

BY: Senator Jimeno  
(To be offered in the Judicial Proceedings Committee)

AMENDMENTS TO HOUSE BILL NO. 793  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 5, after “of” insert “repealing certain provisions authorizing the Anne Arundel County Council to enact, by ordinance, a certain licensing program for individuals over a certain age or certain qualified organizations that wish to solicit money or donations from the occupant of a vehicle by standing in a roadway, median divider, or intersection; authorizing the Anne Arundel County Council to prohibit, by ordinance, a person from standing in a roadway, median divider, or intersection in Anne Arundel County to solicit money or donations from an occupant of a vehicle;”; in lines 8 and 9, strike “or Anne Arundel County”; after line 17, insert:

“BY repealing and reenacting, with amendments,

Article - Transportation

Section 21-507(e)

Annotated Code of Maryland

(2002 Replacement Volume and 2005 Supplement)”;

and in line 20, strike “and (h)”.

AMENDMENT NO. 2

On page 2, after line 8, insert:

“(e) [(1) This subsection applies to Anne Arundel County.

(2) In this subsection, “qualified organization” means a fire company or a bona fide religious, fraternal, civic, war veterans’, or charitable organization.

(3) The Anne Arundel County Council may, by ordinance, enact a licensing

(Over)

program for individuals who are 18 years old or older and qualified organizations that wish to solicit money or donations from the occupant of a vehicle by standing in a roadway, median divider, or intersection.

(4) The restriction on the age of individuals who may be licensed under the authority granted to the Anne Arundel County Council under paragraph (3) of this subsection applies to individuals who participate in the solicitation of donations as members or on behalf of the qualified organization.

(5) If the county council enacts an ordinance establishing a licensing program authorized by paragraph (3) of this subsection, the ordinance:

(i) May impose on an applicant that is an individual or a qualified organization a fee for the license, subject to item (ii) of this paragraph, in an amount not to exceed the county's cost to administer the program;

(ii) May not impose a fee exceeding \$100 per year for each applicant for a license or a renewal of a license;

(iii) Shall include provisions for the duration and renewal of the license;

(iv) May require that an applicant or licensee provide notice to the county as to the dates on which the solicitation will occur; and

(v) May provide for:

1. An exemption from the fee for an individual who is unable to pay the fee; and

2. Procedures for an individual to comply with in order to demonstrate the individual's inability to pay the fee.

(6) An ordinance that imposes a fee under paragraph (5) of this subsection on an applicant that is a qualified organization organized on a national or statewide basis and having more than one county or local chapter in the State shall impose one fee to be paid by the national or

statewide organization to cover all of the county or local chapters in the State.

(7) (i) If the county council enacts an ordinance establishing a licensing program authorized by paragraph (3) of this subsection, an individual or organization that decides not to seek to become licensed under the program may not stand in a roadway, median divider, or intersection in Anne Arundel County to solicit money or donations of any kind from the occupant of a vehicle.

(ii) If the county council does not choose to enact an ordinance to establish a licensing program as authorized by paragraph (3) of this subsection, the provisions of this subsection may not be construed to prohibit an individual or qualified organization from standing in a roadway, median divider, or intersection in the county to solicit money or donations from the occupant of a vehicle.

(8) If the county council enacts an ordinance establishing a licensing program authorized by paragraph (3) of this subsection, then on or before December 1 of the calendar year that occurs after the anniversary of the first 12 months of the implementation of the licensing program, the Anne Arundel County Police Department shall report in writing to the Anne Arundel County Delegation to the General Assembly on the effectiveness of the county police department's enforcement of the provisions of this subsection with respect to individuals and organizations to solicit money or donations on roadways, median dividers, or intersections in the county from the occupants of vehicles] THE ANNE ARUNDEL COUNTY COUNCIL MAY, BY ORDINANCE, PROHIBIT A PERSON FROM STANDING IN A ROADWAY, MEDIAN DIVIDER, OR INTERSECTION IN THE COUNTY TO SOLICIT MONEY OR DONATIONS OF ANY KIND FROM THE OCCUPANT OF A VEHICLE.”;

and strike in their entirety lines 15 through 17, inclusive.

(Over)