

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 921

House Committee Substitute Favorable 5/22/97

House Committee Substitute #2 Favorable 6/25/97

Short Title: Charitable Solicitations Exemption.

(Public)

Sponsors:

Referred to:

April 17, 1997

A BILL TO BE ENTITLED
AN ACT TO EXEMPT LICENSED NONPROFIT CONTINUING CARE FACILITIES
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.
- (4) Any educational institution, the curriculum of which, in whole or in part, is registered, approved, or accredited by the Southern Association

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