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## Arizona Repeals the Charitable Solicitation Registration Requirement for Charitable Organizations

As of September 13, 2013, charitable organizations soliciting in Arizona are no longer required to register with the Arizona Secretary of State. Prior to this change in law, charitable organizations were required to file an initial charitable registration with the Secretary of State before soliciting their first contribution, whether through a contracted fundraiser or otherwise, and file annual registrations thereafter. [HB 2457](#), signed into law earlier this year, repealed sections of Arizona's laws relating to charitable solicitation registration requirements. (See ARS Title 44, Chapter 19, Solicitation of Funds For Charitable Purposes.)

The repeal applies only to charitable organizations which are defined in Arizona Revised Statute [Section 44-6551](#) as:

- (a) A person determined by the Internal Revenue Service to be a tax exempt organization pursuant to section 501(c)(3) of the Internal Revenue Code; or
- (b) A person who is or who is held out to be established for a benevolent, educational, philanthropic, humane, scientific, patriotic, social welfare or advocacy, public health, environmental conservation, civic or other eleemosynary purpose or a person who in any manner employs a charitable appeal as the basis of a solicitation.

This change in law does not affect contracted fundraisers, as defined in Arizona Revised Statute Section 44-6551 (i.e., persons hired to solicit contributions for a charitable organization). Contracted fundraisers are still [required to register](#) with the Arizona Secretary of State before fundraising on behalf of a charitable organization. It also does not affect veterans' organizations, which are still required to register with the Secretary of State before soliciting in the name of American veterans. (ARS Section 13-3722)

A fact sheet for HB 2457 provided by the Arizona State Senate is available [here](#).

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Nonprofit Law Matters looks at legal issues in the nonprofit and tax-exempt organizations world. Written by the attorneys and paralegals of Adler & Colvin, it provides updates and analysis regarding philanthropy, charity, and other exempt organization issues.

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