

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL NO. 119
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “registration”; in line 4, after “organizations” insert “from the requirements of the Maryland Charitable Solicitations Act; exempting certain charitable organizations that only receive contributions from certain corporations and organizations”; in the same line, after “available” insert “for a certain fee”; in line 6, strike “clarifying that” and substitute “authorizing”; in the same line, strike “may” and substitute “to”; in line 12, after the semicolon insert “altering the circumstances under which the Secretary may summarily issue a cease and desist order”; strike beginning with “, or” in line 15 down through “persons” in line 16; in lines 16 and 17, strike “clarifying that” and substitute “requiring”; in line 18, strike “shall” and substitute “to”; in the same line, after the semicolon insert “altering the contents of the financial statement that a charitable organization is required to provide upon request; exempting certain grant applications from a certain disclosure statement requirement”; in line 19, after the semicolon insert “providing immunity from certain liability for certain television or radio broadcasting stations and certain publishers and printers under certain circumstances”; in line 23, strike “(h)(1)” and substitute “(h)”; in the same line, after “6-410,” insert “6-411,”; and after line 26, insert:

“BY adding to

Article - Business Regulation

Section 6-621

Annotated Code of Maryland

(1992 Volume and 1995 Supplement)”.

AMENDMENT NO. 2

On page 2, strike beginning with “where” in line 22 down through “service” in line 23 and substitute “AS PROVIDED IN § 6-621 OF THIS TITLE”.

On page 8, after line 5, insert:

(Over)

“6-621.

A TELEVISION OR RADIO BROADCASTING STATION OR A PUBLISHER OR PRINTER OF A NEWSPAPER, MAGAZINE, OR OTHER FORM OF PRINTED ADVERTISING THAT BROADCASTS, PUBLISHES, OR PRINTS A CHARITABLE SOLICITATION THAT VIOLATES THIS TITLE IS NOT LIABLE FOR THE VIOLATION, UNLESS THE STATION, PUBLISHER, OR PRINTER HAS KNOWLEDGE THAT THE CHARITABLE SOLICITATION VIOLATES THIS TITLE.”.

AMENDMENT NO. 3

On page 3, after line 4, insert:

“(2) “Fund-raising counsel” does not include:

(i) an attorney because of giving legal advice;

(ii) an attorney, investment counselor, or banker because of advising a client or customer to contribute to a charitable organization; [or]

(iii) a salaried officer or employee of a charitable organization that keeps a permanent office in the State; OR

(IV) A PERSON WHO PREPARES A GRANT PROPOSAL FOR SUBMISSION TO A SPECIFIC CHARITABLE ORGANIZATION, CORPORATION, OR FOUNDATION.”.

AMENDMENT NO. 4

On page 3, in line 15, strike “or”; and in line 21, after the bracket, insert “;OR”

5. ONLY RECEIVES CONTRIBUTIONS FROM FOR-PROFIT CORPORATIONS AND ORGANIZATIONS DETERMINED TO BE PRIVATE FOUNDATIONS BY THE GOVERNMENT OF THE UNITED STATES”.

AMENDMENT NO. 5

On page 4, in line 23, after “(2)” insert “(I)”; and in line 24, after the period insert:

“(II) THE FEE MAY NOT EXCEED THE ACTUAL COST OF PURCHASING AND PREPARING THE DISK.”.

AMENDMENT NO. 6

On page 4, in line 29, strike “OR THE SECRETARY’S DESIGNEE”; and in line 32, after “(ii)” insert “IN THE COURSE OF ANY EXAMINATION, INVESTIGATION, OR HEARING, A DESIGNEE OF THE SECRETARY OF STATE MAY ADMINISTER OATHS AND EXAMINE AN INDIVIDUAL UNDER OATH.

(III)”.

AMENDMENT NO. 7

On page 5, in line 7, after “finds” insert “THAT THIS TITLE HAS BEEN VIOLATED AND”.

AMENDMENT NO. 8

On page 5, in lines 18 and 19, strike “, AND THE COST OF NEGOTIATING AND PREPARING THE SETTLEMENT AGREEMENT”.

AMENDMENT NO. 9

On page 6, in line 31, strike “OR SEPARATE BONDS”.

AMENDMENT NO. 10

On page 7, after line 35, insert:

“6-411.

(a) This section does not apply to:

(1) a charitable solicitation by an accredited school, college, or university to its students, former students, parents of students or former students, board members, or staff; OR

(2) A FORMAL GRANT APPLICATION PREPARED FOR AND SUBMITTED TO A SPECIFIC CORPORATION OR FOUNDATION.

(b) (1) A charitable solicitation that is a specific written request to the public for money shall contain a disclosure statement.

(2) A written receipt for a charitable contribution shall contain a disclosure statement.

(c) The disclosure statement shall be displayed conspicuously on a charitable solicitation and on a receipt for a charitable contribution.”.