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FISCAL IMPACT REPORT

ORIGINAL DATE 01/30/09
 LAST UPDATED 03/06/09 HB _____

SPONSOR Garcia, MJ

SHORT TITLE Charitable Organization Members in Roadways SB 215/aSPAC

ANALYST Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
NFI	NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Attorney General's Office (AGO)

Department of Finance and Administration (DFA)

SUMMARY

Synopsis of SPAC Amendment

The Senate Public Affairs Committee amendment to Senate Bill 215 enacts a new section of law allowing for members of a badge charity which is registered with the Attorney General to solicit for donations from passing motorists while standing in the road, in the median or on the shoulder of a street in their service area. SPAC amendment limits the number of these campaigns to four (4) per calendar year per charity.

Synopsis of Original Bill

Senate Bill 215 enacts a new section of law allowing for members of a badge charity which is registered with the AG to solicit for donations from passing motorists while standing in the road, in the median or on the shoulder of a street in their service area.

SIGNIFICANT ISSUES

The municipality issuing the permit will most likely be responsible to oversight of the campaign limit.

The charity must apply for a permit from the relevant municipality or city and must carry \$1 million in liability insurance. It is unclear what penalty provisions are applicable to a violation of the law. It is unclear whether organizations may wish to challenge on grounds of impairment of free speech.

TECHNICAL ISSUES

Badge charities consist of law enforcement personnel, firefighters or other persons employed to protect public safety and the solicitations must be done in the area they are assigned to protect.

EO/mt:svb