



DOUGLAS A. DUCEY
GOVERNOR

STATE OF ARIZONA
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

March 23, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on March 23, 2018:

SB 1022 DHS; homemade food products (Farnsworth, D.)
SB 1045 home inspectors (Kavanagh)
SB 1052 county flood control districts; easements (Griffin)
SB 1063 produce safety rule; state administration (Griffin)
SB 1077 fund solicitations; charities; unlawful acts (Barto)
SB 1097 unclaimed property; notice; publication; claims (Petersen)
SB 1142 private land acquisition; committee; continuation (Griffin)
SB 1144 conservation easements; notice; valuation (Griffin)
SB 1182 conservation districts; additional directors (Griffin)
SB 1198 blind persons' rights; adoption; custody (Barto)
SB 1246 behavioral health board (Barto)
SB 1249 campaign finance violations; appeals (Burgess)
SB 1255 teachers; alternative performance evaluations (Allen, S.)
SB 1256 school bus definition; vans (Allen, S.)
SB 1412 unclaimed property; electric cooperatives; credits (Griffin)
HB 2005 public service corporations; penalties (Leach)
HB 2007 evasion; crime; personal disguises (Lawrence)
HB 2017 state land department; continuation (Mitchell)
HB 2045 acupuncture board; continuation (Carter)
HB 2124 life and disability insurance; insolvencies (Livingston)
HB 2151 joint powers; fire protection services (John)
HB 2167 Arizona commerce authority; continuation; requirements (Weninger)

HB 2180 fire district budget hearings (Coleman)
HB 2185 school districts; tax levy; calculation (Norgaard)
HB 2189 prisoners; dedicated discharge account; use (Boyer)
HB 2215 veterinary medical examining board; continuation (Barton)
HB 2256 podiatrists; examination; repeal (Carter)
HB 2331 state lottery; multijurisdictional games (Weninger)
HB 2385 property tax appeals; court findings (Clodfelter)

Sincerely,

A handwritten signature in black ink that reads "Douglas A. Ducey". The signature is written in a cursive style with a large initial 'D' and a prominent 'y'.

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Senate Engrossed

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
Senate
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 49

SENATE BILL 1077

AN ACT

AMENDING SECTION 44-6561, ARIZONA REVISED STATUTES; RELATING TO
SOLICITATION OF FUNDS FOR CHARITABLE PURPOSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 44-6561, Arizona Revised Statutes, is amended to
3 read:

4 44-6561. Unlawful acts or practices; violation;
5 classification; civil penalty

6 A. The following acts and practices are unlawful as applied to the
7 planning, conduct or execution of a solicitation and constitute unlawful
8 practices under section 44-1522 that the attorney general may investigate
9 and for which the attorney general may take appropriate action as
10 prescribed by chapter 10, article 7 of this title:

11 1. Knowingly using an emblem, device or printed matter belonging to
12 or associated with a charitable organization without first being
13 authorized in writing to do so by the charitable organization.

14 2. Knowingly using a name, symbol or statement so closely related
15 or similar to that used by another charitable organization for the purpose
16 of misleading a solicited person.

17 3. Knowingly making a misrepresentation to a person that the person
18 on whose behalf a solicitation is being conducted is a charitable
19 organization.

20 4. Knowingly making a representation to a person that another
21 person sponsors, endorses or approves the solicitation if the other person
22 has not given consent in writing to the use of that person's name for
23 these purposes.

24 5. Knowingly failing to post in a clear and conspicuous manner at a
25 location in which a charitable organization or other business entity
26 receives donated items for the purpose of reselling the items to
27 financially benefit a charitable organization one of the following
28 statements:

29 (a) This collection site is owned by [name of charity], a
30 charitable organization. Donated items received at this location will
31 support the charitable mission of [name of charity].

32 (b) This collection site is owned by [name of company], a
33 for-profit company. Donated items received at this location will be sold
34 by [name of company] with a portion of the proceeds benefiting [name of
35 charity].

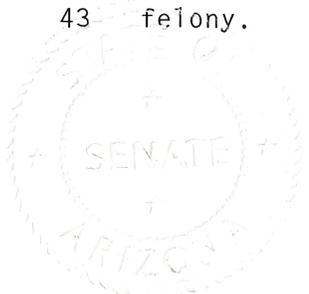
36 6. KNOWINGLY MAKING A MISREPRESENTATION TO A PERSON THAT A DONATION
37 IS ANY OF THE FOLLOWING:

38 (a) TAX DEDUCTIBLE.

39 (b) GOING TO A NONPROFIT CORPORATION.

40 (c) ENABLING THE PERSON TO RECEIVE A TAX CREDIT.

41 B. A contracted fund raiser who knowingly conducts any act or
42 practice proscribed in subsection A of this section is guilty of a class 6
43 felony.



1 C. An independent solicitor who knowingly conducts any act or
2 practice proscribed in subsection A of this section is guilty of a class 1
3 misdemeanor.

4 D. In addition to the criminal offenses provided in subsections B
5 and C of this section, if a person conducts an act or practice proscribed
6 in subsection A of this section, the attorney general may recover from the
7 person on behalf of the state a civil penalty of not more than one
8 thousand dollars per violation. The civil penalty prescribed by this
9 subsection is in lieu of the penalty prescribed by section 44-1531.

10 E. For the purposes of subsection A, paragraph 5 of this section,
11 an entity owns a collection site if the entity receives at least fifty-one
12 ~~per cent~~ PERCENT of the proceeds generated by the retail sale of the
13 donated items received at the collection site.

APPROVED BY THE GOVERNOR MARCH 23, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 23, 2018



Passed the House March 19, 20 18,

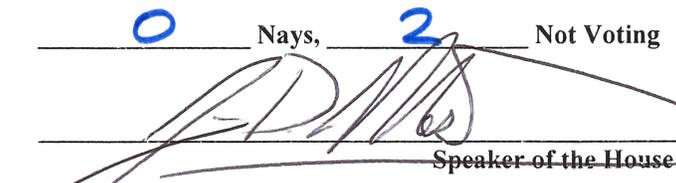
Passed the Senate January 29, 20 18,

by the following vote: 58 Ayes,

by the following vote: 30 Ayes,

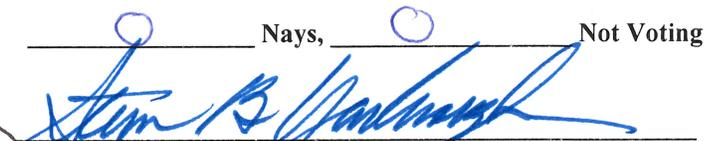
0 Nays, 2 Not Voting

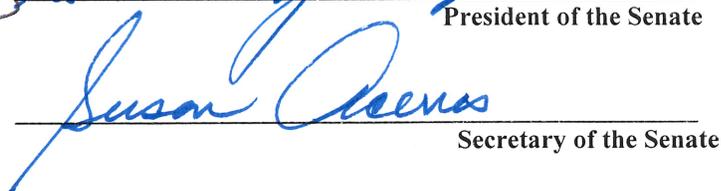
0 Nays, 0 Not Voting



Speaker of the House


Chief Clerk of the House



President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

20th day of March, 20 18

at 1:07 o'clock P. M.

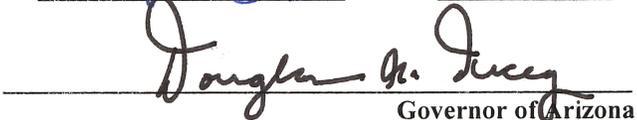


Secretary to the Governor

Approved this 23rd day of

March, 20 18,

at 10:52 o'clock A. M.



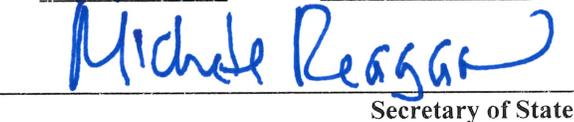
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 23 day of March, 20 18,

at 4:43 o'clock P. M.



Secretary of State

S.B. 1077