

TITLE 110 – ATTORNEY GENERAL

CHAPTER 30 – CIVIL DIVISION

SUBCHAPTER 00 – N/A

PART 2 – Charitable Trust

2.1 Authority and Purpose

By virtue of the authority vested in the Attorney General by R.I. Gen. Laws section 18-9-1, *et. seq.*, the Attorney General hereby issues the following rules and regulations for the operation of a register of all charitable trusts heretofore or hereafter established or active in the State of Rhode Island.

2.2 Definitions

- A. The term “charitable trust” as used herein shall have the same meaning as set forth in R.I. Gen. Laws § 18-9-4; “any fiduciary relationship with respect to property arising as a result of a manifestation of an intention to create it subjecting the person by whom the property is held to equitable duties to deal with the property for charitable, educational or religious purposes”.
- B. The term “Act” as used herein shall mean an Act Establishing a Division of Charitable Trusts, “Division” shall mean Division of Charitable Trusts, “Administrator” shall mean Administrator of Charitable Trusts, “Trustee” shall mean a trustee of a charitable trust.

2.3 Registration

- A. There has been established in the Division of Charitable Trusts, Department of the Attorney General, a Register of Charitable Trusts.
- B. The trustee or trustees of each charitable trust established or active in the State of Rhode Island shall file with the Division a statement showing:
 - 1. Whether such charitable trust was established by will, deed, indenture or other instrument and the name of the testator or settlor.
 - 2. The name and address of the trustee or settlor.

3. The name and address of the present charitable beneficiary or beneficiaries.
 4. The name and address of any future charitable beneficiary or beneficiaries.
 5. The purpose of the trust and whether or not the trust will consider unsolicited requests for grants.
 6. A copy of the will or indenture establishing the trust.
 7. The value of the trust as of the latest appraisal and the date of said appraisal.
- C. The trustee or trustees of each newly established charitable trust shall, within thirty (30) days after such trust is effective or active within the State of Rhode Island file with the Division a statement containing the information listed in § 2.3(B) of this Part with the Division.
- D. Each registration statement filed under §§ 2.3(B) or (C) of this Part hereof, shall be accompanied by a registration fee of fifty dollars (\$50.00). Checks should be made payable to the "General Treasurer, State of Rhode Island".
- E. Forms for filing registration statements may be obtained from the Division of Charitable Trusts, Department of Attorney General, 150 South Main Street, Providence, RI 02903.
- F. The following trusts are exempt from registration:
1. Charitable, religious, and educational institutions holding funds in trust exclusively for their own charter or corporate purpose.
 2. Charitable trusts in which the charitable interest is contingent upon the happening of an uncertain future event; provided, however, that upon the happening of the event vesting the charitable interest such trust shall thereafter comply with all the aforesaid registration provisions.

2.4 Service of Notice and Certification

- A. The Attorney General shall be notified of all judicial proceedings affecting, or in any manner dealing with, a charitable trust or affecting, or in any manner dealing with, a trustee who holds in trust within the state property given, devised, or bequeathed for charitable, educational, or religious purposes, and who administers or is under a duty to administer the property in whole or in part for said purposes within the state, and shall be deemed to be an interested party thereto. Such notice may be given to the Attorney General,

1. By mailing a notice of such proceedings by registered mail to the Department of the Attorney General, or
 2. By leaving said notice at the Department of the Attorney General with some person in charge thereof, or
 3. In any other manner prescribed by law.
- B. The administrator, or, in the event of his/her absence or disability, whosoever may be designated by the Attorney General in his/her place and stead, shall certify copies of all papers and documents which are a part of any of the files or records of the Division as may be necessary from time to time.

2.5 Amendments

These rules and regulations may be amended by the Attorney General at any time.

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