

SENATE BILL 254

C2

3lr2686
CF HB 72

By: **Senator Hester**

Introduced and read first time: January 25, 2023

Assigned to: Judicial Proceedings

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

4 (i) an unsolicited gift;

5 (ii) a government grant or government money;

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

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

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

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

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

19 1. ADVERTISING; AND

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

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