THIS SECTION DOES NOT PROHIBIT, LIMIT, OR INTERFERE WITH THE RIGHT OF AN OFF–DUTY PUBLIC SAFETY OFFICER WHO IS NOT IN UNIFORM FROM PARTICIPATING IN A CHARITABLE OR OTHER FUNDRAISING CAMPAIGN.

(C)   PROHIBITED.

A PERSON MAY NOT ENCOURAGE, SOLICIT, OR RECEIVE CONTRIBUTIONS OF MONEY OR ANY THING OF VALUE FOR, OR OFFER ANY THING FOR SALE IN, A CHARITABLE OR OTHER FUNDRAISING CAMPAIGN BY REPRESENTING TO THE PUBLIC THAT THE CHARITABLE OR OTHER FUNDRAISING CAMPAIGN IS APPROVED BY:

(1)   A POLICE OR FIRE DEPARTMENT IN THE STATE WITHOUT THE PRIOR WRITTEN CONSENT OF THE CHIEF ADMINISTRATIVE OFFICER OF THE POLICE OR FIRE DEPARTMENT OR FROM THE CHIEF ADMINISTRATIVE OFFICER'S DESIGNEE; OR

(2)   A PUBLIC SAFETY OFFICER OR MEMBER OF THE FAMILY OF A PUBLIC SAFETY OFFICER WITHOUT THE PRIOR WRITTEN CONSENT OF THE PUBLIC SAFETY OFFICER OR A FAMILY MEMBER OF THE PUBLIC SAFETY OFFICER.

(D)   PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 60 DAYS OR A FINE NOT EXCEEDING $1,000 OR BOTH FOR EACH VIOLATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 233A.

In subsection (c) of this section, the references to a "thing" of value are substituted for the former references to "items" of value, for clarity and consistency within this article.

Also in subsection (c) of this section, the former phrase "or to prospective donors" is deleted as included in the comprehensive reference to the "public".

Also in subsection (c) of this section, the former reference to any police or fire department "of any jurisdiction within this State" is deleted as redundant.

Also in subsection (c) of this section, the former word "donations" is deleted as included in the word "contributions".

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that in subsection (a) of this section, the defined term "public safety officer" does not include a sheriff.

Defined term: "Person" § 1–101