

**SUBCHAPTER 2. CHARITABLE FUND-RAISING  
CAMPAIGN STEERING COMMITTEE**

**17:29-2.1 General provisions**

(a) Each local Campaign Steering Committee shall act as the operational unit of its local unit of government Campaign. Its actions on behalf of the member charitable fund-raising organizations shall be binding; it may assign functions, organize subgroups, and enlist others in its activities as it deems necessary in order to carry out its responsibilities.

(b) The underlying philosophy that shall govern the actions of each local Campaign Steering Committee and the relationship among participating charitable fund-raising organizations is that no one organization shall function in a manner that will be detrimental to other participating organizations or to agencies participating in the Campaign.

(c) Each local Campaign Steering Committee shall convene annually at the call of the Chief Executive Officer of the local unit of government.

(d) Each member shall have one vote.

(e) No action can be taken if objected to by at least five members of the Campaign Steering Committee.

**17:29-2.2 Membership**

Each local Campaign Steering Committee shall consist of one representative of each of the charitable fund-raising organizations eligible to participate in the local unit of government Campaign pursuant to N.J.S.A. 52:14-15.9c7a, through e. and g., and one representative of the local unit of government to be appointed by the Chief Executive Officer of the unit. Each local Committee may also include two representatives of the employees or the management of the local unit of government as may be designated by the governing body of the unit.

**17:29-2.3 Duties of Campaign Steering Committee**

(a) Each local Campaign Steering Committee shall:

1. Elect a Chair to conduct the meetings of the local Campaign Steering Committee. The Chair shall serve for a term of one year and shall continue to serve until the election of a successor. The Chair shall be eligible for reelection;

2. Elect and oversee a local Campaign manager, who shall demonstrate to the satisfaction of the local Campaign Steering Committee the administrative, financial, technical and management capability to organize, publicize and operate an extensive fund-raising campaign in an efficient and equitable manner in accordance with this chapter; and

3. Establish policies and procedures for the operation and administration of the local unit of government Campaign,

including the hearing of any grievances concerning the operation and administration of the local unit of government Campaign.

**17:29-2.4 Eligibility of charitable fund-raising organizations**

(a) The requirements for eligibility of a charitable fund-raising organization are set forth in N.J.S.A. 52:14-15.9c7.

(b) Charitable fund-raising organizations found eligible to participate on the State Campaign Steering Committee shall automatically be eligible to participate on a local Campaign Steering Committee upon application to the local unit of government. The letter of the State Campaign Steering Committee so stating eligibility shall be proof of such eligibility.

(c) The burden of demonstrating eligibility shall rest with the applicant.

**17:29-2.5 Membership procedure Campaign Steering Committee**

(a) At least 75 days prior to the local unit of government campaign, the Chief Executive Officer of the local unit of government shall publish in one local newspaper (if one exists) and one Statewide newspaper notice of application for charitable fund-raising organizations wishing to participate in the local Campaign Steering Committee. The Chief Executive Officer shall also notify the State Campaign Steering Committee, through the State Treasurer, at least 20 days prior to the application deadline, that the local unit of government is taking applications.

(b) Not later than 10 days after the close of the application due date, the Chief Executive Officer of the local unit of government shall notify each applicant of its eligibility or ineligibility for the local Campaign Steering Committee. In cases of ineligibility, the notice shall set forth the reason for such ineligibility.

**17:29-2.6 Appeal procedure**

(a) Any charitable fund-raising organization receiving notice of ineligibility shall have 15 days from receipt of such notice to file an appeal and to submit to the Chief Executive Officer of the local unit of government any additional information addressing any deficiencies in the application.

(b) Within 45 days of receipt of any additional information, the Chief Executive Officer of the local unit of government shall convene a special appeal panel consisting of representative of employees and management and the representative of the Chief Executive Officer to review the charitable fund-raising organization's application and any additional documentation or information submitted by the charitable fund-raising organization to address any deficiency in the application as determined by the Chief Executive Officer.

(c) The special appeal panel shall conduct its review in a timely manner and in that time notify the Chief Executive Officer of its decision. The decision of the special appeal panel shall be final.

**17:29-2.7 Application form for charitable fund-raising organizations**

(a) The Chief Executive Officer of a local unit of government may request any general background information of the applicant charitable fund-raising organization which may aid the Chief Executive Officer in his or her determination of an organization's eligibility.

(b) In addition to the background information required in (a) above, the applicant shall submit:

1. With respect to the requirements set forth in N.J.S.A. 52:14-15.9c7.a, 15.9c7.b and 15.9c7.c, an Internal Revenue Service Letter of Determination or other proof from the Internal Revenue Service that the applicant:

i. Is exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code;

ii. Qualifies for tax deductible contributions under section 170(b)(1)(A)(vi) or (viii) of the Internal Revenue Code; and

iii. Is not a private foundation as defined in section 509(a) of the Internal Revenue Code;

2. With respect to the requirements set forth in N.J.S.A. 52:14-15.9e, annual financial reports which demonstrate that the organization raised, in each of its two fiscal years preceding its application to participate in a local Campaign, at least \$35,000 from individual citizens of New Jersey;

3. With respect to N.J.S.A. 52:14-15.9f, annual financial reports which demonstrate that the organization raised at least \$60,000 and distributed that sum among a minimum of 15 affiliated charitable agencies in each of its two fiscal years, preceding its application to participate in a local Campaign;

4. A copy of the organization's Internal Revenue Service form 990 for each of the organization's two fiscal years preceding its application;

5. Documentary evidence that the organization is registered or exempt from registration pursuant to the provisions of Title 15 of the Revised Statutes or Title 15A of the New Jersey Statutes and the Charitable Registration and Investigation Act, N.J.S.A. 45:17A-18 et seq.;

6. A copy of the organization's independent auditor's report for each of the organization's two fiscal years preceding its application;

7. A copy of the organization's annual report for each of the organization's two fiscal years preceding its application;

8. A statement affirming that the organization is directed by a governing body whose members have no material conflict of interest in their service on the governing body, and list of the members of the governing body and the identification of its officers;

9. A list of the affiliated charitable agencies to which the organization gave funds in its two fiscal years prior to the application and a list of at least 15 affiliated agencies to which it expects to give funds received in the Campaign, and a description of the health, welfare or human care services that each provides;

10. A statement affirming that the charitable fund-raising organization will give funds to at least 15 affiliated charitable agencies in the Campaign and that each of the organization's affiliated charitable agencies is:

i. Registered pursuant to the provisions of Title 15 of the Revised Statutes or Title 15A of the New Jersey Statutes and the Charitable Registration and Investigation Act, N.J.S.A. 45:17A-18 et seq., except for an agency exempt from registration under the law; and

ii. Engaged in the provision of health, welfare or human care services; and

11. A statement affirming that the organization will be represented at meetings of the local Campaign Steering Committee and providing the name of the representative.

(c) In order to meet its application requirement, each charitable fund-raising organization found eligible to participate on the State Campaign Steering Committee need only submit along with its request to participate in the local Campaign the letter of the State Campaign Steering Committee so stating eligibility to participate in the State Campaign. Charitable fund-raising organizations which participated on the local Campaign Steering Committee for the immediately preceding Campaign and which do not participate on the State Campaign Steering Committee need only submit the most recent information to update the information required in (b) above.

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**SUBCHAPTER 3. LOCAL UNIT OF GOVERNMENT CHARITABLE FUND-RAISING CAMPAIGN**

**17:29-3.1 Eligibility**

(a) A charitable fund-raising organization eligible for membership on a local Campaign Steering Committee shall be eligible to participate in the charitable fund-raising Campaign for that local unit of government.

(b) A charitable agency shall be eligible to participate in a local unit of government Campaign if:

1. It is affiliated with a charitable fund-raising organization which is participating in the local unit of government Campaign; or
2. The charitable agency meets the requirements of N.J.S.A. 52:14-15.9c7.a through e.

(c) The burden of demonstrating eligibility shall rest with the applying charitable fund-raising organization or applying unaffiliated charitable agency.

#### 17:29-3.2 Application procedure for unaffiliated agencies

(a) See N.J.A.C. 17:29-2.5 for the application procedure of charitable fund-raising organizations.

(b) The application procedure for charitable agencies is as follows:

1. At least 75 days prior to the local unit of government Campaign, the Chief Executive Officer of the local unit of government shall publish in one local newspaper (if one exists) and one Statewide newspaper notice of application for charitable agencies wishing to participate in the local unit of government Campaign. The Chief Executive Officer shall indicate a reasonable application deadline in the notice. The Chief Executive Officer shall also notify the State Campaign Steering Committee, through the State Treasurer, at least 20 days prior to the application deadline, that the local unit of government is taking applications.

2. No later than 10 days after the close of the application due date, the Chief Executive Officer of the local unit of government, with the advice of the local Campaign Steering Committee, shall review applications of unaffiliated charitable agencies wishing to participate in the local Campaign and shall notify each applicant of its eligibility or ineligibility to participate in the local Campaign. In cases of ineligibility, the notice shall set forth the reasons for such ineligibility.

3. Any charitable agency receiving notice of ineligibility shall have 15 days from receipt of such notice to file an appeal and to submit to the Chief Executive Officer of the local unit of government any additional information addressing any deficiency in the application.

4. Within 45 days of receipt of any additional information, the Chief Executive Officer of the local unit of government shall convene a special appeal panel consisting of the representatives of the employees or management and the representatives of the Chief Executive Officer to review the charitable agency's application and any additional documentation or information submitted by the charitable agency to address any deficiency in the application as determined by the Chief Executive Officer.

5. The special appeal panel shall conduct its review in a timely manner and in that time notify the Chief Executive Officer of the local unit of government of its decision. The decision of the special appeal panel shall be final.

#### 17:29-3.3 Application form; affiliated charitable agency

Affiliated charitable agencies wishing to participate in a local unit of government Campaign shall be certified as affiliated by their charitable fund-raising organization.

#### 17:29-3.4 Application form; unaffiliated charitable agency

(a) The Chief Executive Officer of a local unit of government may request any general background information of the applicant charitable agency which may aid the Chief Executive Officer in his or her determination of any agency's eligibility to participate in a local Campaign.

(b) In addition to the background information required in (a) above, the applicant shall submit:

1. With respect to the requirements set forth in N.J.S.A. 52:14-15.9c7.a, 15.9c7.b and 15.9c7.c, an Internal Revenue Service Letter of Determination or other proof from the Internal Revenue Service that the applicant:
  - i. Is exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code;
  - ii. Qualifies for tax deductible contributions under section 170(b)(1)(A)(vi) or (viii) of the Internal Revenue Code; and
  - iii. Is not a private foundation as defined in section 509(a) of the Internal Revenue Code;

2. With respect to the requirements set forth in N.J.S.A. 52:14-15.9c7e, annual financial reports which demonstrate that the agency raised, in each of its two fiscal years preceding its application to participate in a local unit of government Campaign, at least \$15,000 from individual citizens of New Jersey;

3. A copy of the agency's Internal Revenue Service form 990 for each of the agency's two fiscal years preceding its application;

4. Documentary evidence that the agency is registered or exempt from registration pursuant to the provisions of Title 15 of the Revised Statutes or Title 15A of the New Jersey Statutes and the Charitable Registration and Investigation Act, N.J.S.A. 45:17A-18 et seq.;

5. A copy of the agency's independent auditor's report for each of the agency's two fiscal years preceding its application unless the agency is not required to submit an audit to the Division of Consumer Affairs in order to remain in compliance with the Charitable Registration and Investigation Act, N.J.S.A. 45:17A-18 et seq.;

6. Each agency not required to submit an audit to the Division of Consumer Affairs in order to remain in compliance with the Charitable Registration and Investigation Act, N.J.S.A. 45:17A-18 et seq. in the agency's two fiscal years preceding its application must submit the two previous years' certified financial statements signed by an authorized officer;

6. A copy of the agency's annual report for each of the agency's two fiscal years preceding its application;

7. A statement affirming that the agency provides health, welfare or human care services within New Jersey, and a description of the services; and

8. A statement affirming that the agency is directed by a governing body whose members have no material conflict of interest in their service on the governing body, and a list of the members of the governing body and the identification of its officers.

(c) An unaffiliated charitable agency, that was found eligible by to participate in a local unit of government Campaign immediately prior to the local unit of government Campaign being applied for, shall be required only to submit to the Chief Executive Officer of the local unit of government its most recent information which shall specifically update the requirements of (b) above.

(d) Unaffiliated charitable agencies found eligible to participate in a local unit of government Campaign under (c) above shall be required to notify the Chief Executive Officer of the local unit of government of any change in the agency's status under the Internal Revenue Code of 1986 and of any new officers or bylaw within 45 days of any such change.

#### SUBCHAPTER 4. CAMPAIGN ADMINISTRATION

##### 17:29-4.1 General provisions

The provisions of this subchapter shall apply to employees of local units of government.

##### 17:29-4.2 Campaign period

(a) Each local Campaign Steering Committee shall schedule the Campaign solicitation period for its local unit of government.

(b) Participating charitable fund-raising organizations and charitable agencies may not engage in solicitation activities among employees of local units of government at the work site during the non-Campaign period.

##### 17:29-4.3 Payroll deduction

The appropriate disbursing officer for each local unit of government shall establish a payroll deduction system for the collection and distribution of voluntary charitable contributions by employees of the local unit of government in accordance with the Public Employee Charitable Fund-Raising Act, N.J.S.A. 52:14-15.9c1 et seq.

##### 17:29-4.4 Campaign literature

(a) Each local Campaign Steering Committee shall be responsible for the design, printing and distribution of local Campaign pledge/designation cards and other local Campaign literature.

(b) The Chief Executive Officer of the local unit of government shall approve, prior to distribution, the content of any local Campaign pledge/designation card, local Campaign literature and/or other materials to be distributed to employees of the local unit of government during the course of a local Campaign to ensure that the information contained in these materials is accurate and fair. The Chief Executive Officer of the local unit of government shall also approve, prior to distribution, the form of any local Campaign materials to ensure compliance with administrative requirements of the Campaign.

##### 17:29-4.5 Distribution of campaign literature

During working hours, Campaign volunteers shall distribute at the request of the local Campaign manager, only local Campaign information or literature approved by the Chief Executive Officer for distribution in the local unit of government Campaign.

##### 17:29-4.6 Form of contribution

Employees may contribute to eligible charitable fund-raising organizations and/or charitable agencies either cash or a specified amount to be deducted from their compensation each pay period.

##### 17:29-4.7 Designated contribution

(a) Employees may designate, on a local Campaign pledge/designation card, their contribution to a specific charitable fund-raising organization and/or charitable agency participating in the local Campaign, and/or may select the undesignated option. Designated contributions through the payroll deduction or in cash shall be a minimum contribution of \$1.00 per week (\$2.00 per pay period, or \$52.00 per year) per charitable fund-raising organization or agency designated. The minimum contribution requirement shall be met for each additional charitable fund-raising organization or agency designated.

(b) A local Campaign pledge/designation card shall be valid only for the calendar year of a local Campaign. An employee who wishes to participate in a subsequent local Campaign must file a new Campaign pledge/designation card valid for the subsequent local Campaign.

##### 17:29-4.8 Distribution of contributions

(a) Designated contributions shall be distributed in a manner established by the local Campaign Steering Committee and in accordance with the wishes of the designating employees of local units of government.

(b) Undesignated contributions and designations to charitable agencies not approved to participate in the local Campaign shall be distributed to participating charitable fund-raising organizations in the same proportion that these charitable fund-raising organizations received designated funds.

**17:29-4.9 Campaign education**

(a) Participating charitable fund-raising organizations and charitable agencies may not engage in educational activities among employees of local units of government at the workplace at any time, except as detailed in this subchapter.

(b) During the local Campaign, educational activities may take place only by a representative of the local Campaign and when an authorized person at the workplace either requests or invites a representative of the local Campaign to speak to and educate employees of local units of government about the local Campaign. The representative of the local Campaign may only:

1. Identify, describe or explain the local Campaign, without engaging in activity which could be construed as a direct or indirect request for a contribution;
2. Promote a unified educational message, without criticizing or advocating for any specific charitable fund-raising organization and/or charitable agency; and
3. Conduct the educational activities in such a way as to minimize disruption to the workplace and its employees.

(c) During non-Campaign periods, participating charitable fund-raising organizations and charitable agencies may engage in educational activities among employees of local units of government at the work site of the Employees of

local units of government, as determined by the Chief Executive Officer of the local unit of government.

**SUBCHAPTER 5. CAMPAIGN ACCOUNTS**

**17:29-5.1 General provisions**

The Chief Executive Officer of each local unit of government shall establish a system to ensure that the total amount of contribution as requested by the employees of the local unit of government is deducted from employees compensation and that amount is remitted to the local Campaign Steering Committee.

**17:29-5.2 Campaign accounting**

At the end of the local Campaign solicitation period, the Chief Executive Officer of the local unit of government shall provide to the local Campaign manager information containing the total amount contributed by the employees of the local unit of government to charitable fund-raising organizations and charitable agencies participating in the local Campaign.

**17:29-5.3 Costs**

(a) The operation of the payroll deduction system for each local unit of government Campaign will be provided by the local unit of government as a service to its employees in the same manner that other authorized deductions are provided.

(b) Other costs attributed to the local unit of government Campaign including, but not limited to, the design, printing or preparation, and distribution of Campaign materials and Campaign accounting and administration to be conducted by the local Campaign manager shall be payable by the local Campaign Steering Committee from contributions. These costs shall not exceed 10 percent of the total amount of contribution in the local unit of government Campaign.