

**IMPORTANT INFORMATION FOR A  
PROFESSIONAL SOLICITOR**

This information is being provided by the Charitable Organizations Division of The Bureau of Corporations and Charitable Organizations and is not intended to be all inclusive. You are urged to review The Solicitation of Funds for Charitable Purposes Act 10 P.S. § 162.1 et seq. by visiting our Web site at [www.dos.pa.gov/charities](http://www.dos.pa.gov/charities). If you have any questions or need clarification about any of these matters, please contact Brian Aumiller at 717-787-1607.

**DIRECT MAIL AND GRANT WRITING SERVICES:** A person who solely provides direct mail or grant writing services may register as a professional fundraising counsel provided all the following conditions are met:

1. The person does not at any time have custody or control of contributions.
2. The person's compensation is not related to the amount of contributions received.
3. The charity has control and approval over the content and volume of all solicitations.

**REGISTRATIONS REQUIRED:** A person may not act as a professional solicitor on behalf of a charitable organization unless he or she is currently registered as a professional solicitor and the written contract is registered and approved. Each registration as a professional solicitor is valid for one year and may be renewed for additional one-year periods. Professional solicitors who do not wish to renew their registration should provide written notice to the Bureau stating the reason why registration will not be renewed. Each charitable organization under contract with a professional solicitor is required to be registered with the Bureau prior to any solicitations on its behalf unless specifically exempted from registration. A professional solicitor may not solicit in Pennsylvania on behalf of a charitable organization unless that charitable organization is registered, or is exempt from registration, with the Bureau. A contract cannot be approved unless the charitable organization is registered or is exempt from registration.

**WRITTEN CONTRACT AND SOLICITATION NOTICE - FORM BCO-170 & FORM BCO-170A:** A professional solicitor must file a WRITTEN CONTRACT and a SOLICITATION NOTICE - FORM BCO -170 accompanied by a fee of \$25 with the Bureau at least ten working days prior to the commencement of any solicitations or services on behalf of a charitable organization. The contract must be signed by two authorized officials of the charitable organization, one of whom must be a member of the organization's governing body, and the authorized contracting officer for the professional solicitor. Any addendum to a contract not specifically referenced in the contract must also contain the necessary signatures. No solicitations or services with respect to soliciting contributions from Pennsylvania residents can begin before the Bureau has approved the contract and solicitation notice. A contract filed with the Bureau that cannot be approved is not considered filed. You may need to amend the date solicitations are to commence for any contract not able to be approved by the Bureau since the contract must be re-filed at least ten working days prior to solicitations. A contract or any addendum to a contract must be re-signed by the required individuals if changes are made to the contract or the addendum. If more than one campaign or event is conducted under a contract, then a SOLICITATION NOTICE ADDENDUM - FORM BCO-170A must be filed no less than ten working days prior to the commencement of each additional campaign or event. No additional fee is required to file FORM BCO-170A.

**WRITTEN CONTRACT AND/OR CAMPAIGN EXTENSIONS:** A professional solicitor wishing to extend a contract must file a copy of the contract extension containing the required signatures with the Bureau at least ten working days prior to the contract's termination date. Any extension that is entered into after a contract's termination date will not be accepted and a new written contract would be required. No solicitations may occur beyond the contract or campaign termination dates as approved by the Bureau unless an extension of the contract and/or campaign have been approved by the Bureau. The extension must state the date solicitations are to commence, continue, or resume and must be signed by the required individuals. To be considered an extension, the agreement extending the contract must be executed prior to expiration of the original contract. If the contract and a campaign are both being extended, the extension agreement should state such. If you wish to only extend the termination date for a campaign you may simply file a signed written notice to the Bureau indicating the new termination date for the campaign. Extending a campaign will affect the due date(s) for financial report(s) that are required to be filed.

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**REVIEW OF REGISTRATION STATEMENT AND WRITTEN CONTRACT:** The Bureau must examine each registration statement filed to determine whether the registration statement contains the required information. If the Bureau determines that the registration statement requirements are not satisfied, the Bureau must give notice within fifteen working days of its receipt of the registration statement; otherwise the registration statement is deemed to be approved. The Bureau must examine each contract filed to determine whether the contract contains all required information (refer to “Professional Solicitor Written Contract Instructions” available from our Web site or §162.9 (f) of The Solicitation of Funds for Charitable Purposes Act 10 P.S. § 162.1 et seq.) If the Bureau determines that the contract requirements are not satisfied, the Bureau must give notice within ten working days of its receipt of a contract; otherwise the contract is deemed to be approved. If an organization does not receive a response to a filing by either receiving a certificate (see below) from the Bureau certifying that the registration statement and/or contract has been approved or notice that the registration statement and/or contract cannot be approved then the organization should contact the Bureau to inquire as to the status of the filing.

**CERTIFICATES OF REGISTRATION:** A Certificate of Registration is sent to the professional solicitor upon approval of a registration and each registration shall be valid for one year from the date of its approval or one year from the date of any prior registration that is still in effect. Registration may be renewed for additional one-year periods upon filing a new registration statement, a \$250 fee, and renewal of the bond (unless the bond is still in effect). A Certificate of Contract Registration is sent to the professional solicitor upon approval of a contract and contains an expiration date which corresponds to the termination date for the contract provided the contract contains a termination date.

**FINANCIAL REPORTS:** Within 90 days after a solicitation campaign or event has been completed, or on the anniversary of the commencement of a solicitation campaign lasting more than one year, you must file with the Bureau a SOLICITATION CAMPAIGN/EVENT FINANCIAL REPORT - FORM BCO-165 for each campaign or event. For example, a campaign lasting more than two years will require three financial reports. The first two are due on the anniversary of the commencement of the campaign and the third and final report is due within 90 days after the campaign has been completed.

**BOND REQUIRED:** A professional solicitor must file with, and have approved by the Bureau, a bond in which it shall be the principal obligor in the sum of \$25,000. The bond shall run to the Commonwealth of Pennsylvania for use of the Secretary of the Commonwealth, Attorney General or any person who may have a cause of action against the obligor for any losses resulting from any misconduct in the conduct of solicitation activities. A professional solicitor which is a partnership or corporation may file one \$25,000 bond on behalf of all its partners, members, officers, directors, agents and employees. The bond shall be valid for one-year periods from the effective date of the bond and must be maintained in effect as long as the registration is in effect. A document that provides evidence that the bond has been renewed such as a Continuation Certificate is acceptable to renew the bond.

**REQUIRED DISCLOSURES:** Sections 162.9(h) and (j) of the Solicitation of Funds for Charitable Purposes Act, require a professional solicitor to make certain disclosures prior to orally requesting a contribution, contemporaneously with a written request for a contribution, and on any written confirmation, receipt, and reminder sent to any person who has contributed or has pledged to contribute.

**REQUIRED DISCLOSURE STATEMENT:** The following statement must be conspicuously printed **verbatim** on any written solicitation, written confirmation, receipt and reminder of a contribution made pursuant to an oral solicitation:

**The official registration and financial information of [insert the legal name of your charitable organization as registered with the Bureau] may be obtained from the Pennsylvania Department of State by calling toll-free, within Pennsylvania, 1-800-732-0999. Registration does not imply endorsement.**

**DEPOSIT AND CONTROL OF CONTRIBUTIONS:** Each contribution in the control or custody of a professional solicitor must, in its entirety and within five days of its receipt, be deposited in an account at a bank or other federally insured financial institution which must be in the name of the charitable organization. The charitable organization must maintain and administer the account and must have sole control of all withdrawals.

**REQUIREMENT TO UPDATE INFORMATION:** Any material change in any information filed with the Bureau must be reported in writing by the applicant to the Bureau not more than seven days after such change occurs.