

	CURRENT PROVISION	BOARD AMENDMENT	C. UDINE AMENDMENT	VM HOLNESS AMENDMENT	C. RYAN AMENDMENT
<b>What is Charitable Solicitation?</b>	<p>Solicitation of funds on behalf of charitable organizations as defined by the IRS.</p> <p>Other types of solicitation are not expressly covered by this provision.</p>	<p>Solicitation of funds, goods, or services on behalf of a charitable organization, nonprofit entities, and individuals in need.</p>	<p>The act of calling, e-mailing, sending other written correspondence, or directly contacting individuals or entities to request contributions toward charitable causes or events.</p> <p>Social media posts, <b>newsletters</b>, and statements at publicly noticed meetings that merely reference charitable causes or events are excluded from the definition and not subject to the Code (but they must not request that specific, identifiable individuals make donations, and the main purpose of the social media page <b>or newsletter</b></p>	<p>Same definition as Board Amendment <u>but</u>, similar to the Commissioner Udine Amendment, adds that social media posts, newsletters, and statements at publicly noticed meetings that merely reference charitable causes or events are not considered charitable solicitation subject to the Code, provided they do not request that specific, identifiable individuals make donations.</p> <p>This definition does not (unlike the Commissioner Udine Amendment) require that the social media page</p>	<p>Hybrid of the current provision and the Board, Udine, and Holness Amendments.</p> <p>Solicitation of funds, goods, or services for residents in need (as determined by the Elected Official) and charitable organizations as defined by the Internal Revenue Code (unlike the Board Amendment, it does not address nonprofit entities).</p> <p>Social media posts, newsletters, and statements at publicly noticed meetings that merely reference charitable causes or events are expressly excluded from the definition and not subject to the Code (but they must not</p>

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			cannot be to promote charitable causes or events).	or newsletter <u>not</u> have as a primary purpose the promotion or advertising of charitable causes or events.	request that specific, identifiable individuals make donations, and the main purpose of the social media page or newsletter cannot be to promote charitable causes or events).
<b>May the Elected Official Use the Governmental Entity's Staff and Resources?</b>	Elected Official may use staff and resources only if the charitable solicitation is formally approved by the Elected Official's governmental entity.	Elected Official may use staff directly assigned to him or her and in-kind resources (telephone and e-mail systems) without the need for approval by the Elected Official's governmental entity.  Approval by the governmental entity required only where charitable solicitation involves the affirmative expenditure of public funds.	Retains current requirement that Elected Official not use staff and resources except where the charitable solicitation has been approved by the Elected Official's governmental entity.	Same requirements as the Board Amendment.	Same requirements as the Board Amendment with one added element: Direct staff and in-kind resources cannot be used to solicit donations from <u>for-profit entities or individuals</u> unless the Elected Official first obtains written confirmation from legal counsel that the charitable solicitation comports with applicable law. Written confirmation by

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					counsel not required where the charitable solicitation has been approved by the governmental entity.
<b>Does the Charitable Solicitation Require Disclosure?</b>	Elected Official must disclose except where the charitable solicitation approved by the governmental entity.	Elected Official must always disclose.	Same requirements as current provision.	Same requirements as current provision.	Same requirements as current provision.
<b>May the Elected Official Represent that the Solicitation is Done on Behalf of the Governmental Entity?</b>	Not specifically addressed, but implied that unless officially sponsored by the governmental entity, charitable solicitation would be only on behalf of the Elected Official.	Same as current provision.	Same as current provision.	Same as current provision.	Absent approval by the governmental entity, may not represent that the charitable solicitation has been approved by or is otherwise endorsed by the governmental entity.