SENATE BILL 375-FN

AN ACT relative to requirements for charitable organizations.


COMMITTEE: Judiciary

AMENDED ANALYSIS

This bill:

I. Prohibits New Hampshire state agencies and officials from imposing filing or reporting requirements that are more stringent than those established in RSA 7:19 through RSA 7:32-l or other areas of statutory or common law.

II. Increases the amount of revenue, gains, and other support required of charitable organizations for the filing of additional audited statements to the attorney general to $2,000,000.

Explanation: Matter added to current law appears in bold italics. Matter removed from current law appears in brackets and struck through. Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
STATE OF NEW HAMPSHIRE

_In the Year of Our Lord Two Thousand Twenty Two_

AN ACT relative to requirements for charitable organizations.

_Be it Enacted by the Senate and House of Representatives in General Court convened:_

173:1 Purpose. The purpose of this act is to minimize the burdens on the charitable sector and create a grant-making environment centered on effectiveness and impact.

173:2 New Section; Charity Protection Act. Amend RSA 7 by inserting after section 29 the following new section:

7:29-a Charity Protection Act.

I. Except where specifically required or authorized by federal law, no state agency or state official shall impose any annual filing or reporting requirements on an organization regulated or specifically exempted from regulation in RSA 7:19 through RSA 7:32-I that are more stringent, restrictive, or expansive than the requirements authorized by New Hampshire law.

II. This section shall not apply to state grants, state contracts, or fraud investigations and shall not restrict enforcement actions against specific nonprofit organizations.

III. Nothing in this section shall prohibit the attorney general from adopting rules related to charitable trusts, charitable solicitations, and charitable sales promotions under RSA 7:22.

IV. Nothing in this section shall be construed to limit or restrict the powers, duties, remedies, or penalties available to the attorney general, the state of New Hampshire, or any private person under any other provision of statutory or common law.

173:3 Reports by Trustees of Charitable Trusts; Threshold for Submitting Audited Financial Statements. Amend RSA 7:28, III-b to read as follows:

III-b. Any charitable organization with revenue, gains, and other support of [[$1,000,000]]($2,000,000) or more that is required to file an Internal Revenue Service Form 990 with the attorney general shall also submit the organization's latest audited financial statement prepared in accordance with generally accepted accounting principles.

173:4 Effective Date. This act shall take effect 60 days after its passage.

Approved: June 07, 2022
Effective Date: August 06, 2022