

SB0835/198475/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 835
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “or” in line 4 down through “County” in line 5; and strike beginning with the first “certain” in line 6 down through “changes” in line 13 and substitute “a person to stand in a roadway, median divider, or intersection to solicit money or donations from the occupant of a vehicle; requiring an applicant for a permit to provide certain information to the county within a certain period before the date on which the permit is to be effective; prohibiting the term of a certain permit from exceeding a certain period; limiting the number of certain permits that may be issued to the same person in a calendar year; requiring a certain person to display a certain permit in a certain manner while soliciting; providing for the termination of this Act”.

AMENDMENT NO. 2

On page 2, in line 10, strike “(G)” and substitute “(H)”.

On pages 3 and 4, strike in their entirety the lines beginning with line 15 on page 3 through line 17 on page 4, inclusive, and substitute:

“(f) (1) This subsection applies only to Cecil County.

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

(3) Except as provided in paragraph (4) of this subsection, in Cecil County a person may not:

(i) Stand in a roadway, median divider, or intersection to solicit money or donations of any kind from the occupant of a vehicle; or

(Over)

(ii) Cause, encourage, allow, or petition another to stand in a roadway, median divider, or intersection to solicit money or donations of any kind from the occupant of a vehicle.

(4) (i) The County Commissioners of Cecil County or the governing body of a municipal corporation in Cecil County may, by appropriate resolution or ordinance, enact a permit program to allow individuals who are at least 18 years old and representatives of qualified organizations who are at least 18 years old to solicit money or donations from the occupant of a vehicle by standing in a roadway, median divider, or intersection.

(ii) If the County Commissioners or the governing body of a municipal corporation in the county enact a resolution or ordinance establishing a permit program authorized by this paragraph, the resolution or ordinance shall:

1. Require an applicant for a permit to submit proof that the individual or qualified organization has a plan for safely soliciting money or donations from the proposed location;

2. Provide that a permit is effective for a period of 1 calendar day; and

3. Allow an individual or a qualified organization to obtain only one permit per calendar year.

(g) (1) In Montgomery County, a child under the age of 18 years may not stand in a roadway, median divider, or intersection to solicit money or donations of any kind from the occupant of a vehicle.

(2) This subsection shall be enforced by the issuance of a warning that informs the offender of the requirements of this subsection.

(H) (1) THE COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, BY APPROPRIATE RESOLUTION OR ORDINANCE, MAY ENACT A PERMIT PROGRAM TO ALLOW A PERSON TO STAND IN A ROADWAY, MEDIAN DIVIDER, OR INTERSECTION TO SOLICIT MONEY OR DONATIONS FROM THE OCCUPANT OF A VEHICLE.

(2) AT LEAST 15 DAYS BEFORE THE DATE ON WHICH THE PERMIT APPLIED FOR IS TO BE EFFECTIVE, AN APPLICANT SHALL FILE WITH THE COUNTY AN APPLICATION THAT CONTAINS THE FOLLOWING INFORMATION:

(I) THE NAME, ADDRESS, AND AGE OF EACH PERSON WHO WILL SOLICIT;

(II) THE NAME AND ADDRESS OF THE EMPLOYING OR SPONSORING PERSON, AGENCY, OR ENTITY;

(III) THE EXACT LOCATION WHERE EACH SOLICITOR WILL BE ASSIGNED;

(IV) THE PURPOSE OF THE SOLICITATION;

(V) THE TIME FRAME AND DURATION OF THE SOLICITATION;

(VI) THE NAME, ADDRESS, AND TELEPHONE NUMBER OF A CONTACT PERSON WHO WILL BE ABLE TO PROVIDE ADDITIONAL INFORMATION TO THE COUNTY OR ITS DESIGNEE; AND

(VII) ANY OTHER INFORMATION REQUIRED BY THE COUNTY.

(3) THE TERM OF A PERMIT MAY NOT EXCEED 24 HOURS.

(4) NO MORE THAN 4 PERMITS MAY BE ISSUED TO THE SAME PERSON IN A CALENDAR YEAR.

(5) A PERSON TO WHOM A PERMIT IS ISSUED SHALL CONSPICUOUSLY DISPLAY THE PERMIT WHILE SOLICITING.

AMENDMENT NO. 3

On page 4, in line 19, after “2009.” insert **“It shall remain effective for a period of 2 years and, at the end of September 30, 2011, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”**.