



## **Statement of Justification and Reasons for Adoption of Temporary Rules**

### **Office of the Secretary of State Rules for the Administration of the Colorado Charitable Solicitations Act 8 CCR 1505-9**

**July 15, 2020**

Re-adoption of temporary Rule: 5.7

The Secretary of State finds that certain amendments to the existing rules for the administration of the Colorado Charitable Solicitations Act, must be adopted and effective immediately to ensure the uniform and proper administration and enforcement of Charitable Solicitations laws<sup>1</sup>.

Due to the COVID-19 pandemic, charitable organizations, paid solicitors, and professional fundraising consultants (collectively “registrants”) may have difficulty filing required reports due under the Colorado Charitable Solicitations Act (CCSA). Due to the widespread impacts of the State of Emergency in Colorado, it will be difficult for registrants and other stakeholders (firms and accountants who prepare reports on registrants’ behalf) to comply with the CCSA and related filing deadline rules in a timely way, which would jeopardize their ability to raise funds in Colorado.

On April 2, 2020, the Secretary of State temporarily adopted Rule 5.7. Immediate re-adoption of the emergency rule is necessary to ensure that the rule is effective through the August 15, 2020 report filing deadline and to provide temporary regulatory relief is necessary to protect public health, safety, and welfare pursuant to section 24-4-103(6)(a), C.R.S. of the State Administrative Procedure Act.

For these reasons, and in accordance with the State Administrative Procedure Act, the Secretary of State finds that temporary adoption of the amendments to existing rules for the administration of the Colorado Charitable Solicitations Act is imperatively necessary to comply with state and federal law and to promote public interests.<sup>2</sup>

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<sup>1</sup> Article 16, Title 6 of the Colorado Revised Statutes.

<sup>2</sup> Section 24-4-103(3) (6), C.R.S. (2019).