
By: Delegate Quinter

Introduced and read first time: February 15, 2006

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, February 27, 2006

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: March 24, 2006

CHAPTER _____

1 AN ACT concerning

2 **Local Government - Workplace Giving Campaigns - Employee Choice of**
3 **Recipient**4 FOR the purpose of requiring certain local governments to ensure that their
5 employees are able to designate any organization that meets certain
6 requirements as the recipient of certain charitable contributions under certain
7 circumstances; excluding certain counties from certain provisions of this Act;
8 requiring the Secretary of State to maintain a certain database or record under
9 certain circumstances; defining certain terms; and generally relating to
10 workplace giving campaigns of local governments.11 BY adding to
12 Article 24 - Political Subdivisions - Miscellaneous Provisions
13 Section 20-101 to be under the new title "Title 20. Workplace Giving
14 Campaigns"
15 Annotated Code of Maryland
16 (2005 Replacement Volume)17 BY repealing and reenacting, with amendments,
18 Article - Business Regulation
19 Section 6-404
20 Annotated Code of Maryland
21 (2004 Replacement Volume and 2005 Supplement)22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

1 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

2 TITLE 20. WORKPLACE GIVING CAMPAIGNS.

3 20-101.

4 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
5 INDICATED.

6 (2) "ELIGIBLE CHARITABLE ORGANIZATION" MEANS A NONPROFIT
7 FEDERATION OF HEALTH AND HUMAN SERVICES, SOCIAL WELFARE, OR
8 ENVIRONMENTAL AGENCIES OR ASSOCIATIONS THAT:

9 (I) IS REGISTERED WITH THE SECRETARY OF STATE UNDER TITLE
10 6, SUBTITLE 4 OF THE BUSINESS REGULATION ARTICLE;

11 (II) ~~IS TAX EXEMPT UNDER § 501(C)(3) OF THE INTERNAL REVENUE~~
12 ~~CODE;~~

13 (III) ~~RECEIVES CONTRIBUTIONS THAT ARE DEDUCTIBLE UNDER §~~
14 ~~170 OF THE INTERNAL REVENUE CODE;~~

15 (IV) ~~HAS HAD AN OFFICE IN THE STATE FOR AT LEAST THE LAST 5~~
16 ~~YEARS;~~

17 (V) ~~REPRESENTS AT LEAST 10 HEALTH AND HUMAN SERVICES,~~
18 ~~SOCIAL WELFARE, OR ENVIRONMENTAL AGENCIES OR ASSOCIATIONS THAT ARE~~
19 ~~LOCATED IN THE STATE; AND~~

20 (VI) ~~IS GOVERNED BY AN ACTIVE VOLUNTARY BOARD THAT~~
21 ~~EXERCISES ADMINISTRATIVE CONTROL OVER THE FEDERATION.~~

22 (3) "WORKPLACE GIVING CAMPAIGN" MEANS A PROGRAM IN WHICH A
23 COUNTY OR MUNICIPAL CORPORATION AUTHORIZES DEDUCTIONS FROM THE
24 SALARIES OR WAGES OF AN EMPLOYEE OF THE COUNTY OR MUNICIPAL
25 CORPORATION OF AN AMOUNT SPECIFIED IN WRITING BY THE EMPLOYEE FOR
26 PAYMENT TO A CHARITABLE ORGANIZATION.

27 (B) THIS SECTION DOES NOT APPLY TO:

28 (1) ALLEGANY COUNTY;

29 (2) CALVERT COUNTY;

30 (3) CAROLINE COUNTY;

31 (4) CARROLL COUNTY;

32 (5) CECIL COUNTY;

33 (6) CHARLES COUNTY;

1 (7) DORCHESTER COUNTY;

2 (8) GARRETT COUNTY;

3 (9) KENT COUNTY;

4 (10) QUEEN ANNE'S COUNTY;

5 (11) ST. MARY'S COUNTY;

6 (12) SOMERSET COUNTY;

7 (13) WASHINGTON COUNTY;

8 (14) WICOMICO COUNTY; AND

9 (15) WORCESTER COUNTY.

10 ~~(B)~~ (C) IF A COUNTY OR MUNICIPAL CORPORATION ALLOWS ITS EMPLOYEES
11 TO PARTICIPATE IN A WORKPLACE GIVING CAMPAIGN, THE COUNTY OR MUNICIPAL
12 CORPORATION SHALL ENSURE THAT AN EMPLOYEE SHALL BE ALLOWED TO
13 DESIGNATE ANY ELIGIBLE CHARITABLE ORGANIZATION AS THE RECIPIENT OF
14 CHARITABLE CONTRIBUTIONS AUTHORIZED BY THE EMPLOYEE.

15 **Article - Business Regulation**

16 6-404.

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

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

23 (1) shall notify the applicant of the reasons the applicant is not in
24 compliance; and

25 (2) for each month or part of a month that the applicant is not in
26 compliance, may assess a fee of \$25 30 days after a second notice is sent, by regular
27 mail, to the applicant at the address on file with the Secretary of State.

28 (C) THE SECRETARY OF STATE SHALL MAINTAIN A DATABASE OR OTHER
29 ELECTRONIC FILING RECORD THAT:

30 (1) IS ACCESSIBLE TO THE PUBLIC VIA THE INTERNET; AND

31 (2) INCLUDES THE NAME OF EACH NONPROFIT FEDERATION OF
32 HEALTH AND HUMAN SERVICES, SOCIAL WELFARE, OR ENVIRONMENTAL AGENCIES
33 OR ASSOCIATIONS THAT HAS BEEN REGISTERED UNDER THIS SECTION.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2006.