HOUSE DOCKET, NO. 1528 FILED ON: 1/17/2013

HOUSE . . . . . No. 296

The Commonwealth of Massachusetts

PRESENTED BY:

Thomas M. Stanley

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act relative to professional fundraisers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Thomas M. Stanley	*9th Middlesex*

HOUSE DOCKET, NO. 1528 FILED ON: 1/17/2013

HOUSE . . . . . No. 296

By Mr. Stanley of Waltham, a petition (accompanied by bill, House, No. 296) of Thomas M. Stanley for legislation to further regulate professional solicitors and solicitations by commercial co-venturers . Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *3251* OF 2011-2012.]

The Commonwealth of Massachusetts

An Act relative to professional fundraisers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 68 of the General Laws is hereby amended by striking out section 23 and inserting in place thereof the following section:-

(a) Solicitations by professional solicitors and solicitations by commercial co-venturers shall contain, at the beginning of any solicitation, the following disclosures: (1) the name, address and telephone number of the charitable organization and a description of how the contributions raised by the solicitation will be utilized for charitable purposes, or if there is no charitable organization, the name, address and telephone number of the professional solicitor or commercial co-venturer and a description of how the contributions raised by the solicitation will be utilized for charitable purposes; (2) a statement that the solicitation is being conducted by a paid fundraiser; (3) the guaranteed minimum percentage of the gross receipts from fund-raising that will be utilized exclusively for the charitable purposes described in the solicitation and the percentage of the funds solicited that are spent on the costs of fundraising; and (4) such other disclosures as required by relevant rules and regulations promulgated under section 29. For purposes of this section, costs of fundraising shall include all money directly expended on fundraising and that portion of all administrative expenses and salaries of the charitable organization attributable to fundraising activities.

(b) If the solicitation is for advertising, the disclosure shall also include the geographic distribution and the circulation of the publication in which the advertising will appear.

19 (c) A violation of this section shall constitute a violation of chapter 93A and any
20 aggrieved person may bring a civil action for injunctive relief or damages in a court of competent
21 jurisdiction for such violation.