HOUSE BILL 1182

C2 6lr2326

By: Delegate Sydnor

Introduced and read first time: February 12, 2016

Assigned to: Economic Matters

A BILL ENTITLED

1	AN ACT concerning			
2 3	Charitable Organizations and Representatives – Fund–Raising Counsel – Definition			
4	FOR the purpose of providing that a person who is engaged as an independent contractor			
5	directly by a charitable organization and who provides certain services relating to			
6	written materials prepared by a charitable organization or an employee of the			
7	charitable organization or provides certain services relating to event planning is not			
8 9	included in the definition of fund-raising counsel; and generally relating to fund-raising counsel and charitable organizations and representatives.			
10	BY repealing and reenacting, without amendments,			
11	Article – Business Regulation			
12	Section 6–101(a), (c), (d), and (f)			
13	Annotated Code of Maryland			
14	(2015 Replacement Volume and 2015 Supplement)			
15	BY repealing and reenacting, with amendments,			
16	Article – Business Regulation			
17	Section 6–101(h)			
18	Annotated Code of Maryland			
19	(2015 Replacement Volume and 2015 Supplement)			
20	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,			
21	That the Laws of Maryland read as follows:			
22	Article – Business Regulation			
23	6–101.			

In this title the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

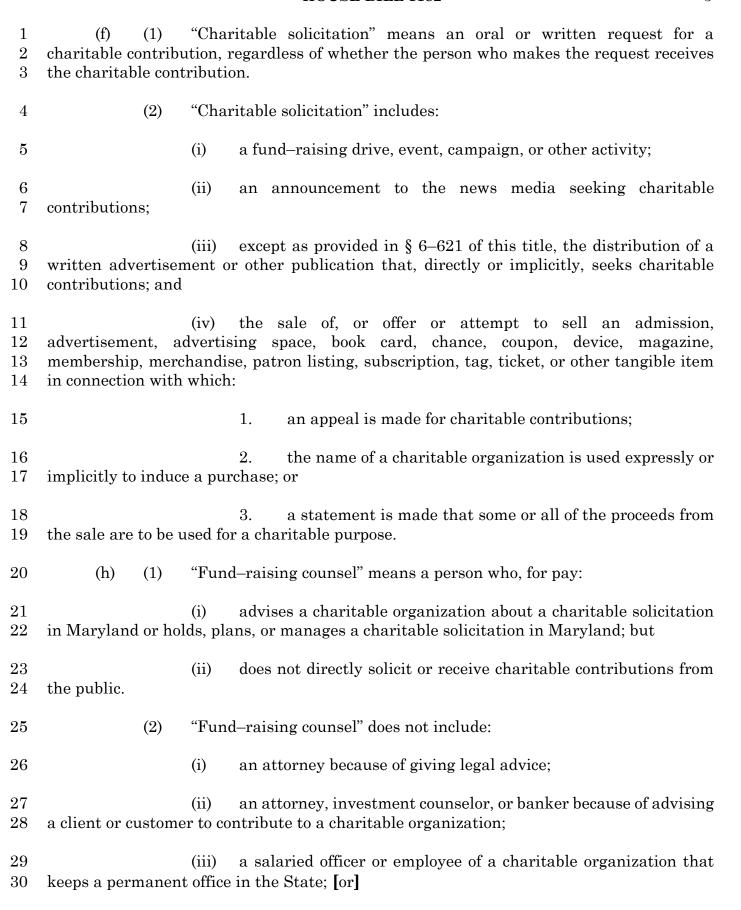
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(a)



HOUSE BILL 1182

$\frac{1}{2}$	(c) (1) representation th		ritable contribution" means a contribution made on a ill be used for a charitable purpose.
3 4	(2) enforceable pledg		ritable contribution" includes the payment, transfer, or ancial help, including money, credit, property, or services.
5	(3)	"Cha	ritable contribution" does not include:
6		(i)	an unsolicited gift;
7		(ii)	a government grant or government money;
8		(iii)	membership assessments, dues, or fines;
9 10 11	organization, unless the property is sold or the services are rendered in connection with a		
12 13	section.	(v)	a public safety contribution as defined in subsection (j) of this
14	(d) (1)	"Cha	ritable organization" means:
15		(i)	a person that:
16 17	eleemosynary, hu	ımane,	1. is or holds itself out to be a benevolent, educational, patriotic, philanthropic, or religious organization; and
18 19	public; or		2. solicits or receives charitable contributions from the
20 21	law enforcement	(ii) organiz	an ambulance, firefighting, fraternal, rescue, or police or other ration when it solicits charitable contributions from the public.
22 23 24 25	similar affiliate that solicits charitable contributions from the public within the State for a charitable organization that is organized or has its principal place of business outside the		
26	(3)	"Cha	ritable organization" does not include:
27 28	or	(i)	an agency of the State government or of a political subdivision;



- 1 (iv) a person who prepares a grant proposal for submission to a specific charitable organization, corporation, or foundation; **OR**
- 3 (V) A PERSON WHO IS ENGAGED AS AN INDEPENDENT 4 CONTRACTOR DIRECTLY BY A CHARITABLE ORGANIZATION AND WHO:
- 1. PRINTS, REPRODUCES, OR DISTRIBUTES WRITTEN
 MATERIALS PREPARED BY A CHARITABLE ORGANIZATION OR AN EMPLOYEE OF THE
 CHARITABLE ORGANIZATION;
- 8 2. PERFORMS ARTISTIC OR GRAPHIC SERVICES
 9 RELATING TO WRITTEN MATERIALS PREPARED BY A CHARITABLE ORGANIZATION OR
 10 AN EMPLOYEE OF THE CHARITABLE ORGANIZATION; OR
- 3. IS REGULARLY AND PRIMARILY ENGAGED IN THE
 PLANNING AND ORGANIZING OF MEETINGS, SOCIAL EVENTS, OR OTHER SIMILAR
 ACTIVITIES, BUT WHO DOES NOT SOLICIT CHARITABLE CONTRIBUTIONS AS A PART
 OF THE PERSON'S SERVICES.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.