

CF 7lr2061

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**By: Delegates Bozman, Conway, and McClenahan**

Introduced and read first time: February 5, 1997

Assigned to: Economic Matters

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Committee Report: Favorable

House action: Adopted

Read second time: March 12, 1997

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CHAPTER \_\_\_\_

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:

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1 **Article - Business Regulation**

2 6-101.

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

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

5 (i) a person that:

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

8 2. solicits or receives charitable contributions from the public;  
9 or

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

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

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

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

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

19 6-619.

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

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

27 6-620.

28 % A person who places in an establishment OR OTHER LOCATION open to the public  
29 a vending machine, canister, or other device or container for the deposit of money that  
30 reflects the name of a charitable organization or a charitable purpose shall:

31 (1) state on the device or container:

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

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

35 (2) state on the device or container and to the person who grants permission  
36 for the placement of the device or container that a portion of the money deposited is

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1 RETAINED BY THE BUSINESS PLACING THE DEVICE OR CONTAINER AND THAT THE  
2 REMAINDER IS given to a charitable organization or used for charitable purposes, if less  
3 than all of the money deposited is given to a charitable organization or used for charitable  
4 purposes.

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