registration.

2. The Attorney General may rely upon a determination by any state or Federal agency or notice from a court of competent jurisdiction in assessing the adequacy of a surety.

(f) If the surety wishes to cancel the bond, the surety shall give 60 days advance written notice by certified mail to the Attorney General before the surety may cancel. The 60 days shall begin to run on the day following the Attorney General's receipt of the notice. A provision regarding this notice of withdrawal shall appear in the bond.

(g) If a surety gives notice pursuant to (f) above, a fund raising counsel or independent paid fund raiser shall replace the bond before the expiration of the existing bond or cease fundraising activities.

Amended by R.2005 d.70, effective February 22, 2005.

See: 36 N.J.R. 4370(a), 37 N.J.R. 618(a).

In (a), deleted the last sentence.

13:48-7.3 Requirements for effective registration of fund raising counsel and independent paid fund raisers; failure to comply

(a) A fund raising counsel or independent paid fund raiser shall not be deemed registered pursuant to the Act unless the fund raising counsel or the independent paid fund raiser has met all of the requirements of the Act, has obtained the requisite bond and has made all of the filings with the Attorney General as required by this subchapter.

4. A requirement that the commercial co-venturer provides the charitable organization with the gross amount of income received by the commercial co-venturer attributable to the charitable sales promotion, solicitation or venture undertaken.

(c) The contract filing shall include the fee set forth in N.J.A.C. 13:48-2.1(a)9.

(d) A charitable organization shall file a charitable sales promotions report, on forms provided by the Attorney General, with the Division within 40 days after the expiration of the contract or service agreement. For campaign contracts lasting more than 12 months, a charitable organization shall file an interim report within 40 days of the end of each of the charitable organization's fiscal years. The charitable organization may file the final report within 40 days after the expiration of the contract or service agreement or at the end of the last fiscal year of the contract.

(e) A charitable sales promotion campaign report shall contain the following information:

1. A description of the charitable sales promotion, solicitation, or venture undertaken and the dates it commenced and terminated;
2. As reported to the charitable organization by the commercial co-venturer, the gross amount of income received by the commercial co-venturer attributable to the charitable sales promotion, solicitation or venture;
3. The amount of money or other contribution remitted to the charitable organization covering each event or portion of an extended charitable sales promotion, solicitation or venture. If the contribution is other than money, a list of the donated goods or a description of the services donated as well as their dollar value must be attached to the report; and
4. Any other information as may be requested of the charitable organization.

(f) This filing shall include the fee set forth in N.J.A.C. 13:48-2.1(a)10.

13:48-9.3 Failure to satisfy contract requirements; notice and hearing

(a) If the Attorney General determines that the contract requirements established by the Act or these rules are not satisfied, the Attorney General shall notify the filing party or registrant within 10 business days of receipt of the contract. If notification is not sent by the Attorney General within 10 business days to the filing party or registrant, then performance may begin on the contract.

(b) Within 10 business days after receipt of notification that the requirements have not been satisfied, the charitable organization, fund raising counsel, independent paid fund raiser, commercial co-venturer or solicitor may satisfy the

requirements or request a hearing pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(c) If the Attorney General determines that the contract requirements of the Act or these rules have not been satisfied and the person or organization does not request a hearing as set forth in (b) above, the contract shall be disapproved. This does not prohibit the organization from filing at a future date.

(d) Acceptance of a registration statement or any other required filing shall not foreclose the Attorney General from later taking the appropriate action based on information that may be subsequently discovered.

SUBCHAPTER 10. RECORDKEEPING REQUIREMENTS

Authority

N.J.S.A. 45:17A-18 et seq., specifically 45:17A-21b.

Source and Effective Date

R.1999 d.385, effective November 15, 1999.
See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).

13:48-10.1 General requirements

(a) Every charitable organization, unless exempt from registration pursuant to N.J.A.C. 13:48-3.3, and every fund raising counsel, independent paid fund raiser and commercial co-venturer subject to the provisions of the Act shall keep complete and accurate records of its activities in this State as required by the Act.

1. The records shall be in such form as will enable them to accurately provide the information required by the Act or these regulations.

2. The records shall be made available for inspection and copying upon demand by the Attorney General.

(b) The records of every charitable organization, unless exempt from registration pursuant to N.J.A.C. 13:48-3.3, every fund raising counsel, every independent paid fund raiser and every commercial co-venturer shall be maintained for a period of at least three years after the end of the period of time to which they relate.

(c) All tickets for events sold by a charitable organization, fund raising counsel, independent paid fund raiser, or commercial co-venturer shall be numbered, shall identify the specific time of the event and the identity and location of the facility where the event will take place.

13:48-10.2 Records of fund raising counsel and independent paid fund raiser

(a) Every fund raising counsel and independent paid fund raiser which has or intends to have custody, control, or access to a charitable organization's monies shall also maintain during each solicitation campaign, and for not less than three years after the completion of such campaign, the following records, which shall be available for inspection upon demand by the Attorney General:

1. The name, home address and telephone number of each employee, solicitor or other person involved in the solicitation;
2. Records of all revenue received and expenses incurred in the course of the solicitation campaign;
3. Records of all contributions, including the name and address of each contributor and the date and amount of the contribution, except that recordkeeping with regard to donations of goods and personal property shall be limited to the dollar value received by or accruing to the charitable organization;
4. The name, location and account number of each bank or other financial institution in which the fund raising counsel or independent paid fund raiser has deposited revenue from the solicitation campaign; and
5. Records of the name, address and telephone number of each contributor donating tickets and the number of tickets donated, and of the name, address and telephone number of each organization receiving donated tickets for use by others, including the number of tickets for use by others, if a fund raising counsel or an independent paid fund raiser sells tickets to an event and represents that tickets will be donated for use by another.

(b) A fund raising counsel or an independent paid fund raiser who performs services for a charitable organization exempt from registration requirements pursuant to N.J.A.C. 13:48-3.3 shall nonetheless be subject to the requirements of this section.

SUBCHAPTER 11. FUND RAISING PRACTICES**Authority**

N.J.S.A. 45:17A-18 et seq., specifically 45:17A-21b.

Source and Effective Date

R.1999 d.385, effective November 15, 1999.
See: 30 N.J.R. 4115(a), 31 N.J.R. 3751(b).

13:48-11.1 Fund raising counsel and independent paid fund raiser; deposit of funds

(a) A fund raising counsel or an independent paid fund raiser shall deposit or require the deposit of each contribution received pursuant to a solicitation, in its entirety and within five business days of its receipt, in an account at a bank or other Federally insured financial institution.

(b) The account shall be in the name of the charitable organization, and the charitable organization shall have the sole control of the account and all withdrawals.

13:48-11.2 Disclosures to the public; solicitations; receipts and confirmations; notice

(a) Prior to soliciting any contribution (except for an in-person solicitation) either telephonically, electronically or in writing, a fund raising counsel or independent paid fund raiser, commercial co-venturer, solicitor, or charitable organization, unless exempt from registration pursuant to N.J.A.C. 13:48-3.3, shall clearly and conspicuously disclose the following:

1. The name of the individual making the solicitation;
2. Whether or not the individual making the solicitation is paid or is a volunteer;
3. The name of any fund raising counsel, independent paid fund raiser, or commercial co-venturer employing the individual making the solicitation; and
4. The name of the charitable organization which will receive the contribution.

(b) Any oral or written statement made by a charitable organization or on behalf of a charitable organization by persons including, but not limited to, commercial co-venturers, fund raising counsels, independent paid fund raisers, or solicitors shall be truthful.

(c) If a contribution or pledge results from an oral or written solicitation, including a telephone solicitation but excluding any in-person solicitation, a written confirmation or receipt or written reminder shall, upon request of the contributor, be sent to the contributor. Every confirmation, receipt or reminder shall include the clear and conspicuous disclosure of the following:

1. The name of the individual making the solicitation;
2. Whether or not the individual making the solicitation is paid or a volunteer;
3. The name of any fund raising counsel, independent paid fund raiser, or commercial co-venturer employing the individual making the solicitation; and
4. The name of the charitable organization which will receive the contribution.

(d) Every printed solicitation, written confirmation, receipt or written reminder shall include the following statement which shall be conspicuously printed:

INFORMATION FILED WITH THE ATTORNEY GENERAL CONCERNING THIS CHARITABLE SOLICITATION MAY BE OBTAINED FROM THE ATTORNEY GENERAL OF THE STATE OF NEW JERSEY BY CALLING (973) 504-6215. REGISTRATION WITH THE ATTORNEY GENERAL DOES NOT IMPLY ENDORSEMENT.