

~~(3) -- THIS SUBTITLE MAY NOT BE INTERPRETED TO REQUIRE A FINDING OF AN INJURY OR AN INTENT TO DEFRAUD -- IN -- ORDER -- TO -- FIND THAT A FRAUD OR A FRAUDULENT ACT OR PRACTICE HAS BEEN COMMITTED.~~

(2) IN CONNECTION WITH A CHARITABLE SOLICITATION, A CHARITABLE ORGANIZATION, FUND-RAISING COUNSEL, PROFESSIONAL SOLICITOR, OR SOLICITOR MAY NOT USE ANY DECEPTIVE ACT OR PRACTICE. A DECEPTIVE ACT OR PRACTICE IS ONE WHICH:

(I) HAS A CAPACITY TO MISLEAD WHETHER BY AFFIRMATIVE REPRESENTATION OR OMISSION; AND

(II) IS MISLEADING IN A MATERIAL RESPECT IN THAT IT CONCERNS INFORMATION THAT IS IMPORTANT TO A PERSON'S DECISION TO MAKE A CONTRIBUTION OR CONCERNS INFORMATION THAT IS LIKELY TO AFFECT A PERSON'S DECISION TO MAKE A CONTRIBUTION.

(3) ANY PRACTICE PROHIBITED BY THIS SECTION IS A VIOLATION OF THIS SECTION, WHETHER OR NOT ANY PERSON IN FACT HAS BEEN MISLED, DECEIVED, OR DAMAGED AS A RESULT OF THAT PRACTICE.

(G) (1) THIS SUBSECTION DOES NOT APPLY TO RAFFLES OR OTHER GAMES OF CHANCE CONDUCTED BY A CHARITABLE ORGANIZATION LOCATED IN BALTIMORE CITY OR A COUNTY OF THE STATE, PURSUANT TO LAWS APPLICABLE TO BALTIMORE CITY OR THE COUNTY.

~~(6)-(1)~~ (2) IN CONNECTION WITH A CHARITABLE SOLICITATION, A PERSON MAY NOT NOTIFY ANY OTHER PERSON BY ANY MEANS, AS PART OF AN ADVERTISING SCHEME OR PLAN, THAT THE OTHER PERSON HAS WON A PRIZE, RECEIVED AN AWARD, OR HAS BEEN SELECTED OR IS ELIGIBLE TO RECEIVE ANYTHING OF VALUE IF THE OTHER PERSON IS REQUIRED TO PURCHASE GOODS OR SERVICES, PAY ANY MONEY TO PARTICIPATE IN, OR SUBMIT TO A SALES PROMOTION EFFORT.

~~(2)~~ (3) IF, IN CONNECTION WITH A WRITTEN CHARITABLE SOLICITATION, A PERSON OFFERS A CONTEST, SWEEPSTAKES, OR OTHER SALES PROMOTION EFFORT NOT PROHIBITED BY THIS PARAGRAPH SUBSECTION, INVOLVING THE AWARD OF PRIZES BY CHANCE, THAT PERSON SHALL DISCLOSE TO EACH OFFEREE IN WRITING:

(I) THE EXACT NUMBER OF EACH PRIZE OFFERED IN EACH CATEGORY TO BE MADE AVAILABLE DURING THE CONTEST, SWEEPSTAKES, OR SALES PROMOTION;

(II) THE MANUFACTURER'S SUGGESTED RETAIL PRICE, OR COMPARABLE RETAIL PRICE, OF EACH PRIZE OFFERED;

(III) IF CALCULABLE IN ADVANCE, THE ODDS AGAINST WINNING EACH PRIZE AND IF NOT CALCULABLE IN ADVANCE, A STATEMENT THAT THE ODDS OF WINNING WILL BE DETERMINED BY THE NUMBER OF ENTRIES;