

**RESOLUTION NO. 399 -2020, ADOPTING LOCAL LAW
NO. 16 -2020, A LOCAL LAW TO CLARIFY THE
REGISTRATION AND REPORTING REQUIREMENTS FOR
NONPROFIT VETERANS ORGANIZATIONS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on March 3, 2020, a proposed local law entitled, "**A LOCAL LAW TO CLARIFY THE REGISTRATION AND REPORTING REQUIREMENTS FOR NONPROFIT VETERANS ORGANIZATIONS**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. 16 -2020, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO CLARIFY THE REGISTRATION AND
REPORTING REQUIREMENTS FOR NONPROFIT VETERANS
ORGANIZATIONS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Chapter 353 of the SUFFOLK COUNTY CODE delineates specific rules pertaining to the registration of nonprofit organizations which aid veterans, including an annual report on such organizations by the Department of Audit and Control.

This Legislature determines that increasing outreach to nonprofit veterans organizations both prior to and after registration expiration will increase awareness of registration requirements.

This Legislature further finds and determines that many nonprofit veterans organizations which are pending initial registration or have submitted incomplete applications to re-register are listed in the annual report as not registered even though they are in the process of registering. These organizations should be listed separately to ensure a more accurate accounting of the status of the nonprofit veterans organizations.

This Legislature finds that nonprofit veterans organizations should also be required to inform the County when they cease fundraising or operation in Suffolk County to prevent unscrupulous individuals from collecting falsely under their name.

Therefore, the purpose of this law is to amend Chapter 353 of the SUFFOLK COUNTY CODE to clarify to the registration and reporting requirements concerning nonprofit veterans organizations.

Section 2. Amendments.

Chapter 353 of the SUFFOLK COUNTY CODE is hereby amended as follows:

CHAPTER 353. BUSINESS PRACTICES.

* * * *

Article III. Registration of Nonprofit Veterans Organizations.

* * * *

§ 353-21. Registration required.

* * * *

- B. The application for registration statement shall contain the following information:
- (1) The agency's Articles of Incorporation, which documents the purpose of the organization.
 - (2) The agency's Annual Notice of New York State Registration for the previous calendar year.
 - (3) The agency's 501(c) Revenue Code as designated by the IRS with employer identification number and tax-exempt status.
 - (4) A written statement documenting the general purpose or purposes for which the contributions solicited will be used.
 - (5) A written statement documenting the names and business addresses of the person or persons in direct charge of conducting the solicitation. A physical address must be provided at the time of registration. A Post Office Box ("P.O. Box") shall be insufficient.

* * * *

E. The Suffolk County Department of Audit and Control shall deny an application for registration or renewal if a nonprofit veterans organization fails to submit any of the items required in the application for registration statement within ninety (90) days of the Department receiving the application.

F. The Suffolk County Department of Audit and Control shall contact each registered nonprofit veterans organization both in writing and via telephone at least once sixty (60) days prior to the organization's registration expiring.

G. The Suffolk County Department of Audit and Control shall contact each registered nonprofit veterans organization both in writing and via telephone after the organization's registration expires notifying them that they are out of compliance with this Chapter.

H. The Suffolk County Department of Audit and Control shall contact each nonprofit veterans organization both in writing and via telephone which is soliciting funds in Suffolk County but has never registered notifying them that they are out of compliance with this Chapter.

I. When a nonprofit veterans organization stops fundraising in Suffolk County or ceases operation, the organization must notify the Suffolk County Department of Audit and Control within thirty (30) business days of taking such action and prior to the expiration of its registration.

* * * *

§ 353-24.1. Report of County Department of Audit and Control.

The Suffolk County Department of Audit and Control will submit a written report to the Veterans and [Seniors] Consumer Affairs Committee of the County Legislature no later than June 15 each year, summarizing the information submitted by each registered nonprofit veterans organization pursuant to this article. This report will include metrics indicating the percentage of monies raised by each organization that was expended or donated to support Suffolk County veterans and/or veterans' programs. A distinction shall be made in metrics reporting between local and national nonprofit veterans organizations with respect to funds raised and expended in Suffolk County, with separate accountings for each category of organizations. Specifically, the Department of Audit and Control shall create three separate charts: one addressing the funds raised and expended by national nonprofit veterans organizations, one addressing the funds raised and expended by local nonprofit veterans organizations which have a national presence and one addressing local nonprofit veterans organizations which solely have a local presence. The Comptroller shall post this report on its departmental website. Each report shall also include, at a minimum, the following four schedules as appendices:

1. a schedule of organizations currently registered with the County;
2. a schedule of organizations which have submitted registration applications and are in the process of being certified;
3. a schedule of organizations which have submitted registration applications and are in the process of being re-certified; and
4. a schedule of organizations which have never registered or which have expired registrations and no pending application for re-certification.

* * * *

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or

circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(26) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

[] Brackets denote deletion of existing language
___ Underlining denotes addition of new language

DATED: May 20, 2020

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: June 22, 2020

After a public hearing duly held on June 3, 2020
Filed with the Secretary of State on July 8, 2020