



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4532

Introduced 1/31/2012, by Rep. Jim Sacia

SYNOPSIS AS INTRODUCED:

760 ILCS 55/5

from Ch. 14, par. 55

Amends the Charitable Trust Act. Reduces from \$200 to \$50 the fee required upon re-registration after cancellation of registration of a trust or organization that by law is required to be registered.

LRB097 17778 JLS 62993 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning charitable trust fees.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Charitable Trust Act is amended by changing
5 Section 5 as follows:

6 (760 ILCS 55/5) (from Ch. 14, par. 55)

7 Sec. 5. Registration requirement.

8 (a) The Attorney General shall establish and maintain a
9 register of trustees subject to this Act and of the particular
10 trust or other relationship under which they hold property for
11 charitable purposes and, to that end, shall conduct whatever
12 investigation is necessary, and shall obtain from public
13 records, court officers, taxing authorities, trustees and
14 other sources, copies of instruments, reports and records and
15 whatever information is needed for the establishment and
16 maintenance of the register.

17 (b) A registration statement shall be signed and verified
18 under penalty of perjury by 2 officers of a corporate
19 charitable organization or by 2 trustees if not a corporate
20 organization. One signature will be accepted if there is only
21 one officer or one trustee. A registration fee of \$15 shall be
22 paid with each initial registration. If a person, trustee or
23 organization fails to maintain a registration of a trust or

1 organization as required by this Act, and its registration is
2 cancelled as provided in this Act, and if that trust or
3 organization remains in existence and by law is required to be
4 registered, in order to re-register, a new registration must be
5 filed accompanied by required financial reports, and in all
6 instances where re-registration is required, submitted, and
7 allowed, the new re-registration materials must be filed,
8 accompanied by a re-registration fee of \$50 ~~\$200~~.

9 (c) If a person or trustee fails to register or maintain
10 registration of a trust or organization or fails to file
11 reports as provided in this Act, the person or trustee is
12 subject to injunction, to removal, to account, and to
13 appropriate other relief before a court of competent
14 jurisdiction exercising chancery jurisdiction. In the event of
15 such action, the court may impose a civil penalty of not less
16 than ~~that~~ \$500 nor more than \$1,000 against the organization or
17 trust estate that failed to register or to maintain a
18 registration required under this Act. The collected penalty
19 shall be used for charitable trust enforcement and for
20 providing charitable trust information to the public.

21 (Source: P.A. 90-469, eff. 8-17-97; 91-444, eff. 8-6-99;
22 revised 11-21-11.)