

9 §5006. EXEMPTIONS FROM LICENSE REQUIREMENTS

9 §5006. EXEMPTIONS FROM LICENSE REQUIREMENTS

1. Exemption. The following charitable organizations, persons and institutions are exempt from the license requirements of section 5004:

A. Organizations that solicit primarily within their membership and where solicitation activities are conducted by members. For purposes of this paragraph, the term "membership" does not include those persons who are granted a membership upon making a contribution as a result of a solicitation; [1999, c. 386, Pt. A, §15 (AMD).]

B. [1983, c. 277, §3 (RP).]

C. Persons soliciting contributions for the relief of any individual specified by name at the time of the solicitation, when all of the contributions collected, without any deductions whatsoever, are turned over to the named beneficiary for that individual's use; [1999, c. 386, Pt. A, §15 (AMD).]

D. Charitable organizations that do not intend to solicit and receive and do not actually solicit or receive contributions from the public in excess of \$10,000 during a calendar year or do not receive contributions from more than 10 persons during a calendar year, if all fund-raising activities are carried on by persons who are unpaid for their services and if no part of the assets or income inures to the benefit of or is paid to any officer or member. If a charitable organization that does not intend to solicit or receive contributions from the public in excess of \$10,000 during a calendar year does actually solicit or receive contributions in excess of that amount, whether or not all such contributions are received during a calendar year, the charitable organization, within 30 days after the date contributions reach \$10,000, must be licensed with and report to the Office of Licensing and Registration as required by this Act; [2007, c. 402, Pt. A, §5 (AMD).]

E. Educational institutions, the curriculums of which in whole or in part are registered or approved by the Department of Education, either directly or by acceptance of accreditation by an accrediting body recognized by the Department of Education, and organizations operated by the student bodies of such institutions; and [1989, c. 700, Pt. A, §35 (AMD).]

F. Hospitals that are nonprofit and charitable. [1999, c. 386, Pt. A, §15 (AMD).]

[2007, c. 402, Pt. A, §5 (AMD).]

2. Exemption statement.

[1989, c. 55, §3 (RP).]

3. Procedures for claiming exemption from licensure. A charitable organization claiming to be exempt under subsection 1 must submit to the office annually on forms prescribed by that office and accompanied by the fee as set under section 5015-A, a sworn statement setting forth the name and address of the organization and its principal executive personnel, the purpose of the organization and the factual basis for the exemption. The organization claiming exemption must include a copy of any financial statement, report or return filed with the federal Internal Revenue Service. The office shall issue annually an exemption to those organizations considered exempt under subsection 1.

[2007, c. 402, Pt. A, §5 (AMD).]

SECTION HISTORY

1977, c. 488, §1 (NEW). 1977, c. 654, §§4-7 (AMD). 1977, c. 696, §363 (AMD). 1981, c. 456, §A30 (AMD). 1983, c. 277, §3 (AMD). 1989, c. 55, §3 (AMD). 1989, c. 700, §A35 (AMD). 1999, c. 386, §A15 (AMD). 2001, c. 323, §5 (AMD). 2007, c. 402, Pt. A, §5 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 124th Legislature, and is current through December 31, 2009, but is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.