

CHAPTER 13

(SB 32)

AN ACT relating to donations.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 150 IS CREATED TO READ AS FOLLOWS:

- (1) *As used in this section, "mounted wildlife specimen" means:*
 - (a) *A legally taken animal, including the skin of the head, cape, or the entire skin, mounted in a lifelike representation of the animal or any part thereof; or*
 - (b) *A European mount in which the horns or antlers and the skull or a portion of the skull are mounted for display.*
- (2) *Notwithstanding KRS 150.180 and no later than January 1, 2014, the department shall promulgate administrative regulations to allow a resident nonprofit charitable, religious, or educational institution which has qualified for exemption from income taxation under Section 501(c)(3) of the Internal Revenue Code to sell mounted wildlife specimens, except as prohibited by federal law, that have been donated to that institution.*
- (3) *The administrative regulations promulgated under this section shall establish a means by which each transaction for the sale of donated mounted wildlife specimens for white-tailed deer, elk, bears, turkeys, and bobcats allowed under subsection (2) of this section shall be recorded by the department. The department shall make the recording of each transaction as reasonably convenient for all parties to the transaction as possible, which may include but not be limited to allowing telephone and Internet recording of sales.*
- (4) *Licensed taxidermists subject to the reporting requirements under KRS 150.4111 shall be exempt from the requirements of subsection (3) of this section.*

➔Section 2. KRS 367.668 is amended to read as follows:

- (1) Prior to orally requesting a contribution or when requesting a contribution in writing, a professional solicitor shall clearly disclose:
 - (a) *The professional solicitor's~~His~~ name, as set out in the registration statement filed with the Attorney General pursuant to KRS 367.652, **phone number or e-mail address**, and the fact that **the professional solicitor~~he~~** is being paid for **providing~~his~~** services;~~;~~*
 - (b) *The name of the charitable organization **the professional solicitor~~he~~** represents and a description of how the contributions raised by the solicitation will be used for a charitable or civic purpose; **and~~;~~***
 - (c) *If the professional solicitor places or maintains a receptacle in public view for the purpose of collecting contributions in the form of clothing, household items, and other items, the receptacle shall contain a sign or label that:*
 1. *Includes the information contained in paragraphs (a) and (b) of this subsection;*
 2. *Includes a statement that reads as follows: "Items donated here support, in part, a for-profit professional solicitor.";*
 3. *Is in lettering not less than three (3) inches in height and one-half (1/2) inch in width; and*
 4. *Is placed immediately below the opening in the receptacle used to deposit donations.*
- (2) Any individual who acts on behalf of the professional solicitor and identifies himself by name shall give his legal name.
- (3) Any responses given by or on behalf of a professional solicitor to an oral or written request for information shall be truthful.
- (4) The written confirmation, receipt, or reminder sent to a contributor or one who has pledged to contribute, following an oral solicitation, shall clearly include the information required by subsections (1) and (2) of this section.

- (5) If the person being solicited requests information regarding the amount or percentage of funds going to the charitable organization or for a charitable or civic purpose, the professional solicitor shall inform the person solicited of the percentage of the gross revenue or the reasonable estimate of the gross revenue that the charitable organization will receive from the solicitation campaign. The Attorney General shall promulgate administrative regulations necessary to effectuate this disclosure.

➔Section 3. The following KRS section is repealed:

367.178 Collection of donated clothing, household items, or other items for resale.

Signed by Governor March 19, 2013.