

**SB0004/633822/1**

BY: Education, Energy, and the Environment Committee

AMENDMENTS TO SENATE BILL 4  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “tax” insert “and a certain private foundation”; in line 9, after “organizations” insert “, including certain private foundations,”; in lines 12 and 15, in each instance, after “organization” insert “, including a certain private foundation,”; in line 21, strike “, 6-402(a),”; and in line 26, strike “6-402(b)(9) and (10),”.

On page 2, in line 3, strike “6-402(b)(10) and”.

AMENDMENT NO. 2

On page 2, in line 29, strike “or”; and in line 31, after “public” insert “**;OR**”

**(III) FOR PURPOSES OF § 6-623 OF THIS TITLE ONLY, A PRIVATE FOUNDATION AS DEFINED IN § 509 OF THE INTERNAL REVENUE CODE**”.

On page 4, in line 6, strike “A” and substitute “**EXCEPT AS PROVIDED IN § 6-623(D) OF THIS TITLE, A**”; in line 10, strike “**OR THE SECRETARY OF STATE OR THE ATTORNEY GENERAL COULD ASSESS**”; and in line 27, strike “The” and substitute “**EXCEPT IN THE ENFORCEMENT OF § 6-623 OF THIS TITLE, THE**”.

On pages 5 and 6, strike in their entirety the lines beginning with line 14 on page 5 through line 2 on page 6, inclusive.

On page 6, after line 30, insert:

**“(2) (I) BEFORE ASSESSING A CIVIL PENALTY OR ORDERING A REVOCATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE SECRETARY OF**

STATE OR THE ATTORNEY GENERAL SHALL ATTEMPT TO ENTER INTO, BY MEDIATION WITH THE APPARENT VIOLATORS AND ANY REPRESENTATIVE OF THE APPARENT VIOLATORS, A SETTLEMENT AGREEMENT UNDER § 6-205(B)(1) OF THIS TITLE.

(II) A SETTLEMENT AGREEMENT UNDER § 6-205(B)(1) OF THIS TITLE RESULTING FROM AN APPARENT VIOLATION OF THIS SECTION MAY NOT INCLUDE THE FOLLOWING STIPULATIONS OR CONDITIONS:

1. PAYMENT BY THE APPARENT VIOLATOR OF THE COST OF THE INVESTIGATION;

2. PAYMENT BY THE APPARENT VIOLATOR OF REFUNDS TO DONORS A COURT COULD ORDER UNDER THIS TITLE; OR

3. PAYMENT BY THE APPARENT VIOLATOR OF CONTRIBUTIONS RECEIVED TO CHARITABLE OR PUBLIC SAFETY BENEFICIARIES OR FOR CHARITABLE OR PUBLIC SAFETY PURPOSES CONSISTENT WITH THE BENEFICIARIES NAMED OR PURPOSES REPRESENTED IN THE CHARITABLE OR PUBLIC SAFETY SOLICITATIONS WHICH GENERATED THE CONTRIBUTIONS.”.

On page 7, in line 1, strike “(2)” and substitute “(3)”; in line 13, strike “ANY” and substitute “AN”; in line 18, after “SECTION;” insert “AND”; and strike beginning with “THE” in line 19 down through “6.” in line 21.

On pages 7 and 8, strike in their entirety the lines beginning with line 23 on page 7 through line 8 on page 8, inclusive.

On page 8, in line 10, after “TO” insert “:

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**(I) FOR A FIRST VIOLATION, A WARNING; AND**

**(II) FOR A SECOND OR SUBSEQUENT VIOLATION,;**

in the same line, strike “**\$5,000**” and substitute “**\$1,000**”; and in line 25, strike “**SHALL PROMPTLY**” and substitute “**MAY**”.

On page 9, in line 9, strike “**A**” and substitute “**EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, A**”; in line 11, after “**ELAPSES**” insert “**OR THE SECRETARY OF STATE OR THE ATTORNEY GENERAL ENTERS INTO A SETTLEMENT AGREEMENT UNDER § 6-205(B)(1) OF THIS TITLE WITH THE CHARITABLE ORGANIZATION**”; in line 17, strike “**A**” and substitute “**THE**”; and strike beginning with the colon in line 28 down through “**AND**” in line 30.

On page 10, in line 1, strike “**(2)**”.

On page 11 in line 13, on page 15 in line 2, on page 17 in line 21, and on page 18 in line 21, in each instance, after “**ARTICLE**” insert “**, INCLUDING FOR PURPOSES OF § 6-623 OF THE BUSINESS REGULATION ARTICLE**”.

On page 11 in line 31, on page 15 in line 20, on page 18 in line 6, and on page 19 in line 6, in each instance, after “**UNTIL**” insert “**:**”.

**(I)**”.

On page 11 in line 32, on page 15 in line 21, on page 18 in line 7, and on page 19 in line 7, in each instance, after “**REQUIRED**” insert “**;** **OR**”.

(Over)

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**(II) THE SECRETARY OF STATE OR THE ATTORNEY GENERAL  
ENTERS INTO A SETTLEMENT AGREEMENT UNDER § 6-205(B)(1) OF THE  
BUSINESS REGULATION ARTICLE WITH THE CHARITABLE ORGANIZATION**".