

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

S

D

SENATE DRS85148-MH-46 (03/09)

Short Title: Public Disclosure Charitable Solicitations. (Public)

Sponsors: Senator McKissick.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CHARITABLE SOLICITATIONS ACT TO ENSURE PUBLIC
3 DISCLOSURE ON COLLECTION RECEPTACLES.

4 The General Assembly of North Carolina enacts:

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

6 "§ 131F-2. Definitions.

7 The following definitions apply in this Chapter:

8 ...
9 (4a) "Collection Receptacle" means an unattended box, bin, canister, or other
10 similar container used for the solicitation and collection of clothing and
11 household goods and other miscellaneous items.

12 ...
13 (12a) "Maintenance" means to keep in working order in order to ensure that
14 something continues to work properly and includes regular checks and the
15 completion of any required repairs and adjustments.

16"

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

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

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

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

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



1 **"§ 131F-10. Disclosure requirements for other organizations.**

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

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

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