

**CHAPTER 89****( HB 186 )**

AN ACT relating to charities.

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

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 386 IS CREATED TO READ AS FOLLOWS:

- (1) *Absent the showing of a compelling state interest, a state agency or state official shall not impose any filing or reporting requirements that are more burdensome than the requirements authorized by the Kentucky Revised Statutes on an organization that is determined to be a:*
  - (a) *Private foundation as defined in Section 509 of the Internal Revenue Code; or*
  - (b) *Charitable trust governed by the provisions of KRS 386.350 to 386.365.*
- (2) *The restrictions on filing and reporting in subsection (1) of this section do not apply in the case of the state's direct spending programs, state grants, state contracts, or enforcement of criminal law against specific nonprofit organizations.*
- (3) *Nothing in this section may be construed to limit or restrict the powers, duties, remedies, or penalties available to the Attorney General, the Commonwealth of Kentucky, or any private person under any other provision of statutory or common law.*

➔Section 2. This Act may be cited as the Nonprofit Protection Act.

➔Section 3. This Act takes effect August 1, 2022.

**Returned to Secretary of State April 8, 2022, and became law without Governor's signature April 10, 2022.**