

THE SECRETARY OF STATE SHALL DENY THE REGISTRATION OF A CHARITABLE ORGANIZATION THAT:

(1) HAS FAILED TO CORRECT A DEFICIENCY IN ITS REGISTRATION MATERIAL WITHIN 30 DAYS AFTER NOTIFICATION OR A LONGER PERIOD THAT THE SECRETARY OF STATE SETS; OR

(2) HAS ENGAGED IN A PRACTICE UNLAWFUL UNDER THIS TITLE.

(B) PERMISSIVE DENIAL.

THE SECRETARY OF STATE MAY DENY THE REGISTRATION OF A CHARITABLE ORGANIZATION THAT DOES NOT SUBMIT A TIMELY REGISTRATION STATEMENT.

(C) HEARINGS.

(1) WITHIN 30 DAYS AFTER THE CHARITABLE ORGANIZATION IS NOTIFIED OF THE DENIAL, THE CHARITABLE ORGANIZATION MAY REQUEST IN WRITING A HEARING BEFORE THE SECRETARY OF STATE.

(2) A HEARING SHALL BE HELD WITHIN 60 DAYS AFTER THE SECRETARY OF STATE RECEIVES THE REQUEST.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 41, § 3-202(d)(3), (4), and (5).

Defined term: "Charitable organization" § 6-101

6-405. REMOVAL OF DENIAL.

(A) REQUEST ALLOWED.

A CHARITABLE ORGANIZATION THAT IS DENIED REGISTRATION:

(1) MAY SUBMIT A NEW REGISTRATION STATEMENT TO THE SECRETARY OF STATE AND ASK THAT THE DENIAL BE REMOVED; BUT

(2) MAY NOT SOLICIT CHARITABLE CONTRIBUTIONS UNTIL THE SECRETARY OF STATE REMOVES THE DENIAL.

(B) GROUNDS.

THE SECRETARY OF STATE MAY REMOVE A DENIAL IF:

(1) THE NEW REGISTRATION STATEMENT COMPLIES WITH THIS TITLE; AND

(2) THE SECRETARY OF STATE FINDS THAT REMOVAL WILL NOT HARM THE INTEGRITY OF CHARITABLE SOLICITATIONS IN THE STATE.

(C) NOTIFICATION IN WRITING.