

JAN 18 2006

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# A BILL FOR AN ACT

RELATING TO SOLICITATION OF FUNDS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 467B-1, Hawaii Revised Statutes, is  
2 amended as follows:

3           (1) By amending the definition of "professional  
4 fund-raising counsel" or "professional fundraising counsel" to  
5 read:

6           ""Professional fund-raising counsel" or "professional  
7 fundraising counsel" means any person who, for a fee, plans,  
8 conducts, manages, carries on, advises, or acts as a consultant,  
9 whether directly or indirectly, in connection with soliciting  
10 contributions for or on behalf of any charitable organization,  
11 but who actually solicits no contributions as a part of the  
12 person's services. The term includes a bona fide volunteer,  
13 salaried officer, or employee of a charitable organization if  
14 the bona fide volunteer, salaried officer, or employee of the  
15 charitable organization receives percentage compensation. The  
16 term does not include any person who provides only grantwriting  
17 services to a charitable organization."



1           (2) By amending the definition of "professional solicitor"  
2 to read:

3           ""Professional solicitor" means any person who, for a  
4 financial or other consideration, solicits contributions for or  
5 on behalf of a charitable organization. The term includes a  
6 bona fide volunteer, salaried officer, or employee of a  
7 charitable organization if the bona fide volunteer, salaried  
8 officer, or employee of the charitable organization receives  
9 percentage compensation. The term does not include an attorney,  
10 investment counselor or advisor, financial advisor, or banker,  
11 or other person who:

12           (1) Advises another person to make a contribution to a  
13 charitable organization as part of the person's  
14 employment; and

15           (2) Does not receive compensation from the charitable  
16 organization for that advice.

17           The term does not include any person who provides only  
18 grantwriting services to a charitable organization."

19           SECTION 2. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval  
2 and shall be effective retroactive to July 1, 2005.

3

INTRODUCED BY:           *es.it.*          

4

SB2011

**Report Title:**

Solicitation of Funds

**Description:**

Clarifies definitions of "professional fund-raising counsel" and "professional solicitor" to exclude persons who provide only grantwriting services to charitable organizations.

