

SENATE BILL 113

Unofficial Copy  
C2

2002 Regular Session  
2lr0074

(PRE-FILED)

---

By: **Chairman, Judicial Proceedings Committee (Departmental - Secretary of State)**

Requested: October 26, 2001

Introduced and read first time: January 9, 2002

Assigned to: Judicial Proceedings

---

A BILL ENTITLED

1 AN ACT concerning

2 **Charitable Solicitations**

3 FOR the purpose of authorizing the Secretary of State to serve written interrogatories  
4 in the course of investigating an alleged violation of the charitable  
5 organization's laws; authorizing the Secretary of State to assess a certain fee  
6 against applicants seeking to register as charitable organizations that fail to  
7 comply with certain laws and regulations; and generally relating to the  
8 Maryland Charitable Solicitations Act.

9 BY repealing and reenacting, with amendments,  
10 Article - Business Regulation  
11 Section 6-205(a) and 6-304  
12 Annotated Code of Maryland  
13 (1998 Replacement Volume and 2001 Supplement)

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

16 **Article - Business Regulation**

17 6-205.

18 (a) (1) The Secretary of State or the Secretary's designee may investigate an  
19 alleged violation of this title.

20 (2) (i) In the course of any examination, investigation, or hearing, the  
21 Secretary of State may subpoena witnesses, administer oaths, examine an individual  
22 under oath, SERVE WRITTEN INTERROGATORIES, and compel production of records,  
23 books, papers, and other documents.

24 (ii) In the course of any examination, investigation, or hearing, the  
25 legal counsel for the Office of the Secretary of State may administer oaths and  
26 examine an individual under oath.

1 (iii) Information obtained under this subsection is not admissible in  
2 a subsequent criminal proceeding against the person who provided the information.

3 6-304.

4 (a) If the Secretary of State finds that an applicant for registration has  
5 complied with this title and the regulations adopted under it, the Secretary of State  
6 shall approve the application.

7 (b) If the Secretary of State finds that an applicant for registration has not  
8 complied with this title and the regulations adopted under it applicable to  
9 registration, the Secretary of State:

10 (1) shall notify the applicant of the reasons the applicant is not in  
11 compliance; AND

12 (2) FOR EACH MONTH OR PART OF A MONTH THAT AN APPLICANT IS NOT  
13 IN COMPLIANCE, MAY ASSESS A FEE OF \$25 30 DAYS AFTER A SECOND NOTICE IS  
14 SENT, BY REGULAR MAIL, TO THE APPLICANT AT THE ADDRESS ON FILE WITH THE  
15 SECRETARY OF STATE.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
17 effect October 1, 2002.