(III) EXCEPT WHERE THE SERVICES ARE BOUGHT BY A CHARITABLE ORGANIZATION OR PROVIDED TO A CHARITABLE ORGANIZATION AS A PUBLIC SERVICE, THE DISTRIBUTION OF A WRITTEN ADVERTISEMENT OR OTHER PUBLICATION THAT, DIRECTLY OR IMPLICITLY, SEEKS CHARITABLE CONTRIBUTIONS; AND

(IV) THE SALE OF, OR OFFER OR ATTEMPT TO SELL AN ADMISSION, ADVERTISEMENT, ADVERTISING SPACE, BOOK CARD, CHANCE, COUPON, DEVICE, MAGAZINE, MEMBERSHIP, MERCHANDISE, PATRON LISTING, SUBSCRIPTION, TAG, TICKET, OR OTHER TANGIBLE ITEM IN CONNECTION WITH WHICH:

1. AN APPEAL IS MADE FOR CHARITABLE CONTRIBUTIONS;

2. THE NAME OF A CHARITABLE ORGANIZATION IS USED EXPRESSLY OR IMPLICITLY TO INDUCE A PURCHASE; OR

3. A STATEMENT IS MADE THAT SOME OR ALL OF THE PROCEEDS FROM THE SALE ARE TO BE USED FOR A CHARITABLE PURPOSE.

REVISOR'S NOTE: Paragraphs (1) and (2)(ii) through (iv) of this subsection are new language derived without substantive change from the second sentence of former Art. 41, § 3–201(i).

Paragraph (2)(i) of this subsection is new language added to avoid repetition of phrases such as "fund–raising drive, event, or campaign".

In paragraph (2)(ii) of this subsection, the former phrase "for further dissemination by it of an appeal or campaign" is deleted as surplusage.

In paragraph (2)(iii) of this subsection, the former words "circulation", "posting", and "publishing" are deleted in light of the word "distribution".

Also in paragraph (2)(iii) of this subsection, the former word "handbill" is deleted as unnecessary in light of the phrase "written advertisement".

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that the introductory language of former Art. 41, § 3–201(i)(3), "[e]xcept where the services are purchased by a charitable organization or provided to a charitable organization as a public service" was confusing because the reason for these exceptions is not readily apparent. The language is, however, reflected in item (2)(iii) of this subsection.

Defined terms: "Charitable contribution" § 6–101
"Charitable organization" § 6–101
"Person" § 1–101

(G) DISCLOSURE STATEMENT.