

# ARTICLE 3. PROFESSIONAL FUNDRAISER CONSULTANTS AND PROFESSIONAL SOLICITORS

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## Rule 1. Definitions

<a href="#">11 IAC 3-1-1</a>	Applicability
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### 11 IAC 3-1-1 Applicability

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8-1](#)

Sec. 1. Unless otherwise noted, the definitions set forth at [IC 23-7-8-1](#) and this rule apply throughout this article. (*Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-1-1; filed Nov 7, 2003, 12:00 p.m.: 27 IR 826; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#)*)

### 11 IAC 3-1-2 "Document" defined

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8](#)

Sec. 2. As used in this article, "document" refers to a registration application, contract, solicitation notice, financial report, or consultant disclosure form. (*Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-1-2; filed Nov 7, 2003, 12:00 p.m.: 27 IR 826; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#)*)

### 11 IAC 3-1-3 "Information" defined

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8](#)

Sec. 3. As used in this article, "information" refers to:

- (1) a document as described in section 2 of this rule;
- (2) an amendment as described in 11 IAC 3-2-3; or
- (3) any other paperwork required to be filed under [IC 23-7-8](#) or this article.

(*Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-1-3; filed Nov 7, 2003, 12:00 p.m.: 27 IR 826; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#)*)

## Rule 2. General Provisions

<a href="#">11 IAC 3-2-1</a>	Filing requirements
<a href="#">11 IAC 3-2-2</a>	Document filing
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**11 IAC 3-2-1 Filing requirements**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8](#)

Sec. 1. (a) Subject to subsection (b), the filing of information with the division is complete on the earliest of the following dates that apply to the filing:

- (1) The date on which the information is delivered to the division.
- (2) The date of the postmark on the envelope containing the information if the information is mailed to the division by United States mail.
- (3) The date on which the information is deposited with a private carrier, as shown by a receipt issued by the carrier, if the information is sent to the division by private carrier.

(b) Any information required to be filed under [IC 23-7-8](#) shall not be considered filed with the division if the information is incomplete, incorrect, or fails to comply with the requirements of [IC 23-7-8](#) and this article. (Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-2-1; filed Nov 7, 2003, 12:00 p.m.: 27 IR 826; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))

**11 IAC 3-2-2 Document filing**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8](#)

Sec. 2. The date a document is considered filed is the date the document first meets the requirements of section 1 of this rule. (Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-2-2; filed Nov 7, 2003, 12:00 p.m.: 27 IR 826; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))

**11 IAC 3-2-3 Amendments**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8](#)

Sec. 3. (a) A professional fundraiser consultant or professional solicitor may file an amendment to a registration application, contract, solicitation notice, financial report, or consultant campaign disclosure form.

- (b) The amendment becomes a part of the document to which the amendment relates upon filing.
- (c) The amendment shall:
  - (1) clearly indicate that it is an amendment; and
  - (2) reference the document that it is amending.

(d) The filing of an amendment does not prohibit or restrict the division from initiating any action under [IC 23-7-8](#) or this article. (Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-2-3; filed Nov 7, 2003, 12:00 p.m.: 27 IR 826; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))

**Rule 3. Registration**

<a href="#">11 IAC 3-3-1</a>	Application requirement
<a href="#">11 IAC 3-3-2</a>	Information and fee required
<a href="#">11 IAC 3-3-3</a>	Requirements for registration update
<a href="#">11 IAC 3-3-4</a>	Fines
<a href="#">11 IAC 3-3-5</a>	Registration renewals arriving after the renewal year ends

**11 IAC 3-3-1 Application requirement**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)

Affected: [IC 23-7-8-2](#)

Sec. 1. To comply with the disclosure requirements of [IC 23-7-8-2\(a\)](#), a professional fundraiser consultant or professional solicitor shall complete a registration application as prescribed by the division. (*Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-3-1; filed Nov 7, 2003, 12:00 p.m.: 27 IR 827; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#)*)

**11 IAC 3-3-2 Information and fee required**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)

Affected: [IC 23-7-8-2](#); [IC 23-7-8-4](#)

Sec. 2. A professional fundraiser consultant or professional solicitor shall not be considered registered under [IC 23-7-8-2\(a\)](#) until:

(1) the registration application is filed with the division; and

(2) the correct fee is received by the division.

(*Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-3-2; filed Nov 7, 2003, 12:00 p.m.: 27 IR 827; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#)*)

**11 IAC 3-3-3 Requirements for registration update**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)

Affected: [IC 23-7-8-2](#); [IC 23-7-8-4](#)

Sec. 3. (a) A professional fundraiser consultant or professional solicitor who files a registration update under [IC 23-7-8-4\(c\)](#) shall comply with:

(1) [IC 23-7-8-2\(a\)](#); and

(2) this article.

(b) A professional fundraiser consultant or professional solicitor who fails to file a registration update as required by [IC 23-7-8-4\(c\)](#) will be deemed not registered with the division under [IC 23-7-8-2\(a\)](#). (*Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-3-3; filed Nov 7, 2003, 12:00 p.m.: 27 IR 827; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#)*)

**11 IAC 3-3-4 Fines**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)

Affected: [IC 23-7-8-2](#); [IC 23-7-8-4](#)

Sec. 4. (a) The division may fine a professional fundraiser consultant or professional solicitor up to one hundred dollars (\$100) for each month or part of a month after the date on which the registration update and renewal fee were due to be filed under [IC 23-7-8-4\(c\)](#).

(b) If a professional fundraiser consultant or professional solicitor was previously fined by the division under subsection (a), the division may fine the professional fundraiser consultant or professional solicitor up to two hundred dollars (\$200) for each month or part of a month after the date on which the registration update and renewal fee are due under [IC 23-7-8-4\(c\)](#). (*Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-3-4; filed Nov 7, 2003, 12:00 p.m.: 27 IR 827; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#)*)

**11 IAC 3-3-5 Registration renewals arriving after the renewal year ends**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8-2](#); [IC 23-7-8-4](#)

Sec. 5. If a professional fundraiser consultant or professional solicitor has not filed a registration update or paid the renewal fee under [IC 23-7-8-4](#)(c) before September 2 of the year the renewal is due, the professional fundraiser consultant or professional solicitor must:

- (1) apply for registration under [IC 23-7-8-2](#)(a); and
- (2) pay the registration fee of one thousand dollars (\$1,000) under [IC 23-7-8-4](#)(a).

*(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-3-5; filed Nov 7, 2003, 12:00 p.m.: 27 IR 827; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

**Rule 4. Consultant Contracts**

<a href="#">11 IAC 3-4-1</a>	Contract filing requirements
<a href="#">11 IAC 3-4-2</a>	Consultant disclosure form
<a href="#">11 IAC 3-4-3</a>	Fines
<a href="#">11 IAC 3-4-4</a>	Campaign starting date

**11 IAC 3-4-1 Contract filing requirements**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8-2](#)

Sec. 1. Before acting as a professional fundraiser consultant for a charitable organization, the professional fundraiser consultant must file a written contract described under [IC 23-7-8-2](#)(c) with the division. *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-4-1; filed Nov 7, 2003, 12:00 p.m.: 27 IR 827; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

**11 IAC 3-4-2 Consultant disclosure form**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8-2](#)

Sec. 2. A professional fundraiser consultant may complete a consultant disclosure form as prescribed by the division for each contract the professional fundraiser consultant enters into with a charitable organization. The professional fundraiser consultant shall sign the consultant disclosure form while under oath. *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-4-2; filed Nov 7, 2003, 12:00 p.m.: 27 IR 827; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

**11 IAC 3-4-3 Fines**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8-2](#)

Sec. 3. (a) For each contract entered into with a charitable organization, a professional fundraiser consultant who fails to file a contract within the period specified by [IC 23-7-8-2](#)(c) may be assessed a fine of up to one hundred dollars (\$100) for each month or part of a month after the date on which the consultant begins acting as a professional fundraiser consultant.

(b) If a professional fundraiser consultant was previously fined by the division under subsection (a), the division may assess a fine of up to two hundred dollars (\$200) for each month or part of a month after the date on which the consultant begins acting as a professional fundraiser consultant. *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-4-3; filed Nov*

7, 2003, 12:00 p.m.: 27 IR 828; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))

**11 IAC 3-4-4 Campaign starting date**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8-2](#)

Sec. 4. For purposes of section 3 of this rule, the following applies:

- (1) Whenever a professional fundraiser consultant does not submit to the division a consultant disclosure form, the date on which the consultant begins acting as a professional fundraiser consultant is the starting date of the consulting services as stated on the contract.
- (2) Whenever a professional fundraiser consultant submits to the division a consultant disclosure form that complies with section 2 of this rule, the date on which the consultant begins acting as a professional fundraiser consultant is the starting date listed on the consultant disclosure form.

*(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-4-4; filed Nov 7, 2003, 12:00 p.m.: 27 IR 828; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

**Rule 5. Solicitor Contracts**

<a href="#">11 IAC 3-5-1</a>	Contract requirements
<a href="#">11 IAC 3-5-2</a>	Fines
<a href="#">11 IAC 3-5-3</a>	Campaign starting date

**11 IAC 3-5-1 Contract requirements**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8-2](#)

Sec. 1. Before a professional solicitor engages in a solicitation, the professional solicitor must file a written contract described under [IC 23-7-8-2](#)(d) with the division. *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-5-1; filed Nov 7, 2003, 12:00 p.m.: 27 IR 828; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

**11 IAC 3-5-2 Fines**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8-2](#)

Sec. 2. (a) For each contract entered into with a charitable organization, a professional solicitor who fails to file a contract within the period specified by [IC 23-7-8-2](#)(d) may be assessed a fine of up to one hundred dollars (\$100) for each month or part of a month after the date on which the professional solicitor begins soliciting.

(b) If a professional solicitor was previously fined by the division under subsection (a), the division may assess a fine of up to two hundred dollars (\$200) for each month or part of a month after the date on which the professional solicitor begins soliciting. *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-5-2; filed Nov 7, 2003, 12:00 p.m.: 27 IR 828; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

**11 IAC 3-5-3 Campaign starting date**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8-2](#)

Sec. 3. For purposes of section 2 of this rule and 11 IAC 3-6-2, the date on which the professional solicitor begins soliciting

for a charitable organization is considered to be the earlier of:

- (1) the date the professional solicitor begins soliciting; or
- (2) the date when soliciting began as listed on the solicitation notice under [IC 23-7-8-2\(e\)\(2\)](#).

*(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-5-3; filed Nov 7, 2003, 12:00 p.m.: 27 IR 828; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

## Rule 6. Solicitation Notice Filings

<a href="#">11 IAC 3-6-1</a>	Campaign requirements
<a href="#">11 IAC 3-6-2</a>	Fines

### 11 IAC 3-6-1 Campaign requirements

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8-2](#)

Sec. 1. Before a professional solicitor begins a solicitation campaign, the professional solicitor must file a solicitation notice described under [IC 23-7-8-2\(e\)](#) with the division. *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-6-1; filed Nov 7, 2003, 12:00 p.m.: 27 IR 828; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

### 11 IAC 3-6-2 Fines

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8-2](#)

Sec. 2. (a) A professional solicitor who fails to file a solicitation notice by the beginning date of a solicitation campaign may be assessed a fine of up to one hundred dollars (\$100) for each month or part of a month after the beginning date of the solicitation campaign.

(b) If a professional solicitor was previously fined by the division under subsection (a), the division may assess a fine of up to two hundred dollars (\$200) for each month or part of a month after the beginning date of the solicitation campaign. *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-6-2; filed Nov 7, 2003, 12:00 p.m.: 27 IR 828; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

## Rule 7. Financial Reports

<a href="#">11 IAC 3-7-1</a>	Financial report requirements
<a href="#">11 IAC 3-7-2</a>	Filing deadlines
<a href="#">11 IAC 3-7-3</a>	Fines
<a href="#">11 IAC 3-7-4</a>	Campaign starting and ending dates

### 11 IAC 3-7-1 Financial report requirements

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)  
Affected: [IC 23-7-8-2](#)

Sec. 1. To comply with [IC 23-7-8-2\(f\)](#), a professional solicitor shall complete a financial report as prescribed by the division. *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-7-1; filed Nov 7, 2003, 12:00 p.m.: 27 IR 829; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

**11 IAC 3-7-2 Filing deadlines**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)

Affected: [IC 23-7-8-2](#)

Sec. 2. A financial report under [IC 23-7-8-2\(f\)](#) shall be filed with the division not later than ninety (90) days after one (1) of the following occurs:

(1) The ending of a solicitation campaign.

(2) The anniversary of the commencement of a solicitation campaign lasting more than one (1) year.

*(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-7-2; filed Nov 7, 2003, 12:00 p.m.: 27 IR 829; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

**11 IAC 3-7-3 Fines**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)

Affected: [IC 23-7-8-2](#)

Sec. 3. (a) For each financial report, a professional solicitor who fails to file a financial report within the time period prescribed by section 2 of this rule may be assessed a fine of up to one hundred dollars (\$100) for each month or part of a month starting from the ninety-first day after one (1) of the following occurs:

(1) The ending of a solicitation campaign.

(2) The anniversary of the commencement of a solicitation campaign lasting more than one (1) year.

(b) If a professional solicitor was previously fined by the division under subsection (a), the division may assess a fine of up to two hundred dollars (\$200) for each subsequent violation of subsection (a). *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-7-3; filed Nov 7, 2003, 12:00 p.m.: 27 IR 829; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

**11 IAC 3-7-4 Campaign starting and ending dates**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)

Affected: [IC 23-7-8-2](#)

Sec. 4. (a) For purposes of sections 2 through 3 of this rule, the dates when a solicitation campaign, other than a campaign described in subsection (b), will begin and end are the projected dates when soliciting will begin and end as listed on the solicitation notice under [IC 23-7-8-2\(e\)\(2\)](#).

(b) If a solicitation campaign ends earlier than the projected date when soliciting will end as listed on the solicitation notice, the professional solicitor shall submit a financial report as described in this rule within ninety (90) days from the actual ending date of the solicitation campaign. *(Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-7-4; filed Nov 7, 2003, 12:00 p.m.: 27 IR 829; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#))*

**Rule 8. Miscellaneous and Penalties**

[11 IAC 3-8-1](#)

Division's authority not prohibited or restricted

[11 IAC 3-8-2](#)

Fines are in addition to fees

[11 IAC 3-8-3](#)

Administrative Orders and Procedures Act applies

[11 IAC 3-8-4](#)

Lack of warning not a defense

**11 IAC 3-8-1 Division's authority not prohibited or restricted**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)

Affected: [IC 23-7-8-2](#)



Sec. 1. (a) This article shall not prohibit or restrict the division from initiating any action authorized under [IC 23-7-8](#) or any other law enforced by the division.

(b) The division may deny or revoke the registration of a professional solicitor who fails to comply with [IC 23-7-8-2](#)(f) even if the professional solicitor has not been previously assessed a fine under this article. (*Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-8-1; filed Nov 7, 2003, 12:00 p.m.: 27 IR 829; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#)*)

**11 IAC 3-8-2 Fines are in addition to fees**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)

Affected: [IC 23-7-8-2](#)

Sec. 2. A fine under this article is in addition to any fee provided under [IC 23-7-8](#). (*Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-8-2; filed Nov 7, 2003, 12:00 p.m.: 27 IR 829; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#)*)

**11 IAC 3-8-3 Administrative Orders and Procedures Act applies**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)

Affected: [IC 4-21.5](#); [IC 23-7-8](#)

Sec. 3. [IC 4-21.5](#) applies to any proceedings under this article. (*Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-8-3; filed Nov 7, 2003, 12:00 p.m.: 27 IR 829; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#)*)

**11 IAC 3-8-4 Lack of warning not a defense**

Authority: [IC 4-6-9-8](#); [IC 23-7-8-8](#)

Affected: [IC 23-7-8](#)

Sec. 4. The lack of a warning to a professional fundraiser consultant or professional solicitor that a document submitted by the professional fundraiser consultant or professional solicitor is in any way incomplete, incorrect, or fails to comply with the requirements of [IC 23-7-8](#) or this title is not a defense to an action by the division under this article. (*Consumer Protection Division of the Office of the Attorney General; 11 IAC 3-8-4; filed Nov 7, 2003, 12:00 p.m.: 27 IR 829; readopted filed Sep 9, 2009, 10:16 a.m.: [20091007-IR-011090503RFA](#); readopted filed Nov 23, 2015, 10:20 a.m.: [20151223-IR-011150345RFA](#); readopted filed Nov 29, 2021, 2:07 p.m.: [20211229-IR-011210430RFA](#)*)

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