

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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SENATE BILL 749
Second Edition Engrossed 5/11/89

Short Title: Misleading Solicitations.

(Public)

Sponsors: Senator Martin of Guilford.

Referred to: Judiciary II.

April 3, 1989

A BILL TO BE ENTITLED
AN ACT TO PROHIBIT SOLICITATION USING A MISLEADING PUBLIC
SAFETY IDENTITY.

The General Assembly of North Carolina enacts:

Section 1. Chapter 14 of the General Statutes is amended by adding a new
section to read:

"§ 14-401.14. Solicitation using public safety identity.

(a) It shall be a misdemeanor to solicit contributions or sales from the public or
to conduct sales to the public, directly or indirectly, in a manner involving any of the
following acts:

(1) By identifying oneself in any manner which would reasonably imply
or represent that the person is a representative of or acting through or
on behalf of any specific law enforcement agency, rescue squad,
emergency medical service, or fire department unless the head of that
specific law enforcement agency, rescue squad, emergency medical
service, or fire department authorizes such action in writing.

(2) Willfully represent or otherwise willfully lead anyone to believe that
another person or entity sponsors or endorses the solicitation or sale
unless that person or entity has consented to the use of that name for
the solicitation or sale.

(3) Willfully represent or otherwise lead anyone to believe that the
solicitation or sale is on behalf of anyone other than the person or
entity for whose benefit the solicitation or sale is in fact made.

1 (4) Willfully represent that a contributor or purchaser will receive special
2 benefits from any public safety agency or that a person would be
3 denied any service as a result of failure to make a contribution or
4 purchase.

5 (b) A person who violates this section shall be guilty of a misdemeanor
6 punishable by imprisonment for not more than six months, a fine of not more than five
7 hundred dollars (\$500.00), or both. Each sale or solicitation in violation of this section
8 shall be a separate offense."

9 Sec. 2. This act is effective upon ratification.