

A PERSON IS NOT LIABLE UNDER THIS SECTION IF THE PERSON ESTABLISHES BY A PREPONDERANCE OF THE EVIDENCE THAT, AT THE TIME OF THE FAILURE TO COMPLY WITH A REQUIREMENT UNDER THIS TITLE, THE PERSON FOLLOWED REASONABLE PROCEDURES TO COMPLY.

REVISOR'S NOTE: Subsection (a) of this section is new language added as a scope subsection to avoid repetition of the list of persons who may be liable under this section.

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 41, § 3-216.

In subsections (b)(3) and (c)(2) of this section, the former phrase "as determined by the court" is deleted as unnecessary since it is implicit that a court determines what are reasonable attorney's fees and other allowable costs of action.

In subsection (d) of this section, the former phrase "to a donor" of a charitable contribution is deleted as unnecessary in light of the phrase "under this section".

Defined terms: "Charitable contribution" § 6-101

"Charitable organization" § 6-101

"Charitable representative" § 6-101

"Charitable solicitation" § 6-101

"Person" § 1-101

SUBTITLE 6. PROHIBITED ACTS; PENALTIES.

6-601. ACTING AS ASSOCIATE SOLICITOR, PROFESSIONAL SOLICITOR, OR FUND-RAISING COUNSEL WITHOUT REGISTRATION.

(A) IN GENERAL.

A PERSON MAY NOT ACT AS AN ASSOCIATE SOLICITOR, PROFESSIONAL SOLICITOR, OR FUND-RAISING COUNSEL UNLESS THE PERSON IS REGISTERED APPROPRIATELY WITH THE SECRETARY OF STATE.

(B) ASSOCIATE SOLICITOR.

AN ASSOCIATE SOLICITOR MAY NOT SOLICIT MONEY FROM THE PUBLIC FOR A PROFESSIONAL SOLICITOR UNLESS THE PROFESSIONAL SOLICITOR IS REGISTERED WITH THE SECRETARY OF STATE AND CAN SHOW EVIDENCE OF THE REGISTRATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 41, § 3-206(d), and the first sentences of §§ 3-206(a), 3-207(a), and 3-208(a).