

367.668 Disclosure requirements.

- (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 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 is being paid for providing services;
 - (b) The name of the charitable organization the professional solicitor 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 two (2) 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.

Effective: July 15, 2016

History: Amended 2016 Ky. Acts ch. 56, sec. 1, effective July 15, 2016. -- Amended 2013 Ky. Acts ch. 13, sec. 2, effective June 25, 2013. -- Created 1994 Ky. Acts ch. 151, sec. 9, effective July 15, 1994.