

15102352D

**HOUSE BILL NO. 1860**

Offered January 14, 2015

Prefiled January 13, 2015

A *BILL to amend the Code of Virginia by adding in Title 57 a chapter numbered 6, consisting of a section numbered 57-70, relating to the Truth in Donating Act; penalty.*

Patrons—Rasoul, Helsel, Hodges and Rush; Senator: Hanger

Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Title 57 a chapter numbered 6, consisting of a section numbered 57-70, as follows:**

*CHAPTER 6.*

*TRUTH IN DONATING ACT.*

**§ 57-70. Truth in donating; penalty.**

A. As used in this chapter, unless the context requires a different meaning:

"Charitable or civic organization" means an organization exempt from taxation under the Internal Revenue Code. "Charitable or civic organization" shall not include a person or organization operating for profit.

B. A person that is not a charitable or civic organization shall:

1. Not place or maintain a receptacle in public view for the purpose of collecting donated clothing, household items, and other items for future resale unless the person places on the receptacle a permanent sign or label in a prominent place that includes the following information printed in legible type of at least 18-point, bold-faced type, which sign or label shall be placed immediately below the opening in the receptacle used to deposit donations:

a. A statement that reads: "Donations made here support a for-profit business, do not qualify as a charitable contribution, and are not tax-deductible"; and

b. The person's name and phone number or email address; and

2. Obtain the prior written permission of the property owner on whose property the receptacle will be located.

C. Violators of this section shall be guilty of a Class 3 misdemeanor.

D. The attorney for the Commonwealth shall have authority to prosecute such offenses in the county or city where the violation occurred in the name of the Commonwealth or local government, as appropriate, and the county or city attorney, if otherwise authorized to prosecute offenses in the name of the county or city, shall have authority to prosecute such offenses in the name of the county or city.

INTRODUCED

HB1860