

BOOK IV: TEMPORAL GOODS

Title I: The Acquisition of Goods

Section 1: Cathedraticum

406. Cathedraticum is collected from all Parishes and campus ministry centers in the Diocese. Other public juridic persons, including Catholic schools, are exempt from Cathedraticum.
407. Financial information for all parishes for the twelve-month period beginning April 1st and ending March 31st shall be used in the calculation of the annual direct assessment and Bishop's Stewardship Appeal for each parish.
- a. The Total Revenue for the parish reduced by the following will be the Adjusted Revenue:
 - i. Income Accounts;
 - ii. Approved Building Fund (New Account No. 4140);
 - (a) The building project must be approved by the Diocesan Building Commission and Finance Council in order to be deductible.
 - (b) Collections prior to commencement of construction must be deposited in a designated building fund in the Diocesan Deposit and Loan Fund account.
 - (c) Construction must commence within three years of project approval.
 - (d) If the project does not commence within the three-year period, the amount collected will become subject to assessment.
 - (e) Pledges redeemed up to twenty-four months after completion will be exempt from assessment as long as they are used for debt service related to the project.
 - iii. Parish Subsidies (Account No. 4422 from the Diocese and 4426 from other parishes);
 - iv. Insurance Claims Recovery (Account No. 4530);
 - v. Restricted Donations (Account No. 4540);
 - (a) Major or planned gifts specifically designated by the donor in writing are restricted donations.
 - (b) To be deductible, the donation may not be used for parish operating expenses, documentation indicating donor intent must be provided, and the funds deposited in a restricted account either in the Diocesan Deposit and Loan Fund account, donor directed brokerage or trust account, or the Perpetual Benefit Endowment Fund.

- vi. The amount over the goal for the Bishop's Stewardship Appeal (Account No. 4550);
 - vii. Expense Accounts;
 - viii. Donations to other parishes (Account No. 5145); and
 - ix. School and tuition subsidy (Account Nos. 5280, 5281, 5283, and 5284).
- b. Parishes that currently have loans outstanding will be grandfathered on the existing debt service exemption from an assessment not to exceed 10% of the parish's annual income.
408. Cathedraticum is calculated as follows:
- a. Each parish's percent of Adjusted Revenue to the total Adjusted Revenue for all parishes is calculated.
 - i. Example: Total Adjusted Revenue for all parishes is \$28,000,000. Parish #5 has Adjusted Revenue of \$700,000. The pro rata percentage of the total is 2.5% (or $\$700,000 / \$28,000,000$).
 - b. Each parish's pro rata percentage of the total Adjusted Revenue is multiplied by the annual Chancery budget total for direct assessments and the Bishop's Stewardship Appeal.
 - i. The Chancery budget total may increase each year at the lesser of the increase in the Total Adjusted Revenue of Parishes or the annual rate of inflation at April 1st of each year.
 - ii. Example: If the Chancery budget total is \$5,000,000, Parish #5 would be assessed \$125,000 (or $\$5,000,000 \times .025$).
 - c. The direct assessment and annual Bishop's Stewardship Appeal goal for each parish shall be determined.
 - i. The split will be sixty percent (60%) to direct assessment and forty percent (40%) for the Bishop's Stewardship Appeal goal.
 - ii. Example: Parish #5's total assessment was \$125,000. The direct assessment would be $\$125,000 \times .60 = \$75,000$ and the Bishop's Stewardship Appeal goal would be $\$125,000 \times .40 = \$50,000$.
409. Direct assessments are payable in ten equal monthly payments beginning in September.
- a. Parishes are responsible for any Bishop's Stewardship Appeal collections that are under the goal amounts, unless the Diocesan guidelines for full participation by a Parish in the Bishop's Stewardship Appeal are met.
 - b. Parishes that exceed their Bishop's Stewardship Appeal goal shall receive rebates

of the amount over the goal, which is exempt from assessment.

Section 2: Diocesan Collections

410. The faithful in every church and oratory must be invited to contribute to the Diocesan annual stewardship appeal and any Diocesan capital campaigns.
411. The date on which the Diocesan annual stewardship appeal and any Diocesan capital campaigns are presented can be changed by the Pastor or Rector of the church only with the permission of the Local Ordinary.
412. When the Local Ordinary orders the taking up of a special collection, the faithful must be invited to contribute to it in every church and oratory in which an offertory collection is taken.
413. The date on which the special collection is taken can be changed by the Pastor or Rector of the church only with the permission of the Local Ordinary. The special collection is to be taken no later than two weeks after the scheduled date.
414. The faithful must be notified of the special collection and its purpose, either by making an announcement, or by placing a notice in the bulletin, worship aide, or other prominent place.
415. When a special collection is ordered, the opportunity must be given to the faithful to contribute to the special collection by the same means used by the Parish or institution for regular offertory collections, including but not limited to an electronic giving platform.
416. Special collections must be clearly distinguished from the regular offertory collection.
417. Monies collected in a special collection are to be recorded as funds held in trust and are to be forwarded to the Diocesan Fiscal Office within 30 days of the date of the collection.

Section 3: The Offertory Collection

418. An offertory collection is permitted whenever Mass is celebrated in a church or oratory that is open to the faithful.
419. The faithful are to be encouraged to contribute to the offertory collection using envelopes, checks, or other methods, including electronic methods, that permit a record of the contribution to be kept.
420. It is not permitted to cash checks or make withdrawals from the offertory collection before it has been counted, deposited, and recorded.
421. Whenever cash and checks are being handled or counted, at least two unrelated people must be present at all times.
422. When the collection is taken up, two persons are to place the collection in tamper evident bags and are to deposit the bags immediately in a safe or deliver them immediately to those who will count the collection. Each person handling the bags is to sign a control sheet,

which is to accompany the collection.

Section 4: Fundraising Appeals

423. Parishes, public juridic persons, campus ministry centers, and Catholic schools may engage in fundraising for the purpose of fulfilling their missions but may not engage in fundraising on behalf of other institutions, individuals, or causes without the consent of the Local Ordinary.
424. Parishes and Catholic schools, excluding private Catholic schools, must obtain the written consent of the Local Ordinary to engage in capital campaigns or extraordinary fundraising efforts that will attempt to raise more than 25% of the prior year's income.
 - a. Campaigns to increase the amount of the regular offertory collection do not require the consent of the Local Ordinary.
425. Private individuals and institutions other than Parishes, public juridic persons, and Catholic schools must obtain the written permission of the Local Ordinary to engage in fundraising for pious or ecclesiastical purposes.
426. Any person or institution engaged in fundraising for pious or ecclesiastical purposes must make an annual report available to its donors, its directors, and to the Local Ordinary. This report must contain at a minimum an account of: money collected, the cost of conducting the fundraising effort, and the amount and use of funds dispersed.

Section 5: Fees and Offerings on the Occasion of Some Ministry

427. A Parish, other institution, or public juridic person may request that the faithful pay reasonable fees when enrolling in religious education programs.
 - a. The amount of the fees under this Section may not be greater than is reasonably necessary to cover the expenses of offering the program.
 - b. A person may not be denied religious education because of inability or refusal to pay the fee.
428. A Parish may request that the faithful pay a reasonable fee when a couple approaches the church for the celebration of matrimony to cover expenses incurred by the church in providing for the celebration.
 - a. The fee may not be more than the lesser of:
 - i. \$650 or
 - ii. the amount reasonably necessary to cover the cost of utilities, janitorial services, a wedding coordinator provided by the Parish, and the work of the Parish staff before and after the wedding that is necessary to prepare for, organize, and properly record the event.
 - b. A Parish may not deny the celebration of matrimony to a couple because of inability

or refusal to pay the fee.

- c. A couple seeking to be married may be asked to pay an additional reasonable fee for the rental of a facility to host the reception.
 - d. Payment for musicians and flowers should be made separately by the couple.
429. A Parish may not request that the faithful pay a fee for a funeral. Payment for musicians and flowers should be made separately by the family.
430. The norms of universal law are to be observed in all matters related to Mass stipends. The amount established for Mass stipends in the *Instruction on the Financial Support of Priests* issued by the Local Ordinary shall apply.
431. It is prohibited to ask the faithful to pay fees upon the occasion of the administration of any sacrament or sacramental except as permitted in this Code of Particular Law.
- a. Clergy may accept donations spontaneously offered by the faithful for ministerial service, but clergy may not require or request such donations, and may not suggest a specific amount or range.
 - b. Donations given to the clergy on the occasion of some ministry are presumed to be intended for the Parish in which the ministry is offered unless the contrary intention of the donor is clearly established.

Section 6: Other Norms Regarding Offerings by the Faithful

432. All offerings given by the faithful to Parishes or other juridic persons are to be properly recorded and deposited before any use is made of them.
433. A gift offered to a Parish or other juridic person may not be refused without a just cause. The permission of the Local Ordinary is required in order to refuse a gift of \$10,000 or more.
434. If a gift is burdened by a modal obligation or condition, the permission of the Local Ordinary is required before accepting it.
435. Offerings given by the faithful for a certain purpose can be applied only for that same purpose.

Title II: The Administration of Goods

Section 1: The Inventory to be Prepared upon a Change of Administrator

436. Before beginning their function, Pastors or parochial administrators are to prepare and sign an accurate and clear inventory of property owned by the Parish. Any inventory already prepared is to be reviewed. (Can. 1283)
- a. The inventory must contain:
 - i. a list of all immovable property;

- ii. a list of all vehicles;
 - iii. a list of all movable objects that exceed \$5,000 in value, or which are otherwise precious for historical, cultural, or artistic reasons;
 - iv. a general description by category of movable goods that have a value under \$5,000, including an estimated for each category;
 - v. the date of construction or acquisition of all property, vehicles, and objects in the inventory; and
 - vi. the value of all property, vehicles, and objects in the inventory.
437. Before beginning their function, Pastors or parochial administrators are to prepare and sign an accurate and clear inventory of personal property owned by the cleric.
438. One copy of the inventories is to be maintained in the archive of the Parish or institution and another in the Diocesan archives. Any notable changes that occur are to be indicated in both places. (Can. 1283)
439. Whenever an inventory is submitted, the Diocesan Finance Officer is to compare it with the previous one and is to investigate any discrepancies, referring the matter, if necessary, to the Local Ordinary.

Section 2: Ordinary and Extraordinary Administration

440. Acts by the Diocese of ordinary administration of greater importance in which the Diocesan Bishop is to hear the Diocesan Finance Council and the college of consultors according to the norm of canon 1277 are defined to be acts of administration involving the expenditure of \$750,000 or more.
441. Acts of extraordinary administration for the Diocese in which the Diocesan Bishop is to have the consent of the Diocesan Finance Council and college of consultors are defined by the norms issued by the United States Conference of Catholic Bishops.
442. A Pastor is to hear the Parish Finance Council before placing:
- a. acts of administration that involve the expenditure of more than \$20,000 and that were not provided for in the Parish budget; and
 - b. an act of extraordinary administration for a Parish as defined in this Section.

If a just cause prevents a meeting of the Finance Council, the Pastor may seek the opinion of each member of the Finance Council individually, and they may give their opinion in person, by letter, or through technological means.

443. Acts of extraordinary administration for Parishes, which may not be validly placed without the written permission of the Local Ordinary, are defined as follows:
- a. an act of administration involving the expenditure of more than \$100,000;
 - b. transactions with anyone related to the Pastor within the fourth degree of consanguinity or affinity;
 - c. offers of employment to anyone related to the Pastor within the fourth degree of consanguinity or affinity;
 - d. construction of buildings;
 - e. renovation projects that will require the services of an architect or engineer;
 - f. entering into any agreement that would permit the use of Parish facilities for purposes not directly related to the mission of the Parish on an ongoing basis;
 - g. the purchase of real estate;
 - h. accepting a gift of real estate; and
 - i. consenting to the designation of Parish property as a state landmark or historical site, or other legal designation which would limit the freedom of the Church to dispose of its property in civil law.

Section 3: Budgets

444. Pastors are to ensure that a Parish budget is prepared for every fiscal year.
- a. The Parish Finance Council is to be consulted and is to assist the Pastor in the preparation of the budget.
445. Chaplains are to ensure that a budget is prepared for every fiscal year.
- a. Chaplains are to consult a committee of lay persons with expertise in finance and law in the preparation of a budget.
446. A copy of the annual budget required by this section is to be submitted to the Diocesan Finance Officer.

Section 4: The Rendering of Accounts

447. Not later than six months after the completion of each fiscal year, the Pastor or the Chaplain is to make available to the parishioners a Statement of Activities which describes, at least in summary, the financial state of the Parish or campus ministry over the fiscal year.
- a. A copy of the Statement of Activities is to be provided to the Diocesan Finance Officer.

448. Not later than six months after the completion of each fiscal year, a Pastor or a Chaplain or Director of campus ministry is to submit an Annual Financial Accountability Report to the Diocesan Finance Officer using the forms promulgated by the Finance Officer.
449. Parishes and campus ministries are to maintain financial records using accounting software approved by the Diocesan Finance Officer, which is to be configured so that the financial records of the Parish or campus ministry are remotely accessible to the Diocesan Finance Office.

Section 5: Fraud

450. Fraud is defined as the intentional misuse or misappropriation of a diocesan entity's resources or assets for the personal enrichment of the perpetrator or others. Fraud also includes the intentional false representation or concealment of a material fact relating to the misuse or misappropriation of a diocesan entity's resources or assets. Additionally, fraud includes any intentional falsification of, or misrepresentation in, financial statements. Actions constituting fraud include, but are not limited to:
 - a. misappropriation of funds, securities, supplies or other assets;
 - b. impropriety in the handling or reporting of money or financial transactions;
 - c. breach of fiduciary duty, including disclosing confidential information to outside parties;
 - d. seeking anything of value from contractors, vendors or persons providing or seeking to provide services or materials to a diocesan entity for one's or another's personal benefit;
 - e. accepting anything of value from contractors, vendors or persons providing or seeking to provide services or materials to a diocesan entity for one's or another's personal benefit, in violation of the Diocesan Conflict of Interest Policy;
 - f. bribery;
 - g. inappropriate use of computer systems or other property of the diocesan entity;
 - h. unauthorized destruction or removal of records, furniture, fixtures, and equipment;
 - i. intentional falsification of, or misrepresentation in, financial statements; and
 - j. any dishonest act.
451. The prevention of fraud is the responsibility of all clergy, religious, lay employees, trustees, finance council members, and other volunteers.
452. Any suspected case of fraud must be timely reported to the General Counsel of the Diocese. Reports should include all relevant information about the suspected act, including any material evidence that exists.

453. Persons found to have participated in fraudulent acts will be subject to disciplinary action, including termination, civil and criminal prosecution, and canonical proceedings.

Title III: Real Estate, Construction, and Alienation

Section 1: The Acquisition of Real Estate

454. The purchase of real estate by a Parish or campus ministry is an act of extraordinary administration requiring the consent of the Local Ordinary.
455. Unless the Local Ordinary provides otherwise in particular cases, Parishes and campus ministry entities may not enter into contracts for the purchase of real estate directly. The Diocesan Bishop will enter such contracts, after obtaining the written authorization of the Pastor of the Parish or Chaplain of the campus ministry.
456. When a Pastor or Chaplain wishes to make a real estate purchase, after having heard the Parish Pastoral Council and the Parish Finance Council, he is to submit a written proposal to the Diocesan Bishop.
- a. If the Diocesan Bishop's preliminary consent is given, the Diocese may enter negotiations for the purchase or sale of the property and will keep the Pastor or Chaplain informed of the negotiations.
 - b. The agreement to purchase real estate is to be embodied in a written contract.
457. Accepting real estate as a gift is an act of extraordinary administration requiring the consent of the Local Ordinary.
458. The norms in this section concerning the procedure for purchasing real estate are to be followed as applicable in any acquisition of real estate.
459. Pastors or persons responsible for any diocesan institution must inform the Diocesan Finance Officer of all correspondence with the civil government regarding property taxes.

Section 2: Construction, Renovation, and Remodeling Projects

460. The following are acts of extraordinary administration of Parishes related to construction, renovation, or remodeling projects that require the consent of the Local Ordinary:
- a. the construction of a building;
 - b. renovation or remodeling projects requiring the services of an architect or engineer;
 - c. the renovation or remodeling of sacred space; and
 - d. renovation or remodeling projects exceeding \$20,000 in cost. A project cannot be disaggregated into smaller projects to circumvent to the total costs of the project.
461. The Diocesan Building Commission, which is governed by its own statutes approved by the Diocesan Bishop, advises the Diocesan Bishop on matters related to facilities and construction. The Commission possesses only a consultative vote, and the Diocesan

Bishop may make decisions related to facilities and construction without consulting the Commission.

462. Parishes must comply with this Chapter and the Diocesan Building Commission Policy when engaging in an act of extraordinary administration.
463. The following procedure must be observed when submitting requests to the Local Ordinary for permission for new construction or structural renovations, including major repairs and significant capital expenditures.
 - a. The Pastor must consult with the appropriate Parish councils about the Parish needs and the alternative ways to meet these needs. It is recommended that a master plan be considered for the overall Parish site prior to consideration of any new building construction or renovation.
 - b. The Pastor must submit a signed, written request to the Diocesan Bishop or his delegate providing the following information and requesting the Bishop's approval to proceed:
 - i. An initial assessment of the Parish needs as determined by the Pastor, the Pastoral Council, and the Finance Council;
 - ii. Cost estimates with supporting documentation;
 - iii. Presentations made to the appropriate Parish and Finance Councils;
 - iv. The present financial status of the Parish, including the indebtedness, savings with the Diocese, and projected annual surplus funds after operating expenses for the next five years;
 - v. At least three bid proposals; and
 - vi. Proof of the contractor's general liability and workers compensation insurance coverage.
464. If the plan involves the construction or renovations of property and the Diocesan Bishop preliminarily approves the plans, the Pastor should appoint a Parish Building Committee to advise him on matters related to the project.
465. If the project has a total value \$20,000 or greater and changes the use of the property, then additional reviews by the Diocesan Building Commission and the Diocesan Bishop as set forth in the Building Commission Policy must be followed.
466. Unless the Diocesan Bishop provides otherwise in particular cases, Parishes and campus ministry entities may not enter into architectural, engineering, or construction, renovation, or remodeling contracts directly. The Diocese will enter such contracts on behalf of the Parish, after obtaining the written authorization of the Pastor of the Parish and after compliance with this Chapter, if applicable.
467. The consent of the Local Ordinary is required to name or rename a new or existing building.

Buildings are not to be named or renamed after persons who are still alive.

468. In all construction, renovation, or remodeling projects, the norms of civil law are to be observed.
469. If a construction, renovation, or remodeling project is to be undertaken in a civil jurisdiction that does not have a building code, the building code of the nearest civil jurisdiction that does have such a code is to be observed.

Section 3: Alienation

470. The following are designated as part of the stable patrimony of each Parish:
 - a. the Parish church;
 - b. other churches and oratories belonging to the Parish;
 - c. immovable property used primarily for Parish activities;
 - d. liturgical vestments, vessels and furnishings unless the items can be proven to be the personal property of the cleric; and
 - e. other movable property that is used primarily for Parish activities and that, of its nature, can be used continuously for five years or more before becoming useless.
471. The norms of universal law and the norms issued by the United States Conference of Catholic Bishops are to be observed regarding the alienation or lease of ecclesiastical goods. When the law requires the consent of the Diocesan Bishop for an alienation or lease, the Pastor is to consult the Parish Pastoral Council and the Parish Finance Council before requesting the consent.
472. The procedure for the purchase of real estate is to be followed, *mutatis mutandis*, regarding the alienation or lease of real estate, with the additional observance of those things required by canon or civil law.
 - a. The Diocesan Bishop must consent to the alienation under this section.
 - b. The granting of an easement is a form of alienation.