

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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SENATE BILL 51

Short Title: Charitable Solicitations/Clarify Exemption. (Public)

Sponsors: Senator Bingham.

Referred to: Finance.

February 10, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO CLARIFY THAT CERTAIN ORGANIZATIONS OF EDUCATIONAL
3 INSTITUTIONS ARE COVERED BY THE EDUCATIONAL INSTITUTION
4 EXEMPTION FROM CHARITABLE SOLICITATION LICENSING REQUIREMENTS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 131F-3 reads as rewritten:

7 "**§ 131F-3. Exemptions.**

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

- 9 (1) Any person who solicits charitable contributions for a religious institution.
10 (2) Solicitation of charitable contributions by the federal, State, or local
11 government, or any of their agencies.
12 (3) Any person who receives less than twenty-five thousand dollars (\$25,000) in
13 contributions in any calendar year and does not provide compensation to any
14 officer, trustee, organizer, incorporator, fund-raiser, or solicitor.
15 (4) Any educational institution, the curriculum of which, in whole or in part, is
16 registered, approved, or accredited by the Southern Association of Colleges
17 and Schools or an equivalent regional accrediting body, ~~and~~ any educational
18 institution in compliance with Article 39 of Chapter 115C of the General
19 Statutes, ~~and~~ any foundation or department having an established identity
20 with any of these educational ~~institutions~~ institutions, and any organization
21 with a membership that is composed solely of 20 or more educational
22 institutions as defined under this Chapter.
23 (5) Any hospital licensed pursuant to Article 5 of Chapter 131E or Article 2 of
24 Chapter 122C of the General Statutes and any foundation or department
25 having an established identity with that hospital if the governing board of the
26 hospital, authorizes the solicitation and receives an accounting of the funds
27 collected and expended.
28 (6) Any noncommercial radio or television station.
29 (7) A qualified community trust as provided in 26 C.F.R. § 1.170A-9(e)(10)
30 through (e)(14).
31 (8) A bona fide volunteer or bona fide employee or salaried officer of a
32 charitable organization or sponsor.
33 (9) An attorney, investment counselor, or banker who advises a person to make
34 a charitable contribution.
35 (10) A volunteer fire department, REACT (Radio Emergency Associated
36 Communications Teams), rescue squad, or emergency medical service.



- 1 (11) A Young Men's Christian Association or a Young Women's Christian
2 Association.
3 (12) A nonprofit continuing care facility licensed under Article 64 of Chapter 58
4 of the General Statutes.
5 (13) Any tax exempt nonprofit fire or emergency medical service organization
6 involved in the sale of goods or services that does not ask for a donation."
7 **SECTION 2.** This act becomes effective July 1, 2011.