

# INSTRUCTIONS FOR COMPLETING APPLICATION TO REGISTER AS A PROFESSIONAL SOLICITOR, FUND-RAISING COUNSEL, OR PUBLIC SAFETY SOLICITOR FORM

## **Overview of filing requirements for Professional Solicitors, Fund-Raising Counsel and Public Safety Solicitors**

### Professional Solicitors & Fund-Raising Counsel:

This application to register must be submitted annually by professional solicitors and fundraising counsel who wish to solicit in Maryland. The annual filing fee for a Professional Solicitor is \$350. The annual filing fee for a Fundraising Counsel is \$250. Copies of all new contracts with charitable organizations shall be submitted by the Professional Solicitor or Fundraising Counsel. If the applicant has already submitted a copy of the contract, the applicant does not need to submit it again. Any amendments to contracts that have been made must be submitted as part of this filing unless the applicant already submitted the amendment to the contract. Professional solicitors must also include a Surety Bond or irrevocable letter of credit in the amount of \$25,000.

If a currently registered professional solicitor is applying for a new registration, it must submit any outstanding final accounting reports as required by the Maryland Solicitations Act, Business Regulation Article 6-506 or an interim accounting report for each individual charity with which the professional solicitor has an on-going contract as required by the Maryland Solicitations Act, Business Regulation Article 6-306. Final accounting reports from the prior year do not have to be submitted with this application if they were already submitted to the Secretary of State. Interim accounting reports should be submitted on the same Accounting Report for Professional Solicitor form as a final accounting report is submitted on (you will check the box on that form to indicate that it is an interim report).

A professional solicitor should also be sure to include any new Fund-Raising Notice forms that must be submitted. If the Fund-Raising Notice form was submitted since the last application was filed with this office, the applicant does not have to submit it again.

### Public Safety Solicitors:

This application must be submitted by a Public Safety Solicitor for each Public Safety Organization with which the Public Safety Solicitor contracts (separate application for each organization). The application fee for a Public Safety Solicitor is \$100 per application. A copy of the contract between the applicant and the public safety organization shall be submitted along with a copy of the application. Also, this application should be accompanied by a Surety Bond in the amount of \$25,000. If the organization has a current Surety Bond on file with the Secretary of State it does not have to provide a separate Surety Bond for each application. The same Surety Bond can be used for each application as long as it is current.

\*\*\*If the organization acts as more than one of these, it should file a separate application for each (for example, if the organization has contracts in which it acts as a professional solicitor and other contracts in which it acts as a public safety solicitor, it must submit separate applications to register; one to register as a professional solicitor, and one (or more) to register as a public safety solicitor)\*\*\*

	Complete Application	Application Determination
Paper Form	30-60 minutes	10-30 days
Online Version of this Form	30-60 minutes	5-15 days

## **Instructions for completing form:**

Check the type of applicant you are. See definitions for Professional Solicitor, Fundraising Counsel, and Public Safety Solicitor in the Maryland Solicitations Act, Business Regulation Article 6-101 to assist in making determination. Link to the Maryland Solicitations Act:  
<http://sos.maryland.gov/Documents/MarylandSolicitationAct.pdf>

1. Enter the name of your company. If you do business under any other names, please list those as well.
2. Check “yes” or “no,” whichever is appropriate. If “yes” is checked, please list the name(s) that the organization used to be known as
2. Enter the state in which the company was organized to do business.
3. Check the correct term that applies to the applicant.
5. Provide the mailing address of the applicant. If this is different from the physical location of the applicant, please provide the physical location of the applicant as well. If there is an address in Maryland where financial records are maintained, please provide that address.
6. Provide the telephone number, fax number, email address and EIN (Federal Tax ID number) of the applicant. For email address, please make sure it is an email address for the person who handles state registrations for the applicant. If the applicant does not have an EIN, provide the Social Security Number of the applicant.
7. Provide the name, title, and home address of all officers, directors, and trustees of the applicant.
8. List any person(s) that has more than 5% financial interest or ownership in the applicant. Provide their name, title, and home address.
9. If answering “yes”, please explain the relationship in greater detail. Clearly explain the relationship between the applicant and the related company.
10. If answering “yes”, please explain the relationship in greater detail. Clearly explain the position held with the applicant and held with the charitable organization or public safety organization along with the duties fulfilled by the person(s) listed for both the applicant and charitable organization or public safety organization.
11. If answering “yes”, please provide the name and address of the government agency that took the action as well as the name of the action and date on which it was taken.
12. If answering “yes”, provide the state(s) and explain the reasoning the applicant was prohibited from soliciting contributions in that state.
13. If answering “yes”, please list the states and dates of licensing. If too many to list in space provided, please attach a separate list.
14. Provide a list of all charitable organizations and/or public safety organizations with which the applicant has a contract to solicit on behalf of in Maryland. Attach a copy of the contract for all organizations with which the applicant has a contract.
15. If the applicant subcontracts any of its duties as outlined in the contract between itself and the charitable organization or public safety organization please list the companies/individuals with which it subcontracts. Provide a copy of the contract between the applicant and that subcontractor to carry out any of those duties that are subcontracted.

16. If yes, list the cashiering or caging entity. Also, list the charitable organizations or public safety organizations whose contributions will be received by the cashiering or caging entity.

17. Explain the solicitation program the applicant plans to use. The answer should explain how the professional solicitor, fund-raising counsel, or public safety solicitor intends to reach prospective donors.

18. Check “yes” or “no.” If you do not want to designate the Secretary of State to be the agent of the applicant, check “no.”

19. Check one of the three boxes. If all taxes owed to the State of Maryland, a county in Maryland, or Baltimore City for the prior year have been paid you will want to check the first statement. If you did not owe any taxes to the State of Maryland, a county in Maryland, or Baltimore City, you will also want to check the first statement. You will only check the second statement if not all taxes due from the prior year have been paid to the State of Maryland, a county in Maryland, or Baltimore City or there is a dispute over taxes owed to State of Maryland, a county in Maryland, or Baltimore City from the prior year. If you have not paid all of your taxes due to the State of Maryland, or county in Maryland, or Baltimore City but they are not under dispute you will check the third statement.

Affidavit section: Print the name of the person signing the document and provide their title. Be sure this is legible. Then, sign on the line provided.



# Application to Register as a Professional Solicitor, Fund-Raising Counsel, or Public Safety Solicitor

Office of the Secretary of State, State House, Annapolis MD 21401 Telephone: 410-974-5534

Check the one that applies:  Professional Solicitor  
 Fundraising Counsel  
 Public Safety Solicitor

1. Name: \_\_\_\_\_

2. Has the applicant ever been known under any name other than that given above?

Yes

No

If yes, list each such name: \_\_\_\_\_

\_\_\_\_\_

3. In what state was the applicant organized to do business? \_\_\_\_\_

4. The applicant is a:

corporation

partnership

individual

LLC

Other (if other, please specify): \_\_\_\_\_

5. Mailing Address: \_\_\_\_\_

Physical Address (if different): \_\_\_\_\_

If address is not in Maryland, give principal Maryland address, if any, where financial records are kept: \_\_\_\_\_

6. Telephone: \_\_\_\_\_ FAX: \_\_\_\_\_ Email: \_\_\_\_\_

EIN or Social Security Number: \_\_\_\_\_

7. List all Officers, Directors or Partners:

Name

Title

Residential Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. List person(s) having more than a 5% financial interest or ownership:

Name

Title

Residential Address

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Does the applicant or any officer, director, partner or employee of the applicant or any person holding any financial interest in the applicant, have any interest in any mail house, cashiering or other business with which it or client charitable organization or public safety organization does business pursuant to or in conjunction with a contract between the applicant and the charitable organization? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, provide details: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. Is any officer, director, partner or employee of the applicant or any person holding any financial interest in the applicant also an officer, director partner or employee of a charitable organization or public safety organization with which the applicant does business? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, provide details: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Has the applicant had any license, registration or permit denied, canceled or revoked, or is any such action pending?  
Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, provide the following information:

Name & Address of Government Agency	Name of Action	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

12. Has the applicant ever been enjoined or prohibited from soliciting contributions in any state, including Maryland, either personally or as a principal of another entity?  
Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Has the applicant, or any principal of the applicant, ever been licensed or held a certificate as a professional solicitor, fundraising counsel, or public safety solicitor in any other state(s) either personally or as a principal in another entity?  
Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, please list states and dates licensed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

14. List the names and addresses of all charitable organizations or public safety organizations with which the applicant has contracts to act as a professional solicitor, fundraising counsel, or public safety solicitor in Maryland. Attach copies of all current contracts. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

15. List the names and addresses of all individuals or organizations with which the applicant has subcontracts and the subcontracting agreement furthers the purpose of the agreement between the professional solicitor, fundraising counsel, or public safety solicitor and the charity. Attach copies of all current contracts. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

16. Does any contract between the applicant and a client charitable organization provide for the use of a cashiering or caging entity for receipt for contributions?  
Yes \_\_\_\_\_ No \_\_\_\_\_ If so, list the charity and cashiering or caging entity below.

17. What type of solicitation program do you plan to use (personal contact, direct mail, telephone, radio, television, etc.)? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

18. I acknowledge that the Maryland Secretary of State is deemed to be my agent upon whom may be served any summons, subpoena, subpoena duces tecum or other court process directed to the applicant or any partner, principal officer or director of the applicant.  
Yes \_\_\_\_\_ No \_\_\_\_\_

19. Check One.  
\_\_\_\_\_ All taxes due from the applicant to the State or Baltimore City or a county of the State for the preceding fiscal year have been paid, and all taxes the applicant was required to collect and pay over to the State or to Baltimore City or a county of the State for the preceding fiscal year have been collected and paid over.

\_\_\_\_\_ The taxes due from the applicant to the State or to Baltimore City or a county of the State are under dispute, and the dispute has not been finally resolved.

\_\_\_\_\_ The taxes due from the applicant to the State or to Baltimore City or a county of the State have not been paid but are not under dispute.

**Affidavit**

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

\_\_\_\_\_  
(Type or Print) Name of President, Chair or Principal Officer

\_\_\_\_\_  
Signature of President, Chair or Principal Officer