REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 3–202(b), (c), and the references to registration statements in the first and fourth sentences of (a) and, as it related to a charitable organization, § 3–214(d)(2).

In subsection (b)(4) of this section, the phrase "in actions brought under this title" is substituted for the former phrase "to grant appropriate relief" for clarity.

In subsection (b)(5) of this section, the former word "current" is deleted as implicit in the phrase "governing instrument of the charitable organization".

In subsection (b)(6) of this section, the words "other evidence" are substituted for the former words "law" and "regulation" to be comprehensive.

The Business Regulation Article Review Committee notes, for consideration by the General Assembly, that subsection (b)(2)(ii) of this section does not conform to practice. The Secretary of State always requests information as to who has custody of financial records, regardless of the location of the organization's office.

The Business Regulation Article Review Committee also notes, for consideration by the General Assembly, that in subsection (b)(3)(iii) of this section, the former reference to "fund–raising counsel" is deleted because a fund–raising counsel does not solicit charitable contributions.

The Business Regulation Article Review Committee also notes, for consideration by the General Assembly, that subsection (d) of this section is ambiguous because it does not state a time period for receiving the gross income.

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

6–403. DUTY OF OFFICERS.

THE CHAIRMAN, PRESIDENT, OR OTHER PRINCIPAL OFFICER OF A CHARITABLE ORGANIZATION IS PERSONALLY RESPONSIBLE FOR THE TIMELY SUBMISSION OF THE REGISTRATION STATEMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from the third sentence of former Art. 41, § 3–202(a), except as it related to annual reports.

Defined term: "Charitable organization" § 6–101

6–404. DENIAL OF REGISTRATION.

(A) MANDATORY DENIAL.