

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 838

Short Title: Solicitations Act/Exemption.

(Public)

Sponsors: Senators Odom, Blackmon, Winner, Gulley, Dannelly, Perdue, Warren, Conder, Plyler, Hobbs, Horton, Ledbetter, Clark, Ballantine, Sawyer, McDaniel, McKoy, Carrington, Foxx, Forrester, Hartsell, Allran, Speed, Rand, Kerr, Lucas, and Davis.

Referred to: Finance

April 25, 1995

A BILL TO BE ENTITLED

AN ACT TO EXEMPT THE YOUNG MEN'S CHRISTIAN ASSOCIATION AND THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION FROM THE LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE SOLICITATIONS ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 131F-3 reads as rewritten:

"§ 131F-3. Exemptions.

The following are exempt from the provisions of this Chapter:

- (1) Any person who solicits charitable contributions for a religious institution.
- (2) Solicitation of charitable contributions by the federal, State, or local government, or any of their agencies.
- (3) Any person who receives less than twenty-five thousand dollars (\$25,000) in contributions in any calendar year and does not provide compensation to any officer, trustee, organizer, incorporator, fundraiser, or solicitor.

- 1 (4) Any educational institution, the curriculum of which, in whole or in  
2 part, is registered, approved, or accredited by the Southern Association  
3 of Colleges and Schools or an equivalent regional accrediting body, and  
4 any educational institution in compliance with Article 39 of Chapter  
5 115C of the General Statutes, and any foundation or department having  
6 an established identity with any of these educational institutions.
- 7 (5) Any hospital licensed pursuant to Article 5 of Chapter 131E or Article 2  
8 of Chapter 122C of the General Statutes and any foundation or  
9 department having an established identity with that hospital if the  
10 governing board of the hospital, authorizes the solicitation and receives  
11 an accounting of the funds collected and expended.
- 12 (6) Any noncommercial radio or television station.
- 13 (7) A qualified community trust as provided in 26 C.F.R. § 1.170A-9(e)(10)  
14 through (e)(14).
- 15 (8) A bona fide volunteer or bona fide employee or salaried officer of a  
16 charitable organization or sponsor.
- 17 (9) An attorney, investment counselor, or banker who advises a person to  
18 make a charitable contribution.
- 19 (10) A volunteer fire department, rescue squad, or emergency medical  
20 service.
- 21 (11) A Young Men's Christian Association or a Young Women's Christian  
22 Association."
- 23 Sec. 2. This act is effective upon ratification.