

# HOUSE BILL 72

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3lr0307

(PRE-FILED)

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By: **Delegate Watson**

Requested: July 25, 2022

Introduced and read first time: January 11, 2023

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Business Regulation – Charitable Contribution – Definition**

3 FOR the purpose of altering the definition of “charitable contribution” to exclude donations  
4 of property made with a certain intent and an authorization for or a discount on the  
5 use of certain services or materials, equipment, or facilities for purposes of provisions  
6 of law regulating charitable organizations and charitable representatives; and  
7 generally relating to charitable contributions.

8 BY repealing and reenacting, without amendments,  
9 Article – Business Regulation  
10 Section 6–101(a)  
11 Annotated Code of Maryland  
12 (2015 Replacement Volume and 2022 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Business Regulation  
15 Section 6–101(c)  
16 Annotated Code of Maryland  
17 (2015 Replacement Volume and 2022 Supplement)

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

20 **Article – Business Regulation**

21 6–101.

22 (a) In this title the following words have the meanings indicated.

23 (c) (1) “Charitable contribution” means a contribution made on a

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 representation that it will be used for a charitable purpose.

2 (2) "Charitable contribution" includes the payment, transfer, or  
3 enforceable pledge of financial help, including money, credit, property, or services.

4 (3) "Charitable contribution" does not include:

5 (i) an unsolicited gift;

6 (ii) a government grant or government money;

7 (iii) membership assessments, dues, or fines;

8 (iv) a payment for property sold or services rendered by a charitable  
9 organization, unless the property is sold or the services are rendered in connection with a  
10 charitable solicitation; [and]

11 (v) a public safety contribution as defined in subsection (j) of this  
12 section;

13 (VI) A DONATION OF PROPERTY THAT IS INTENDED TO BE  
14 REDISTRIBUTED WITHOUT CHARGE FOR A BENEVOLENT, EDUCATIONAL,  
15 ELEEMOSYNARY, HUMANE, PATRIOTIC, PHILANTHROPIC, OR RELIGIOUS PURPOSE;  
16 AND

17 (VII) AN AUTHORIZATION FOR OR A DISCOUNT ON THE USE OF  
18 SERVICES OR MATERIALS, EQUIPMENT, OR FACILITIES, INCLUDING THOSE  
19 RELATING TO:

20 1. ADVERTISING; AND

21 2. BROADCAST AIRTIME, INCLUDING PUBLIC SERVICE  
22 ANNOUNCEMENTS.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2023.