

**HOUSE . . . . . No. 296**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

*Thomas M. Stanley*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to professional fundraisers.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/17/2013</i>

**HOUSE . . . . . No. 296**

---

By Mr. Stanley of Waltham, a petition (accompanied by bill, House, No. 296) of Thomas M. Stanley for legislation to further regulate professional solicitors and solicitations by commercial co-venturers . Consumer Protection and Professional Licensure.

---

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3251 OF 2011-2012.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the Year Two Thousand Thirteen**  
\_\_\_\_\_

An Act relative to professional fundraisers.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 68 of the General Laws is hereby amended by striking out section 23 and  
2 inserting in place thereof the following section:-

3 (a) Solicitations by professional solicitors and solicitations by commercial co-venturers  
4 shall contain, at the beginning of any solicitation, the following disclosures: (1) the name,  
5 address and telephone number of the charitable organization and a description of how the  
6 contributions raised by the solicitation will be utilized for charitable purposes, or if there is no  
7 charitable organization, the name, address and telephone number of the professional solicitor or  
8 commercial co-venturer and a description of how the contributions raised by the solicitation will  
9 be utilized for charitable purposes; (2) a statement that the solicitation is being conducted by a  
10 paid fundraiser; (3) the guaranteed minimum percentage of the gross receipts from fund-raising  
11 that will be utilized exclusively for the charitable purposes described in the solicitation and the  
12 percentage of the funds solicited that are spent on the costs of fundraising; and (4) such other  
13 disclosures as required by relevant rules and regulations promulgated under section 29. For  
14 purposes of this section, costs of fundraising shall include all money directly expended on  
15 fundraising and that portion of all administrative expenses and salaries of the charitable  
16 organization attributable to fundraising activities.

17 (b) If the solicitation is for advertising, the disclosure shall also include the geographic  
18 distribution and the circulation of the publication in which the advertising will appear.

19 (c) A violation of this section shall constitute a violation of chapter 93A and any  
20 aggrieved person may bring a civil action for injunctive relief or damages in a court of competent  
21 jurisdiction for such violation.