

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 921

Short Title: Charitable Solicitations Exemption.

(Public)

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Sponsors: Senator Odom.

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Referred to: Finance.

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April 17, 1997

A BILL TO BE ENTITLED

1 AN ACT TO EXEMPT CONTINUING CARE FACILITIES THAT PROVIDE  
2 HUMANE AND PHILANTHROPIC CARE TO THE ELDERLY FROM THE  
3 LICENSURE REQUIREMENTS OF THE NORTH CAROLINA CHARITABLE  
4 SOLICITATIONS ACT.  
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6 The General Assembly of North Carolina enacts:

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

8 **"§ 131F-3. Exemptions.**

9 The following are exempt from the provisions of this Chapter:

- 10 (1) Any person who solicits charitable contributions for a religious  
11 institution.  
12 (2) Solicitation of charitable contributions by the federal, State, or local  
13 government, or any of their agencies.  
14 (3) Any person who receives less than twenty-five thousand dollars  
15 (\$25,000) in contributions in any calendar year and does not provide  
16 compensation to any officer, trustee, organizer, incorporator, fund-  
17 raiser, or solicitor.  
18 (4) Any educational institution, the curriculum of which, in whole or in  
19 part, is registered, approved, or accredited by the Southern Association  
20 of Colleges and Schools or an equivalent regional accrediting body, and

- 1 any educational institution in compliance with Article 39 of Chapter  
2 115C of the General Statutes, and any foundation or department having  
3 an established identity with any of these educational institutions.
- 4 (5) Any hospital licensed pursuant to Article 5 of Chapter 131E or Article 2  
5 of Chapter 122C of the General Statutes and any foundation or  
6 department having an established identity with that hospital if the  
7 governing board of the hospital, authorizes the solicitation and receives  
8 an accounting of the funds collected and expended.
- 9 (6) Any noncommercial radio or television station.
- 10 (7) A qualified community trust as provided in 26 C.F.R. § 1.170A-9(e)(10)  
11 through (e)(14).
- 12 (8) A bona fide volunteer or bona fide employee or salaried officer of a  
13 charitable organization or sponsor.
- 14 (9) An attorney, investment counselor, or banker who advises a person to  
15 make a charitable contribution.
- 16 (10) A volunteer fire department, rescue squad, or emergency medical  
17 service.
- 18 (11) A Young Men's Christian Association or a Young Women's Christian  
19 Association.
- 20 (12) Any person that provides humane and philanthropic care to the elderly  
21 and that is licensed as a continuing care facility under Article 64 of  
22 Chapter 58 of the General Statutes, and any person who solicits  
23 contributions for that person."

24 Section 2. This act is effective when it becomes law.