

**CALIFORNIA CODE OF REGULATIONS**

**TITLE 11. LAW**

**DIVISION 1. ATTORNEY GENERAL**

**CHAPTER 4. SUPERVISION OF TRUSTEES AND FUNDRAISERS FOR  
CHARITABLE PURPOSES ACT**

**ARTICLE 1. REGISTRATION, REPORTING, AND GENERAL SUPERVISION OF  
TRUSTEES AND FUNDRAISERS**

**§ 300. Initial Registration.**

- (a) Every charitable corporation, unincorporated association, trustee or other person subject to the registration requirements of that act entitled the “Supervision of Trustees and Fundraisers for Charitable Purposes Act” (Article 7, Chapter 6, Part 2, Division 3, Title 2, of the Government Code commencing with Section 12580, hereafter “Act”) shall file with the Attorney General a copy of the articles of incorporation and bylaws, trust agreement, decree of distribution or other instrument governing its operation, as provided in Government Code section 12585 and below. Trustee includes a platform charity as defined in Government Code section 12599.9. Filing of the Initial Registration Form, the supporting documents required by that form, and the required registration fee of \$50 shall constitute the initial registration. Required information and supplemental documents identified in the Initial Registration Form that are not available at the time of filing of the form may be submitted within ninety (90) days of submittal of the form.
- (b) An Initial Registration Form (“Form CT-1” Rev. 01/2024), hereby incorporated by reference, and supplemental documents identified in that form shall be submitted to the Registry of Charities and Fundraisers.
- (c) The registrant will be assigned a registration number (CT number) upon completion of the registration process.
- (d) The registration requirements for a commercial fundraiser for charitable purposes, fundraising counsel for charitable purposes, and commercial coventurer are set forth in Government Code sections 12599, 12599.1, and 12599.2, and section 313 of these regulations. The registration requirements for a charitable fundraising platform are set forth in Government Code section 12599.9 and section 315 of these regulations. A commercial fundraiser for charitable purposes, fundraising counsel for charitable purposes, commercial coventurer, and charitable fundraising platform are not required as part of initial registration to file a copy of the articles of incorporation and bylaws, trust agreement, decree of distribution or other instrument

governing their operation.

**Note:** Authority cited: Sections 12585, 12586, 12587 and 12599.10, Government Code.

Reference: Sections 12581, 12583, 12584, 12585, 12586, 12587, 12598, 12599, 12599.1, 12599.2, 12599.9 and 12599.10, Government Code; and Section 5227, Corporations Code.

### **§ 300.1. Educational Institution Exemption.**

(a) Educational institutions are exempt from the filing, registration, and reporting provisions of the Act. “Educational institution” means that term as defined in Corporations Code section 10251, any public school, unincorporated association, or any nonprofit corporation that meets all of the following criteria:

- (1) Primarily presents formal instruction;
- (2) Maintains a regular faculty and curriculum;
- (3) Has a regularly enrolled body of students; and
- (4) Has either physical or virtual classroom facilities.

(b) “Formal instruction” or “curriculum” may include, but is not limited to, any of the following:

- (1) A program that teaches the arts (including, but not limited to, dance, drama, and music), cultural studies, a foreign language, geography, language arts (including, but not limited to, the alphabet), math (including, but not limited to, elementary numbers and puzzle solving), practical life and sensorial skills, or science (including, but not limited to, basic science and nature studies).

(c) An entity that primarily provides custodial care for children and not formal instruction is not an educational institution for purposes of this section. Even if such entity has some educational activities, if the primary purpose of the program is not the presentation of formal instruction, it is not an educational institution.

(d) Designation as an “educational institution” or “school” by the Internal Revenue Service (IRS) and/or the Franchise Tax Board (FTB) does not determine whether the organization is exempt from registration and reporting with the Attorney General’s Registry of Charities and Fundraisers.

**Note:** Authority cited: Sections 12585, 12586 and 12587, Government Code. Reference: Section

12583, Government Code.

**§ 300.2. Government Exemption.**

(a) Governments in the United States and their agencies and subdivisions are exempt from the filing, registration, and reporting provisions of the Act. Public benefit corporations may fall under this exemption if they meet all of the following criteria:

- (1) The bylaws or articles show that the public benefit corporation was founded by government, to benefit government and its constituents, and that at dissolution all funds are transferred to the founding government,
- (2) The bylaws or articles demonstrate that government has the right to nominate or appoint members of the board, and
- (3) The founding government has the ability to prevent the loss of charitable assets through inspection rights, the right to conduct audits, or to obtain regular financial reports.

**Note:** Authority cited: Sections 12585, 12586 and 12587, Government Code. Reference: Section 12583, Government Code.

**§ 301. Periodic Written Reports.**

(a) Except as otherwise provided in the Act, every charitable corporation, unincorporated association, trustee, or other person subject to the reporting requirements of the Act shall also file with the Attorney General periodic written reports, under penalty of perjury, setting forth information as to the nature of the assets held for charitable purposes and the administration thereof by such corporation, unincorporated association, trustee, or other person.

(b) Except as otherwise provided in these regulations, the following reports must be filed with the Registry of Charities and Fundraisers annually by all registrants: (1) the Annual Registration Renewal Fee Report, (“Form RRF-1” Rev. 01/2024), hereby incorporated by reference, and (2) Internal Revenue Service Form 990, 990-PF, 990-EZ, or 1120, together with all attachments and schedules as applicable, in the same form as filed with the Internal Revenue Service. Schedule B to Internal Revenue Service Form 990 is not required. At the time of filing the annual renewal of registration form (Form RRF-1), the registrant must submit a fee, as set forth in section 306.

(c) A registrant whose revenue falls below the threshold for filing IRS Form 990-EZ, shall file Form RRF-1 with the Registry of Charities and Fundraisers, together with the Annual Treasurer's Report ("Form CT-TR-1" Rev. 01/2024), hereby incorporated by reference, sufficient to identify and account for assets, liabilities, income and expenses.

(d) A registrant that is not exempt from taxation under federal law shall use Internal Revenue Service Form 990 or 1120 to comply with the reporting provisions of the Act. The form shall include, at the top of the page, in 10-point type, all capital letters, "THIS ORGANIZATION IS NOT EXEMPT FROM TAXATION."

(e) Reporting requirements for a commercial fundraiser for charitable purposes, fundraising counsel for charitable purposes, and commercial coventurer are set forth in section 313 of these regulations. Reporting requirements for a charitable fundraising platform and additional reporting requirements for a platform charity are set forth in section 315 of these regulations.

(f) The reporting and registration renewal requirements in the Act and Article 1 of these regulations apply to any unregistered person or entity for the time period that registration was required.

**Note:** Authority cited: Sections 12586, 12587 and 12599.10, Government Code. Reference: Sections 12581, 12582, 12582.1, 12583, 12586, 12587, 12599, 12599.1, 12599.2, 12599.8, 12599.9 and 12599.10, Government Code.

### **§ 302. Place of Filing.**

All instruments, reports or other data required to be filed pursuant to these regulations or pursuant to the provisions of the Act shall be filed with the Registry of Charities and Fundraisers in the Office of the Attorney General, Sacramento, California.

**Note:** Authority cited: Sections 12585, 12586, 12587 and 12599.10, Government Code. Reference: Sections 12584, 12585, 12586, 12587, 12599, 12599.1, 12599.2, 12599.9 and 12599.10, Government Code.

### **§ 303. Filing Forms.**

All periodic written reports required to be filed under the provisions of section 12586 of the

Government Code and section 301 of these regulations shall be filed with the Registry of Charities and Fundraisers, and include: (1) the Annual Registration Renewal Fee Report (“Form RRF-1” Rev. 01/2024); and (2) Internal Revenue Service Form 990, 990-EZ, 990-PF, 1120, or Form CT-TR-1, as applicable.

**Note:** Authority cited: Sections 12586 and 12587, Government Code. Reference: Sections 12581, 12583, 12586 and 12587, Government Code.

#### **§ 304. Time of Filing Reports.**

The first such periodic report shall be filed as required by Government Code section 12586, subdivision (d).

**Note:** Authority cited: Sections 12586 and 12587, Government Code. Reference: Sections 12581, 12583, 12586 and 12587, Government Code.

#### **§ 305. Annual Filing of Reports.**

After the first periodic report is filed, as required by section 304 of these regulations, periodic written reports shall thereafter be filed on an annual basis unless specifically required or permitted to be filed on other than an annual basis as set forth in these regulations, or when filing has been suspended by the Attorney General pursuant to Government Code section 12586. The time for filing any periodic report subsequent to the first periodic report shall be no later than four months and fifteen days after the organization’s accounting period ends (May 15 for calendar-year filers), but in no event less than once annually, unless for good cause extension of such annual filing has been granted by the Attorney General, or otherwise excused. If the Internal Revenue Service grants an extension to file the Form 990, 990-PF, 990-EZ, or 1120, that extension will be honored by the Registry of Charities and Fundraisers for purposes of filing the Form 990, 990-PF, 990-EZ, or 1120, and the Annual Registration Renewal Fee Report (“Form RRF-1” Rev. 01/2024) with the Registry of Charities and Fundraisers. The Form RRF-1 and Form 990, 990-PF, 990-EZ, 1120, or Form CT-TR-1 shall be filed simultaneously with the Registry of Charities and Fundraisers.

**Note:** Authority cited: Sections 12586 and 12587, Government Code. Reference: Sections 12581, 12582, 12582.1, 12583, 12586 and 12587, Government Code.

**§ 306. Annual Registration Fee.**

(a) No form or report from any charitable corporation, unincorporated association, trustee or other person required to register or file a periodic report shall be accepted for filing unless accompanied by the appropriate fee. Trustee includes a platform charity as defined by Government Code section 12599.9. Filing and processing fees shall be paid by registrants at the time of filing as follows:

- (1) A \$50 initial registration fee;
- (2) An annual registration renewal fee, the amount of which shall be determined based on the registrant’s total revenue for the preceding fiscal year, as follows:

<b>Total Revenue</b>	<b>Fee</b>
Less than \$50,000	\$25
Between \$50,000 and \$100,000	\$50
Between \$100,001 and \$250,000	\$75
Between \$250,001 and \$1 million	\$100
Between \$1,000,001 and \$5 million	\$200
Between \$5,000,001 and \$20 million	\$400
Between \$20,000,001 and \$100 million	\$800
Between \$100,000,001 and \$500 million	\$1000
Greater than \$500 million	\$1200

(b) This section does not apply to commercial fundraisers for charitable purposes, as defined by Government Code section 12599, fundraising counsel for charitable purposes, as defined by Government Code section 12599.1, commercial coventurers, as defined by Government Code section 12599.2, and charitable fundraising platforms, as defined by Government Code section 12599.9.

**Note:** Authority cited: Sections 12586, 12587 and 12599.10, Government Code. Reference:

Sections 12585, 12586, 12587, 12599, 12599.1 12599.2, 12599.9 and 12599.10, Government Code.

**§ 307. Contents of Reports.**

(a) Periodic reports shall be executed under penalty of perjury and shall set forth in detail all of the information required by the applicable forms set forth in these regulations. Incomplete or incorrect reports will not be accepted as meeting the requirements of the law.

(b) A copy of an account filed by a trustee in a court having jurisdiction over the trust shall not be accepted in lieu of a report on official forms unless such court accounting is identical in form and content with the official forms and is compatible without alteration with electronic data processing equipment in the same manner as reports on official forms.

(c) When requested by the Attorney General any periodic report shall be supplemented to include such additional information as the Attorney General deems necessary to enable the Attorney General to ascertain whether the corporation, trust or other relationship is being properly administered.

**Note:** Authority cited: Sections 12586 and 12587, Government Code. Reference: Sections 12581, 12586 and 12587, Government Code.

**§ 308. Board or Trustee Review of Executive Compensation.**

The board of directors or an authorized committee of the board of a charitable corporation or unincorporated association and all trustees of a charitable trust shall review and approve the compensation, including benefits, of all of the following: every person, regardless of title, with powers, duties, or responsibilities comparable to the president, chief executive officer, treasurer, or chief financial officer. The review shall be conducted in accordance with Government Code section 12586, subdivision (g).

**Note:** Authority cited: Sections 12586 and 12587, Government Code. Reference: Section 12586, Government Code.

**§ 309. Public Inspection of Charities and Fundraisers Records.**

(a) The register, copies of instruments and the reports filed with the Attorney General, except as provided in subdivision (b) and pursuant to Government Code section 12590, shall be open to public inspection at the Registry of Charities and Fundraisers in the Office of the Attorney General, Sacramento, California, at such reasonable times as the Attorney General may determine. Such inspection shall at all times be subject to the control and supervision of an employee of the Office of the Attorney General.

(b) Donor information exempt from public inspection pursuant to Internal Revenue Code section 6104 (d)(3)(A) shall be maintained as confidential by the Attorney General and shall not be disclosed except as follows:

- (1) In a court or administrative proceeding brought pursuant to the Attorney General's charitable trust enforcement responsibilities; or
- (2) In response to a search warrant.

**Note:** Authority cited: Sections 12587 and 12590, Government Code. Reference: Section 12590, Government Code.

### **§ 310. Use of Annual Registration Fee.**

Annual registration fees paid pursuant to Government Code section 12587 and section 306 of these regulations, registration or renewal fees paid pursuant to Government Code sections 12599, 12599.1, 12599.2, and 12599.9, and the Registry of Charities and Fundraisers Fund established pursuant to Government Code section 12587.1, shall be used to operate and maintain the Attorney General's Registry of Charities and Fundraisers, to provide public access via the Internet to reports filed with the Charities and Fundraisers in the Office of the Attorney General, Sacramento, California, and to enforce the registration and reporting provisions.

**Note:** Authority cited: Sections 12586, 12587 and 12599.10, Government Code. Reference: Sections 12585, 12586, 12587, 12587.1, 12599, 12599.1, 12599.2 and 12599.9, Government Code.

### **§ 311. Address of Record.**

Every registrant and applicant is responsible for keeping the Registry of Charities and



Fundraisers informed of the registrant's or applicant's current address. Any notice, order or document issued by the Attorney General shall be deemed properly served if mailed to the registrant's or applicant's address of record. The address of record is the address listed on the most recent registration or renewal form filed with the Registry unless the registrant or applicant has subsequently notified the Registry of a change of address in writing.

**Note:** Authority cited: Sections 12585, 12586, 12587 and 12599.10, Government Code.  
Reference: Sections 12584, 12594, 12598, 12599, 12599.1, 12599.2, 12599.9 and 12599.10, Government Code.

**§ 312. Registrant Must Be In Good Standing to Operate or Solicit.**

A person or entity subject to the registration requirements of the Act must be registered and in good standing with the Registry of Charities and Fundraisers to operate or solicit for charitable purposes in California. A registration that is delinquent, suspended or revoked is not in good standing, and is prohibited from engaging in conduct for which registration is required including, but not limited to solicitation for charitable purposes. A person or entity subject to a cease and desist order is not in good standing.

**Note:** Authority cited: Sections 12581, 12585, 12586, 12587, 12598 and 12599.10, Government Code. Reference: Sections 11400 et seq., 11500 et seq., 12581, 12585, 12586, 12586.1, 12591.1, 12598, 12599, 12599.1, 12599.2, 12599.6, 12599.9 and 12599.10, Government Code.

**§ 313. Registration, Annual Filing, and Notice Requirements for Commercial Fundraisers for Charitable Purposes, Fundraising Counsel for Charitable Purposes, and Commercial Coventurers.**

Every commercial fundraiser for charitable purposes, fundraising counsel for charitable purposes, and commercial coventurer that is subject to the Act must register with the Attorney General before soliciting any funds in California, and annually on or before January 15 of each year. The registration requirements and fees are set forth in this section. Each registrant will be assigned a registration number upon completion of the registration process.

(a) A "commercial fundraiser for charitable purposes," as defined in Government Code section

12599, must submit the following at the time of initial registration and annual renewal:

(1) A completed Commercial Fundraiser for Charitable Purposes Annual Registration Form (“Form CT-1CF” Rev. 01/2024), hereby incorporated by reference.

(2) \$500 by check, electronically, or other means of payment prescribed by the Attorney General.

(3) The original of a properly executed \$25,000 surety bond form in the registrant’s name, together with a signed Registry of Charitable Trusts-Surety Bond Form (“Form CT-4CF” Rev. 09/2017), hereby incorporated by reference; or completion of the Deposit by Assignment in Lieu of Commercial Fundraiser for Charitable Purposes Surety Bond Form (“Form CT-8CF” Rev. 01/2024), hereby incorporated by reference; and Receipt for Notice of Assignment in Lieu of Commercial Fundraiser for Charitable Purposes Surety Bond Form (“Form CT-9CF” Rev. 01/2024), hereby incorporated by reference, together with the original passbook or certificate of deposit indicating \$25,000 is held in the Attorney General’s name.

(4) An annual financial report as described in Government Code section 12599, subdivision (d). The forms for the annual financial report include the Commercial Fundraiser for Charitable Purposes (“Form CT-2CF” Rev. 01/2024), hereby incorporated by reference; the Commercial Fundraiser for Charitable Purposes/Thrift Store Operations (“Form CT-2TCF” Rev. 01/2024), hereby incorporated by reference; and the Commercial Fundraiser for Charitable Purposes/Vehicle Donation Program (“Form CT-2VCF” Rev. 01/2024), hereby incorporated by reference. The annual financial reports must be filed on or before January 30 of each year and report all revenue raised nationwide.

(b) A “fundraising counsel for charitable purposes,” as defined in Government Code section 12599.1, must submit the following at the time of initial registration and annual renewal:

(1) A completed Fundraising Counsel for Charitable Purposes Annual Registration Form (“Form CT-3CF” Rev. 01/2024), hereby incorporated by reference.

(2) \$500 by check, electronically, or other means of payment prescribed by the Attorney General.

(c) A “commercial coventurer,” as defined in Government Code section 12599.2, unless exempted by Government Code section 12599.2, subdivision (b), shall submit the following at the time of initial registration and annual renewal:

(1) A completed and signed Commercial Coventurer Annual Registration Form (“Form CT-5CF” Rev. 01/2024), hereby incorporated by reference.

(2) \$500 by check, electronically, or other means of payment prescribed by the Attorney General.

(3) If required to register and report pursuant to Government Code section 12599.2, subdivision (c), the annual financial reports shall be filed on the Commercial Coventurer Annual Financial Report Form (“Form CT-6CF” Rev. 01/2024), hereby incorporated by reference. The annual financial reports must be filed on or before January 30 of each year.

(d) Every commercial fundraiser for charitable purposes and every fundraising counsel for charitable purposes shall file the notice required by Government Code sections 12599 and 12599.1. Commercial fundraisers shall file the Notice of Intent to Solicit for Charitable Purposes -- Commercial Fundraiser for Charitable Purposes Form (“Form CT-10CF” Rev. 01/2024), hereby incorporated by reference. Fundraising counsel shall file the Notice of Intent to Provide Services Related to Charitable Solicitation -- Fundraising Counsel for Charitable Purposes Form (“Form CT-11CF” Rev. 01/2024), hereby incorporated by reference. The forms shall be filed with the Registry of Charities and Fundraisers in the Office of the Attorney General, Sacramento, California.

(e) Each of the above-identified forms filed with the Attorney General shall be signed under penalty of perjury.

(f) The above registration and reporting requirements apply to any unregistered person or entity for the time period that registration was required.

**Note:** Authority cited: Sections 12586 and 12587, Government Code. Reference: Sections 12587, 12599, 12599.1, 12599.2, 12599.3 and 12599.5, Government Code.

### **§ 314. Definitions Regarding Charitable Fundraising Platforms and Platform Charities.**

As used in Government Code sections 12599.9 and 12599.10 and sections 314 to 323 of these regulations:

(a) “Conspicuous” means:

(1) The information disclosed is located adjacent to the content that is being explained to prevent a likelihood of deception, confusion, or misunderstanding. When such placement of information is technically impossible when viewed on smaller screens, the information disclosed shall be located as close as possible to the content being explained, with use of visual cues that encourage scrolling or text that conveys the nature and importance of the information to be disclosed.

(2) The information disclosed shall be formatted to clearly call attention to the information so that the information is difficult to miss (i.e., easily noticeable). For audio disclosures, the information disclosed shall use a volume and cadence to be easily understood and heard.

(3) When hyperlinks are permitted, the hyperlink selected is adjacent to the content that is being explained, with formatting that clearly calls attention to the hyperlink so that the hyperlink is difficult to miss (i.e., easily noticeable). The hyperlink's text shall convey the nature and importance of the information disclosed, and the information disclosed by hyperlink shall be immediately viewable.

(b) "Digital payment processing fee" means a fee incurred by a charitable fundraising platform or platform charity from a payment processor, credit card network, or a bank to accept and process payments of donations or recommended donations made online via credit card, debit card, bank accounts, or cryptocurrency.

(c) "Donated funds" means a donation or grant of a recommended donation, such as when a charitable fundraising platform or platform charity sends a donation or grant of a recommended donation to a recipient charitable organization or alternate charitable organization.

(d) "Fee" means any amount that is charged by a charitable fundraising platform, platform charity, or a vendor that provides services to a charitable fundraising platform or platform charity, for donations or recommended donations made pursuant to the acts of solicitation described in Government Code section 12599.9, subdivision (a)(1) or (5), and deducted from donations or recommended donations. When donations or recommended donations are made, any amount deducted and not passed on to charitable organizations constitutes a fee, and it does not matter if a fee is deducted before or after donated funds are sent to charitable organizations. Examples of a fee include distribution, platform, service, technology, or transaction fees to receive or process a donation or recommended donation and digital payment processing fees.

“Fee” does not include the registration or registration renewal fee imposed by the Attorney General, tips or other amounts requested and added to a donation or recommended donation to cover expenses or fees incurred by a charitable fundraising platform or platform charity, or amounts paid by an employer to provide a charitable fundraising platform to employees that use the platform to make donations or recommended donations.

(e) “May Not Operate or Solicit for Charitable Purposes List” means the electronic list of organizations that are not in good standing with the Attorney General pursuant to section 312 of these regulations, and available on the Attorney General’s Registry Reports web page.

(f) “Misuse” means failing to send the full amount of donations or recommended donations, minus fees, to charitable organizations, or incorrectly holding or spending donations or recommended donations before the donated funds are sent to charitable organizations. “Misuse” includes borrowing from donations or recommended donations, or commingling the donations or recommended donations with other funds belonging to a charitable fundraising platform or platform charity.

(g) “Partner” means a platform charity that was retained by a charitable fundraising platform to facilitate solicitations on the charitable fundraising platform pursuant to a partnership. “Partner” also means a charitable fundraising platform (platform A) that acts similarly to a platform charity and was retained by another charitable fundraising platform (platform B) to facilitate solicitations on the other (platform B) charitable fundraising platform pursuant to a partnership. A charitable fundraising platform acts similarly to a platform charity when it meets the definition of both a platform charity and charitable fundraising platform, but is deemed only a charitable fundraising platform pursuant to Government Code section 12599.9, subdivision (b)(1).

(h) “Partnering platform” means a charitable fundraising platform that retained a platform charity or another charitable fundraising platform (that acts similarly to a platform charity) to facilitate solicitations on its charitable fundraising platform pursuant to a partnership.

(i) “Partnership” means a contractual relationship between a charitable fundraising platform and a platform charity, or between two charitable fundraising platforms, where one of the purposes of the contract is to facilitate acts of solicitation on a charitable fundraising platform.

(j) “Platform” means a website, mobile device application, computer software application, or other internet-based interactive electronic medium.

(k) “Platform user” means a person who uses a charitable fundraising platform. “Platform user” includes a donor who makes a donation or recommended donation to a charitable organization through use of a charitable fundraising platform, a person who engages in peer-to-peer charitable fundraising through use of a charitable fundraising platform, and a person who makes purchases or performs other activity through use of a charitable fundraising platform that causes donated funds to be sent to a charitable organization.

(l) “Registry Search Tool” means the search tool that enables a query of the Registry of Charities and Fundraisers database to determine whether an organization is in good standing with the Attorney General pursuant to section 312 of these regulations, and available on the Attorney General’s Registry Search Tool web page.

(m) “Solicitation type A” means performing, permitting, or otherwise enabling the acts of solicitation described in Government Code section 12599.9, subdivision (a)(1)(A). “Solicitation type A” includes soliciting donations or recommended donations, such as micro donations, round up donations, or donations of any amount, from donors who are platform users by listing or referencing by name one or more recipient charitable organizations to be sent donated funds.

(n) “Solicitation type B” means performing, permitting, or otherwise enabling the acts of solicitation described in Government Code section 12599.9, subdivision (a)(1)(B). “Solicitation type B” includes permitting or enabling crowdfunding campaigns created by platform users engaging in peer-to-peer charitable fundraising, or otherwise permitting or enabling platform users to solicit donations or recommended donations made by other platform users for one or more recipient charitable organizations.

(o) “Solicitation type C” means performing, permitting, or otherwise enabling the acts of solicitation described in Government Code section 12599.9, subdivision (a)(1)(C). “Solicitation type C” includes performing solicitations through charitable sales promotions, coventuring or cause marketing campaigns, or free action programs. In these solicitations, platform users have the option to select one or more recipient charitable organizations to be sent donated funds. The charitable fundraising platform or a third party would make the donations or recommended donations based on the purchases made or other activity performed by platform users.

(p) “Solicitation type D” means performing, permitting, or otherwise enabling the acts of solicitation described in Government Code section 12599.9, subdivision (a)(1)(D). “Solicitation type D” includes performing solicitations through charitable sales promotions, coventuring or

cause marketing campaigns, or free action programs. In these solicitations, the charitable fundraising platform selects one or more recipient charitable organizations to be sent donated funds, and makes the donations or recommended donations based on the purchases made or other activity performed by platform users.

(q) “Solicitation type E” means performing, permitting, or otherwise enabling the acts of solicitation described in Government Code section 12599.9, subdivision (a)(1)(E). “Solicitation type E” includes providing a charitable fundraising platform to charitable organizations that can be private-labeled or otherwise customized, that is subject to a software as a service license agreement between the charitable fundraising platform and charitable organizations, and allows charitable organizations to solicit donations made to them from donors.

**Note:** Authority cited: Sections 12586, 12587 and 12599.10, Government Code. Reference: Sections 12599.6, 12599.9 and 12599.10, Government Code.

### **§ 315. Registration and Filing Requirements for Charitable Fundraising Platforms and Platform Charities.**

(a) A charitable fundraising platform shall register with the Attorney General before soliciting, permitting, or otherwise enabling acts of solicitation. A charitable fundraising platform will be assigned a registration number and shall submit the following at the time of initial registration, which may be filed at any time during the year:

(1) A completed Form PL-1: Initial Registration for Charitable Fundraising Platforms (“Form PL-1” Orig. 01/2024), hereby incorporated by reference. Form PL-1 shall be completed as a fillable form via the online filing service available on the Attorney General’s Charitable Fundraising Platforms web page.

(2) A \$625 registration fee.

(b) A charitable fundraising platform shall renew its registration annually on or before January 15 for each calendar year if, during that year, a charitable fundraising platform has been, is, or will be performing, permitting, or otherwise enabling any acts of solicitation, or has been, is, or will be receiving, holding, or controlling donations or recommended donations, or sending donations or grants of recommended donations, including through a partnership with a platform

charity or another charitable fundraising platform. A charitable fundraising platform shall submit the following at the time of registration renewal:

(1) A completed Form PL-2: Registration Renewal for Charitable Fundraising Platforms (“Form PL-2” Orig. 01/2024), hereby incorporated by reference. Form PL-2 shall be completed as a fillable form via the online filing service available on the Attorney General’s Charitable Fundraising Platforms web page.

(2) A \$625 registration renewal fee.

(c) A platform charity shall register as a trustee, as set forth in section 300 of these regulations, and file annual reports, as set forth in sections 301 to 307 of these regulations.

(d) A platform charity shall file a completed Form PL-3: Notification from Platform Charities (“Form PL-3” Orig. 01/2024), hereby incorporated by reference, when the platform charity enters into a partnership with a charitable fundraising platform to facilitate acts of solicitation on that charitable fundraising platform. Form PL-3 shall be completed as a fillable form via the online filing service available on the Attorney General’s Charitable Fundraising Platforms web page. The notification shall be filed no later than 30 days after the partnership was entered, unless notification was previously provided through registration of the platform charity as a trustee, or the registration of the charitable fundraising platform.

(e) A charitable fundraising platform or platform charity shall file an annual report with the Attorney General, as described in Government Code section 12599.9, subdivision (c), on or before July 15 of each year for fundraising activities of the preceding calendar year. A completed annual report shall be filed on Form PL-4: Annual Fundraising Report for Charitable Fundraising Platforms or Platform Charities (“Form PL-4” Orig. 01/2024), hereby incorporated by reference. Form PL-4 shall be completed as a fillable form via the online filing service available on the Attorney General’s Charitable Fundraising Platforms web page. If a charitable fundraising platform does not renew registration for the current calendar year, the Form PL-4 shall still be filed for fundraising activities of the preceding calendar year.

(f) When a registrant charitable fundraising platform retains a partner, a registrant charitable fundraising platform’s Form PL-4 may be filed by the partner on behalf of the registrant charitable fundraising platform when all of the following are met:

(1) The registrant charitable fundraising platform’s Form PL-2, which was completed and timely filed on or before January 15 of the calendar year for the registration renewal,



provided authority for the partner to submit the Form PL-4 for the calendar year prior to the registration renewal. If the registrant charitable fundraising platform retained more than one partner, only one partner may submit the Form PL-4.

(2) The registrant charitable fundraising platform examines and signs the Form PL-4, under oath, before it is filed by the partner.

(3) The registrant charitable fundraising platform did not act as a partner to facilitate solicitations on other charitable fundraising platforms during the year for which the Form PL-4 is being filed.

(4) The partner is registered with the Attorney General.

(g) When a charitable fundraising platform or platform charity is required to submit fee information on Form PL-4 that it believes is confidential or a trade secret, the fee information shall be submitted separately from other information in the filing, and in compliance with Form PL-4's instructions. The charitable fundraising platform or platform charity shall explain why the fee information is confidential or a trade secret. The Attorney General shall consider whether the public interest in maintaining the confidentiality of the fee information clearly outweighs the public interest in disclosure. If the Attorney General finds the fee information is not confidential or a trade secret, the Attorney General shall provide written notification of this finding, and instruct the charitable fundraising platform or platform charity to amend Form PL-4 no later than 45 days after such notice is sent. If the charitable fundraising platform or platform charity fails to amend in accordance with the notice, the fee information that is not confidential or a trade secret will be made available for public inspection. When fee information is confidential or a trade secret, and it is separately submitted in compliance with Form PL-4's instructions, the fee information shall not be made available for public inspection, and the Attorney General shall not disclose the information except as follows:

(1) In an investigation or law enforcement action pursuant to the Attorney General's charitable trust enforcement responsibilities.

(2) In response to a subpoena or search warrant.

(h) The above registration and filing requirements apply to an unregistered person or entity for the time period that registration was required.

**Note:** Authority cited: Sections 12586, 12587, 12590 and 12599.10, Government Code.

Reference: Sections 12586, 12590, 12599.9 and 12599.10, Government Code.

**§ 316. Good Standing of Charitable Organizations.**

(a) A charitable fundraising platform or platform charity shall only solicit, permit, or otherwise enable solicitations, or receive, control, or distribute funds from donations or recommended donations for charitable organizations in good standing with the Internal Revenue Service, the Franchise Tax Board, and the Attorney General, as described by Government Code section 12599.9, subdivision (d)(2). A charitable fundraising platform or platform charity may hold or control funds from donations or recommended donations for charitable organizations not in good standing with the Attorney General for the length of time it takes to determine an alternate to be sent the funds pursuant to section 320 of these regulations.

(b) When a charitable organization is not on the May Not Operate or Solicit for Charitable Purposes List, but the Registry Search Tool indicates the charitable organization is not in good standing, a charitable fundraising platform or platform charity may nonetheless solicit, permit, or otherwise enable solicitations for, or receive, hold, control, or send funds from donations or recommended donations to the charitable organization.

(c) When a charitable organization is on the May Not Operate or Solicit for Charitable Purposes List, it is not in good standing with the Attorney General for purposes of Government Code section 12599.9, subdivision (d)(2). Nonetheless:

(1) If the charitable organization is on the May Not Operate or Solicit for Charitable Purposes List available on the first Wednesday of the current month, but was not on the list available on the third Wednesday of the prior month, a charitable fundraising platform or platform charity may solicit, permit, or otherwise enable solicitations for, or receive, hold, control, or send funds from donations or recommended donations to the charitable organization for a five business day grace period beginning on the first Wednesday of the current month.

(2) If the charitable organization is on the May Not Operate or Solicit for Charitable Purposes List available on the third Wednesday of the current month, but was not on the list available on the first Wednesday of the current month, a charitable fundraising platform or platform charity may solicit, permit, or otherwise enable solicitations for, or

receive, hold, control, or send funds from donations or recommended donations to the charitable organization for a five business day grace period beginning on the third Wednesday of the current month.

(d) When the Registry Search Tool indicates a charitable organization is in good standing, a charitable fundraising platform or platform charity may solicit, permit, or otherwise enable solicitations for, or receive, hold, control, or send funds from donations or recommended donations to the charitable organization.

**Note:** Authority cited: Sections 12587 and 12599.10, Government Code. Reference: Section 12599.9, Government Code.

**§ 317. Solicitation Information for Charitable Fundraising Platforms and Platform Charities.**

(a) A charitable fundraising platform or platform charity that engages in solicitation type A or B shall allow donors or persons engaging in peer-to-peer charitable fundraising an option to provide their name and contact information to a recipient charitable organization. This is not required when a recipient charitable organization has not provided prior written consent for using its name or information in a solicitation, or for peer-to-peer charitable fundraising when donated funds are sent to persons engaging in peer-to-peer charitable fundraising.

(b) A charitable fundraising platform or platform charity that engages in solicitation type A or B and allows donors or persons engaging in peer-to-peer charitable fundraising to restrict or designate a preference as to how donations or recommended donations may be used by a recipient charitable organization, shall, before donors can complete a donation, conspicuously disclose that the donated funds may be used by a recipient charitable organization on an unrestricted basis, regardless of designations or restrictions made by donors or persons engaging in peer-to-peer charitable fundraising. Such disclosure is not required when a recipient charitable organization has provided prior written consent to use its name in a solicitation, and has either previously approved the solicitation that contains the designations or restrictions, or previously agreed with a charitable fundraising platform or platform charity to comply with designations or restrictions made by donors or persons engaging in peer-to-peer charitable fundraising.

(c) A charitable fundraising platform or platform charity that engages in solicitation type B and allows donated funds to be sent to persons engaging in peer-to-peer charitable fundraising, shall, before persons can create such a solicitation campaign, conspicuously disclose the requirements of section 323 of these regulations. The disclosure may be provided through a conspicuous hyperlink. The disclosure is not required when persons engaging in peer-to-peer charitable fundraising create a solicitation campaign and donations or recommended donations are made to a platform charity or recipient charitable organization.

(d) Unless the charitable fundraising platform or platform charity has no policy or standard under which a charitable organization's receipt of the funds is precluded, a charitable fundraising platform or platform charity shall disclose the most pertinent reasons under which a charitable organization may be deemed ineligible to be sent donated funds as follows:

(1) A charitable fundraising platform or platform charity that engages in solicitation type A, B, or C shall provide the disclosure in compliance with Government Code section 12599.9, subdivision (e)(2).

(2) A charitable fundraising platform or platform charity that engages in solicitation type D or performs, permits, or otherwise enables acts of solicitations described by Government Code section 12599.9, subdivision (a)(1), that are not solicitation types A to E, shall conspicuously disclose that the charitable organization referenced in a solicitation may be deemed ineligible to be sent donated funds with an explanation identifying the most pertinent reasons. The explanation may be provided through a conspicuous hyperlink.

(3) A charitable fundraising platform that engages in solicitation type E shall:

(A) When donations are solicited by and made to a charitable organization, including when a charitable organization manages peer-to-peer charitable fundraising campaigns enabled by the charitable fundraising platform, conspicuously disclose to the charitable organization that the charitable organization may be deemed ineligible to be sent donated funds with an explanation identifying the most pertinent reasons. The charitable fundraising platform shall also request the charitable organization to provide this conspicuous disclosure to platform users when donations are solicited by the charitable organization through the charitable fundraising platform.

(B) When donations or recommended donations are made to a charitable fundraising platform or platform charity, and the charitable fundraising platform also engages in solicitation type A or B, comply with Government Code section 12599.9, subdivision (e)(2).

(e) A charitable fundraising platform or platform charity that engages in solicitation type C or D, shall disclose the length of time it takes to send donated funds to a recipient charitable organization, subject to any minimum threshold amount as permitted by Government Code section 12599.10, subdivision (a)(4)(A)(ii), as follows:

(1) A charitable fundraising platform or platform charity that engages in solicitation type C shall provide the disclosure in compliance with Government Code section 12599.9, subdivision (e)(3).

(2) A charitable fundraising platform or platform charity that engages in solicitation type D shall conspicuously disclose in a solicitation the maximum length of time it takes to send donated funds to a recipient charitable organization with an explanation as to the length of time, including the minimum threshold amount to be met before donated funds are sent, if any. The explanation may be provided through a conspicuous hyperlink.

(f) The information on fees or other amounts to be disclosed by Government Code section 12599.9, subdivision (e)(4), may be provided through a conspicuous hyperlink.

**Note:** Authority cited: Sections 12587 and 12599.10, Government Code. Reference: Sections 12599.6 and 12599.9, Government Code.

### **§ 318. Consent from Recipient Charitable Organizations for Charitable Fundraising Platforms and Platform Charities.**

(a) An agreement between a recipient charitable organization and a charitable fundraising platform or platform charity, in which the recipient charitable organization provides written consent for the charitable fundraising platform, platform charity, or any partnering platform expressly identified in that agreement to use its name in a solicitation on or through a charitable fundraising platform, shall comply with all of the following requirements:

(1) The agreement shall comply with Government Code section 12599.9, subdivisions (f)(1) and (h), and sections 320 and 321 of these regulations.

(2) The agreement, including any agreement amendments and renewals, may be entered into electronically. Such agreement may refer to or incorporate terms available on a platform provided by a charitable fundraising platform or platform charity as specified in this subdivision (a), as long as a recipient charitable organization is informed or sent written notice when changes are made to the platform containing the agreement's terms, is not charged financially for platform access, and the platform clearly explains the changes.

(3) For an agreement seeking written consent for more than one charitable fundraising platform, all charitable fundraising platforms shall be identified, and a recipient charitable organization shall be able to select the charitable fundraising platforms for which it gives or does not give consent. The identification of charitable fundraising platforms and the ability to give or not give consent may be provided through terms available on a platform.

(4) The agreement shall specify the total amount of fees charged for each charitable fundraising platform or platform charity. This information may be provided through terms available on a platform.

(5) The agreement shall specify the time period for sending donated funds for each charitable fundraising platform, which shall comply with Government Code section 12599.9, subdivision (h), and section 320 of these regulations. This information may be provided through terms available on a platform.

(6) The agreement shall allow a recipient charitable organization to review and approve information in the solicitation about the recipient charitable organization, and if not approved, the information about the recipient charitable organization shall be removed from the solicitation. This includes information that restricts or indicates a preference as to how donations may be used by a recipient charitable organization. Prior approval is not required when peer-to-peer charitable fundraising is involved, or for information provided by the recipient charitable organization.

(7) The agreement shall allow a recipient charitable organization to acknowledge persons who made donations or engaged in peer-to-peer charitable fundraising, and specify any other terms regarding the sharing or use of information provided by such persons, if they choose to share their information with a recipient charitable organization.

(8) For each charitable fundraising platform that engages in solicitation type A or B and allows donors or persons engaging in peer-to-peer charitable fundraising to restrict or designate a preference as to how donations may be used by a recipient charitable organization, a recipient charitable organization shall be able to specify whether it agrees in advance to comply with the designations or restrictions made by donors or persons engaging in peer-to-peer charitable fundraising. This agreement may be provided through terms available on a platform.

(9) For each charitable fundraising platform that engages in solicitation type A or B, the agreement shall permit the charitable fundraising platform to send a tax donation receipt on behalf of a recipient charitable organization. This includes donations or recommended donations made by donors who do not choose to share their information with a recipient charitable organization. This is not required for recommended donations made to a platform charity or a charitable fundraising platform that is tax-exempt under Internal Revenue Code section 501(c)(3).

(b) When a recipient charitable organization makes a written request for removal, as described in Government Code section 12599.9, subdivision (f)(2)(C), the charitable fundraising platform or platform charity shall promptly verify the request by asking for identifying or other relevant information from the recipient charitable organization, unless already provided. For purposes of this subdivision and Government Code section 12599.9, subdivision (f)(2)(C), “promptly” means no later than three business days after the written request for removal is made. If the recipient charitable organization does not provide the identifying or other relevant information no later than three business days after it was asked, the charitable fundraising platform or platform charity shall use the information sources specified in Government Code section 12599.9, subdivision (f)(2)(A), to verify the request.

**Note:** Authority cited: Sections 12587 and 12599.10, Government Code. Reference: Sections 12599.6, 12599.9 and 12599.10, Government Code.

### **§ 319. Tax Donation Receipts from Charitable Fundraising Platforms and Platform Charities.**

A charitable fundraising platform or platform charity that engages in solicitation type A or B shall promptly send a tax donation receipt to donors after donations or recommended donations are made, in accordance with Business and Professions Code sections 17510.3, subdivision (a)(1) to (4), and 17510.4. The tax donation receipt may be sent electronically. For purposes of this section and Government Code section 12599.9, subdivision (g), “promptly” means no later than five business days after a donation is made. When donations or recommended donations are made to a recipient charitable organization, instead of to a platform charity or charitable fundraising platform that is tax-exempt under Internal Revenue Code section 501(c)(3), the charitable fundraising platform shall obtain authorization from the recipient charitable organization to send a tax donation receipt on behalf of the recipient charitable organization.

**Note:** Authority cited: Sections 12587 and 12599.10, Government Code. Reference: Sections 12599.9 and 12599.10, Government Code; Sections 17510.3 and 17510.4, Business and Professions Code.

**§ 320. Lengths of Time for Sending Donations by Charitable Fundraising Platforms and Platform Charities; Selection of Alternate Charitable Organizations.**

(a) A charitable fundraising platform or platform charity that engages in solicitation type A or B shall promptly send donations, or grants of recommended donations, in compliance with all of the following:

(1) Donated funds for consenting recipient charitable organizations shall be sent no later than 30 days after the end of the month in which the donations or recommended donations are made, unless the recipient charitable organization is not eligible to be sent the funds.

(2) Donated funds for non-consenting recipient charitable organizations shall be sent no later than 45 days after the end of the month in which the donations or recommended donations are made, unless the recipient charitable organization is not eligible to be sent the funds.

(3) A charitable fundraising platform or platform charity shall determine whether a recipient charitable organization is eligible to be sent donated funds within the time period for when donated funds must be sent. If it has been determined that a recipient



charitable organization is not eligible, the charitable fundraising platform or platform charity shall notify donors in writing no later than 30 days after the determination of eligibility, and request them to recommend an alternate charitable organization. Written notification may be sent electronically. Donors shall have 30 days from the date of written notification to recommend an alternate charitable organization. If an alternate is timely recommended, the charitable fundraising platform or platform charity shall send the donated funds to the alternate charitable organization no later than 30 days from the last date donors could timely recommend an alternate, unless the charitable fundraising platform or platform charity determines the alternate is not eligible. If an alternate is timely recommended and determined to be not eligible, the charitable fundraising platform or platform charity shall select another alternate charitable organization, and send donated funds to the alternate selected by the charitable fundraising platform or platform charity no later than 30 days from the last date donors could timely recommend an alternate. If an alternate is not timely recommended, the charitable fundraising platform or platform charity shall select an alternate charitable organization, and send the donated funds to the alternate no later than 30 days from the last date donors could timely recommend an alternate.

(b) A charitable fundraising platform or platform charity that engages in solicitation type C or D shall promptly send donations, or grants of recommended donations, in compliance with all of the following:

(1) When donated funds are not subject to any minimum threshold amounts before they are sent, the donated funds shall be sent to a recipient charitable organization on a quarterly basis or more frequently, unless the recipient charitable organization is not eligible to be sent the funds. For purposes of this section, “quarterly basis” means sending donated funds based on purchases or other activity performed by platform users, no later than 30 days after the end of a 90-day period established as a quarter by a charitable fundraising platform or platform charity.

(2) When donated funds are subject to minimum threshold amounts before they are sent, such minimum threshold amounts shall not exceed ten dollars (\$10.00), as required by Government Code section 12599.10, subdivision (a)(4)(A)(ii). Once the minimum amount is reached, the donated funds shall be sent to a recipient charitable organization

on a quarterly basis or more frequently, unless the recipient charitable organization is not eligible to be sent the funds. If the minimum threshold amount is not reached after four consecutive quarters, the donated funds shall be sent to a recipient charitable organization no later than 30 days after the fourth quarter ends, unless the recipient charitable organization is not eligible to be sent the funds.

(3) A charitable fundraising platform or platform charity shall determine whether a recipient charitable organization is eligible to be sent donated funds within the time period for when donated funds must be sent. If it has been determined that a recipient charitable organization is not eligible, the charitable fundraising platform or platform charity shall then select an alternate charitable organization, and send the donated funds to the alternate no later than 30 days after the determination of eligibility.

(c) A charitable fundraising platform that engages in solicitation type E shall promptly send donations in compliance with the following:

(1) When donations are solicited by and made to a charitable organization, including when a charitable organization manages peer-to-peer charitable fundraising campaigns enabled by the charitable fundraising platform, donations shall be sent no later than five business days after the donations are made, unless the charitable organization is not eligible to be sent the funds. A charitable fundraising platform shall determine whether a charitable organization is eligible to be sent donations on a monthly basis or more frequently. If it has been determined that a charitable organization is not eligible, the charitable fundraising platform shall select an alternate charitable organization, and send the donations to the alternate no later than 30 days after the determination of eligibility.

(2) When donations or recommended donations are made to a charitable fundraising platform or platform charity, and the charitable fundraising platform also performs, permits, or otherwise enables solicitation type A or B, donated funds shall be promptly sent in compliance with subdivision (a) of this section.

(d) A charitable fundraising platform or platform charity that performs, permits, or otherwise enables acts of solicitation described by Government Code section 12599.9, subdivision (a)(1), that are not solicitation types A to E shall promptly send donated funds in compliance with subdivision (a)(1) and (3) of this section.

**Note:** Authority cited: Sections 12587 and 12599.10, Government Code. Reference: Sections 12599.9 and 12599.10, Government Code.

**§ 321. Information for Charitable Organizations Regarding Donations Sent by Charitable Fundraising Platforms and Platform Charities.**

(a) A charitable fundraising platform or platform charity that engages in solicitation type A or B or any similar activity shall provide the following information regarding donations, or grants of recommended donations, sent to a recipient charitable organization. This information can be provided with the donated funds, or through a secure platform that authenticates the recipient charitable organization, as long as the recipient charitable organization is made aware of the platform and not financially charged for platform access:

- (1) The legal name of the charitable fundraising platform through which a donation or recommended donation was made.
- (2) The total number of donations or recommended donations made.
- (3) The time period during which donations or recommended donations were made.
- (4) When requested by a recipient charitable organization, the date each donation or recommended donation was made, and the date each donation or grant of a recommended donation was sent.
- (5) The total dollar amount of all donations or recommended donations made before fees were imposed, the total amount of all fees imposed, the total amount of all donations or recommended donations after fees were imposed, and the total amount of all donated funds sent. When requested by a recipient charitable organization, the amount of each donation or recommended donation before fees were imposed, the amount of the fees imposed for each donation or recommended donation, the amount of each donation or recommended donation after fees were imposed, and the amount of each of the donated funds sent.
- (6) The name and contact information of a donor who chose to share their information, unless a recipient charitable organization has not given prior written consent for using its name or information in a solicitation. For purposes of subdivision (a)(6) and (a)(7), “contact information” means, at a minimum, the person’s name and email address. If the email address is unknown and a telephone number is known, provide the telephone

number. Also provide the total amount donated for each donor who chose to share their information. When requested by a recipient charitable organization, the amount of each donation or recommended donation for each donor who chose to share their information.

(7) The name and contact information of persons engaging in peer-to-peer charitable fundraising who chose to share their information, when applicable, unless a recipient charitable organization has not given prior written consent for using its name or information in a solicitation.

(8) When donors or persons engaging in peer-to-peer charitable fundraising restrict or designate a preference as to how donations or recommended donations may be used by a recipient charitable organization, information on how the funds may be used.

(b) A charitable fundraising platform or platform charity that engages in solicitation type C or D or any similar activity shall provide the following information regarding donations, or grants of recommended donations, sent to a recipient charitable organization. This information can be provided with the donated funds, or through a secure platform that authenticates the recipient charitable organization, as long as the recipient charitable organization is made aware of the platform and not financially charged for platform access:

(1) A description of the purchasing or other activity performed by platform users who caused a donation or grant of a recommended donation to be sent to the recipient charitable organization, along with the time period during which the purchasing or other activity was performed.

(2) The amount of each donation or grant of a recommended donation, with an accounting of how it was calculated, including the number of purchases made or other activities performed, the donation amount per purchase or other activity, and any fees that were imposed.

(c) A charitable fundraising platform that engages in solicitation type E shall provide the following information regarding donations sent to a charitable organization:

(1) When donations are solicited by and made to a charitable organization, including when a charitable organization manages peer-to-peer charitable fundraising campaigns enabled by the charitable fundraising platform, provide the date each donation was made by the donor, the date each donation was sent, the amount of each donation before fees were imposed, the amount of the fees imposed for each donation, the amount of each

donation after fees were imposed, and the amount of each donation sent. This information can be provided with the donations, or through the charitable fundraising platform.

(2) When donations or recommended donations are made to a charitable fundraising platform or platform charity, and the charitable fundraising platform also engages in solicitation type A or B, provide the information required by subdivision (a) of this section.

**Note:** Authority cited: Sections 12587 and 12599.10, Government Code. Reference: Sections 12599.9 and 12599.10, Government Code.

**§ 322. Information for Donors or Persons Regarding Donations Sent by Charitable Fundraising Platforms and Platform Charities.**

(a) A charitable fundraising platform or platform charity that engages in solicitation type A or B shall provide an ability for donors to find out whether their donations or recommended donations were sent to a recipient charitable organization or an alternate charitable organization, if donors choose to learn this. Such information shall be made available to donors no later than 15 business days after the donated funds were sent. For purposes of this section, the ability to find out whether donated funds were sent may be provided through written notification, which may occur electronically including through a platform, as long as persons are not charged financially for platform access.

(b) A charitable fundraising platform or platform charity that engages in solicitation type C or D shall provide platform users who made purchases or performed other activity that caused donated funds to be sent, an ability to find out that the total amount of donated funds sent to a recipient charitable organization or an alternate charitable organization included funds based on their purchases or other activity, if platform users choose to learn this. Such information shall be made available to platform users no later than 15 business days after the donated funds were sent. This does not require informing platform users how much of the donated funds sent is attributed to their purchases or other activity.

**Note:** Authority cited: Sections 12587 and 12599.10, Government Code. Reference: Sections 12599.9 and 12599.10, Government Code.

**§ 323. Handling of Donations by Persons Engaging in Peer-to-Peer Charitable Fundraising.**

When persons engaging in peer-to-peer charitable fundraising are sent donated funds from a charitable fundraising platform or platform charity that engages in solicitation type B, these persons shall not divert or misuse the donated funds, and shall send the donated funds to the recipient charitable organization referenced in solicitations no later than 10 business days after receipt. Persons engaging in peer-to-peer charitable fundraising that fail to send donated funds to the recipient charitable organization no later than 10 days after receipt are required to register as trustees with the Attorney General pursuant to Government Code section 12585.

**Note:** Authority cited: Sections 12587 and 12599.10, Government Code. Reference: Sections 12581, 12582, 12598, 12599.6 and 12599.9, Government Code.