

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

SENATE BILL 556
RATIFIED BILL

AN ACT TO AMEND THE CHARITABLE SOLICITATIONS ACT TO ENSURE PUBLIC
DISCLOSURE ON COLLECTION RECEPTACLES.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 131F-2 reads as rewritten:

"§ 131F-2. Definitions.

The following definitions apply in this Chapter:

...
(4a) "Collection Receptacle" means an unattended box, bin, canister, or other similar container used for the solicitation and collection of clothing and household goods and other miscellaneous items.

...
(12a) "Maintenance" means to keep in working order in order to ensure that something continues to work properly and includes regular checks and the completion of any required repairs and adjustments.

...."

SECTION 2. G.S. 131F-2(18) is amended by adding a new sub-subdivision to read:

"e. Placing or maintaining a collection receptacle in public view for the purpose of collecting donated clothing, household items, and other items for resale."

SECTION 3. G.S. 131F-9 is amended by adding a new subsection to read:

"(d) Collection Receptacle Disclosure. – Any person who is required to obtain a license under any provision of this Chapter and who is soliciting donated clothing, household items, and other items for resale through the use of a collection receptacle shall display on all sides of each collection receptacle a permanent sign or label with the name of the charitable organization or sponsor for whom the solicitation is made and the phone number or electronic mail address of a contact at the charitable organization or sponsor. The sign or label shall be placed on all sides of the collection receptacle with the required information printed in letters that are no less than three inches in height and no less than one-half inch in width and in a color that contrasts with the color of the collection receptacle so that the sign or label is clearly visible. Upon request, the charitable organization or sponsor must provide the donor with documentation of its tax exempt status and license issued under this Chapter."

SECTION 4. Chapter 131F of the General Statutes is amended by adding a new section to read:

"§ 131F-10. Disclosure requirements for other organizations.

Any person who is not a charitable organization or sponsor and who places or maintains a collection receptacle in public view for the purpose of collecting donated clothing, household items, and other items for resale shall display on all sides of each collection receptacle a permanent sign or label with the phone number or electronic mail address of a contact for the person and the following statement: "This is not a charity. Donations made here support a for-profit business and are not tax deductible." The sign or label shall be placed on all sides of the collection receptacle with the required information printed in letters that are no less than three inches in height and no less than one-half inch in width and in a color that contrasts with the color of the collection receptacle so that the sign or label is clearly visible. Upon request, the person must provide the donor with documentation of its license issued under this Chapter."

SECTION 5. Nothing in this act is intended to limit the authority of units of local government to impose additional requirements beyond those set forth in this act.



SECTION 6. This act becomes effective October 1, 2011.

In the General Assembly read three times and ratified this the 18th day of June,
2011.

Philip E. Berger
President Pro Tempore of the Senate

Thom Tillis
Speaker of the House of Representatives

Beverly E. Perdue
Governor

Approved _____m. this _____ day of _____, 2011