

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

FIRST REGULAR SESSION-1995

Legislative Document

No. 663

H.P. 482

House of Representatives, February 28, 1995

An Act to Extend the Charitable Immunity Laws.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink that reads "Joseph W. Mayo".

JOSEPH W. MAYO, Clerk

Presented by Representative ROTONDI of Madison.

Cosponsored by Representatives: DEXTER of Kingfield, HATCH of Skowhegan, MERES of Norridgewock.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 14 MRSA §158-A, sub-§1, ¶A, as amended by PL 1991, c. 795, §1, is further amended to read:

A. "Charitable organization" means any nonprofit organization organized or incorporated in this State or having a principal place of business in this State:

(1) That is exempt from federal income taxation under the United States Internal Revenue Code, Section 501(a), because it is described in Section 501(c)(3), (4), (6) as it pertains to chambers of commerce only, (10), (13) or (14)(A), including all subsequent amendments to those paragraphs. An organization is included in this subparagraph if it would be exempt from taxation under Section 501(c)(3) but for its engaging in attempting to influence legislation to the extent that it is disqualified from tax exemption under Section 501(c)(3); or

(2) That is:

(a) Organized under the Maine Nonprofit Corporation Act for any of the purposes listed in Title 13-B, section 201, subsection 1, paragraph A;

(b) Organized under the provisions set forth in Title 13-B, section 201, subsection 2, paragraph A;

(c) Organized under the provisions of Title 13-B, section 201, subsection 3, paragraph D or E;

(d) Organized in Maine as a nonprofit corporation before January 1, 1978, for any of the purposes listed in Title 13-B, section 201, subsection 1, paragraph A, and to which the Maine Nonprofit Corporation Act applies; or

(e) Organized as a rural electrification cooperative under the provisions of Title 35-A, chapter 37, or

(f) An association of officials or officers of municipalities or other political subdivisions, created to educate its members concerning their official duties and develop statewide standards of conduct for those members in their official capacities.

2 This subparagraph applies to all subsequent amendments
to the statutes laws covered by divisions (a), (b),
4 (c), (d) and (e).

6 **STATEMENT OF FACT**

8 This bill extends the charitable immunity laws to
associations of municipal or other political subdivision
10 officials or officers that are created to educate the members and
create statewide standards of conduct for the members.