
By: Delegates Bozman, Conway, and McClenahan

Introduced and read first time: February 5, 1997

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Charitable Organizations - Fund-Raising Containers - Labeling**

3 FOR the purpose of modifying requirements concerning information that must be
4 provided on certain devices or containers used for charitable fund-raising purposes
5 and given to certain persons granting permission for their placement; expanding
6 locations to which disclosure requirements apply; and generally relating to the
7 modification of the Maryland Charitable Solicitations Act as it relates to disclosure
8 requirements and certain devices and containers used for charitable fund-raising
9 purposes.

10 BY repealing and reenacting, without amendments,

11 Article - Business Regulation
12 Section 6-101(a) and (d) and 6-619
13 Annotated Code of Maryland
14 (1992 Volume and 1996 Supplement)

15 BY repealing and reenacting, with amendments,

16 Article - Business Regulation
17 Section 6-620
18 Annotated Code of Maryland
19 (1992 Volume and 1996 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Business Regulation**

23 6-101.

24 (a) In this title the following words have the meanings indicated.

25 (d) (1) "Charitable organization" means:

26 (i) a person that:

27 1. is or holds itself out to be a benevolent, educational,
28 eleemosynary, humane, patriotic, philanthropic, or religious organization; and

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1 2. solicits or receives charitable contributions from the public;
2 or

3 (ii) an ambulance, fire fighting, fraternal, rescue, or police or other
4 law enforcement organization when it solicits charitable contributions from the public.

5 (2) "Charitable organization" includes an area, branch, chapter, office, or
6 similar affiliate that solicits charitable contributions from the public within the State for
7 a charitable organization that is organized or has its principal place of business outside
8 the State.

9 (3) "Charitable organization" does not include:

10 (i) an agency of the State government or of a political subdivision; or

11 (ii) a political club, committee, or party.

12 6-619.

13 (a) A person who commits a willful violation of this title or who causes a person to
14 commit a willful violation of this title is guilty of a misdemeanor and, on conviction, is
15 subject to a fine not exceeding \$5,000 or imprisonment not exceeding 1 year or both.

16 (b) A person who commits a grossly negligent violation of this title or who causes
17 a person to commit a grossly negligent violation of this title is guilty of a misdemeanor
18 and, on conviction, is subject to a fine not exceeding \$3,000 or liability for restitution that
19 the court determines or both.

20 6-620.

21 %A person who places in an establishment OR OTHER LOCATION open to the public
22 a vending machine, canister, or other device or container for the deposit of money that
23 reflects the name of a charitable organization or a charitable purpose shall:

24 (1) state on the device or container:

25 (I) the address of the charitable organization named; and

26 (II) the name and address of the [entity] BUSINESS placing the device
27 or container, if not [a] THE charitable organization; and

28 (2) state on the device or container and to the person who grants permission
29 for the placement of the device or container that a portion of the money deposited is
30 RETAINED BY THE BUSINESS PLACING THE DEVICE OR CONTAINER AND THAT THE
31 REMAINDER IS given to a charitable organization or used for charitable purposes, if less
32 than all of the money deposited is given to a charitable organization or used for charitable
33 purposes.

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 October 1, 1997.