

CHAPTER 72

CONSUMER AND COMMERCIAL TRANSACTIONS

SENATE BILL 96-139

BY SENATORS Weddig, Alexander, Casey, Hopper, Linkhart, Martinez, Matsunaka, Pascoe, L. Powers, R. Powers, Rupert, Thiebaut, Wattenberg, Weissmann, Wells, and Wham;
also REPRESENTATIVES Morrison, Armstrong, Chavez, Friednash, Tupa, George, June, and Mace.

AN ACT**CONCERNING CHARITABLE SOLICITATIONS BY CONTAINERS PLACED IN PUBLIC PLACES.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Article 16 of title 6, Colorado Revised Statutes, 1992 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

6-16-105.5. Solicitations by container - disclosures. (1) NO PERSON OR CHARITABLE ORGANIZATION, OR AGENT OF A OR CHARITABLE ORGANIZATION, WHETHER PAID OR NOT PAID, SHALL PLACE ANY CONTAINER OFFERING A PRODUCT FOR SALE OR DISTRIBUTION IN A PUBLIC PLACE FOR SOLICITATION PURPOSES UNLESS THE CONTAINER IS AFFIXED WITH A DISCLOSURE LABEL CONSPICUOUSLY DISPLAYING THE INFORMATION SET FORTH IN SUBSECTION (2) OF THIS SECTION IN A TYPED OR PRINTED CLEARLY LEGIBLE FORM.

(2) THE DISCLOSURE LABEL REQUIRED PURSUANT TO SUBSECTION (1) OF THIS SECTION SHALL STATE THE FOLLOWING:

(a) THE PERCENTAGE OF ANNUAL CONTRIBUTIONS THAT ARE PAID TO ANY PERSON OR ORGANIZATION TO MAINTAIN, SERVICE, OR COLLECT THE CONTRIBUTIONS DEPOSITED IN ALL THE CONTAINERS USED BY THE PERSON OR CHARITABLE ORGANIZATION;

(b) THE PERCENTAGE OF ANNUAL CONTRIBUTIONS THAT ARE PAID TO THE CHARITABLE ORGANIZATION SPECIFIED ON THE CONTAINER;

(c) WHETHER THE PERSON MAINTAINING, SERVICING, OR COLLECTING THE

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

CONTRIBUTIONS DEPOSITED IN THE CONTAINER IS A VOLUNTEER OR IS PAID FOR THE SERVICES.

(3) FOR PURPOSES OF THIS SECTION, "CONTAINER" MEANS A BOX, CARTON, PACKAGE, RECEPTACLE, CANISTER, JAR, DISPENSER, OR MACHINE.

(4) NOTHING IN THIS SECTION SHALL BE CONSTRUED AS RESTRICTING, SUPERSEDING, ABROGATING, OR CONTRAVENING ANY STATE OR FEDERAL LAW OR REGULATION REGARDING CHARITABLE SOLICITATIONS.

SECTION 2. Effective date - applicability. This act shall take effect July 1, 1996, and shall apply to containers used for charitable solicitations on display in public places on or after said date.

SECTION 3. Effective date - applicability. This act shall take effect July 1, 1996; except that, if a referendum petition is filed against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to section 1 (3) of article V of the state constitution, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: April 11, 1996

Editor's note: This act was passed without a safety clause. See sections 2 and 3 of this act for the possible effective dates.