



# **ANNUAL REPORT**

**July 1, 2020 through June 30, 2021**

**MARYLAND OFFICE OF THE SECRETARY OF STATE**

**CHARITIES AND LEGAL SERVICES DIVISION**

**Kathleen M. Smith, Assistant Secretary**

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# TABLE OF CONTENTS

INTRODUCTION	MESSAGE FROM THE ASSISTANT SECRETARY	P 3
SECTION ONE	CHARITABLE ORGANIZATIONS, PROFESSIONAL SOLICITORS, AND FUNDRAISING COUNSELS	P 4
SECTION ONE	CHARITABLE ORGANIZATIONS INVESTIGATIONS & ENFORCEMENT ACTIONS	P 6
SECTION TWO	NOTARIES PUBLIC	P 7
SECTION THREE	NOTARIES INVESTIGATIONS & ENFORCEMENT ACTIONS	P 9
SECTION FOUR	MARYLAND CHARITY CAMPAIGN	P 10
SECTION FIVE	EXTRADITIONS & REQUISITIONS	P 11
SECTION SIX	PARDONS & COMMUTATIONS	P 11
SECTION SEVEN	FLAGS	P 12
SECTION EIGHT	SPECIAL POLICE AND RAILROAD POLICE	P 13
SECTION NINE	CEREMONIAL BILL- SIGNING PENS	P 13
SECTION TEN	CONDOMINIUMS	P 14
SECTION ELEVEN	TIMESHARES	P 13
SECTION TWELVE	COOPERATIVE HOUSING CONVERSIONS	P 15
SECTION THIRTEEN	HOUSING AUTHORITIES	P 15
SECTION FOURTEEN	RETURNABLE CONTAINERS AND TEXTILES	P 15
SECTION FIFTEEN	MANUAL SIGNATURES	P 15
SECTION SIXTEEN	REVENUE GENERATED BY THE CHARITIES AND LEGAL SERVICES DIVISION	P 16
SECTION SEVENTEEN	CUSTOMER SERVICE	P 16
SECTION EIGHTEEN	CHARITIES AND LEGAL SERVICES DIVISION STAFF AND CONTACT INFORMATION	P 17
APPENDICES	APPENDIX A: STATUTORY AUTHORITY APPENDIX B: APPLICATION & REGISTRATION FORMS CHARITABLE ORGANIZATIONS REGISTRATION FORM APPENDIX C: FLAG PROTOCOL: LOWERING U.S. FLAG AND MARYLAND FLAG	



**O**n behalf of the Charities and Legal Services Division, I am pleased to issue our FY 2021 Annual Report. The Division is charged with regulating 90,000+ notaries public and 16,000+ charitable organizations in addition to other critical work. This Report provides a peek at the breadth and scope of our activities.

No doubt the Charities & Legal Services Division of the Office of the Secretary of State, our State, nation, and world suffered the austere effects of COVID-19 during FY 2021. The demands for programs and services provided by charities, notaries public, and others seemed daunting at times. We, too, felt the disruptive effects of COVID but were not dissuaded. Staff rose to the occasion and achieved a 99.7% Customer Satisfaction rating while pivoting from working in the office to teleworking. The quality, effectiveness, and efficiency of our staff was more crucial during COVID than ever, as was the kindness and patience with which they provided service.

The Legislature passed three (3) bills impacting notaries: 1) SB 132 Notaries Public - Disclosure of Home Address and Phone Number: The bill removed the requirement to disclose a notary's home address and home telephone number. If a notary does not provide a work address and work phone number; their home address and phone number will still be disclosed. 2) SB 212 Official Stamp of a Notary Public: The bill eliminated confusion about the wording required on a notary's seal. 3) SB 360 Notary Public Fund: created a Special Fund to assist in the operations of the Notary Division.

Did you know that Notaries Public are public officials? Yes, they are! Notaries serve a vital role in preventing fraud and protecting the parties involved as official unbiased witnesses for documents. Notaries Public are regulated and commissioned by the Division. Rogue notaries harm the public and we investigate complaints!

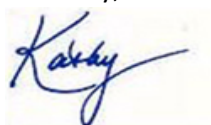
Did you know that charities who raise money in Maryland are required by law to register with the Office of the Secretary of State? Yes, they are! Every single day fellow citizens from the shore to the mountains and those in between rely upon reputable charities to help during crises. Charities provide everything from the most basic needs of food, shelter, and clothing; to literacy, helping victims of domestic violence, they protect animals, and promote the arts, as well as help patients and families suffering from scores of diseases, and many other causes. They need and deserve our donations. That said, con artists abound and prey on unsuspecting donors, when this happens and complaints are filed, our staff is at the ready to investigate them.

Our Division adopted a "Soft Touch" approach as a first step to assist charities and notaries public who are not compliant with the law. Charities and notaries that ignore efforts to educate and assist them are notified that they may be in violation of the Maryland Solicitations Act or Notary law, respectively. If breaches continue, the approach shifts, when necessary, more austere methods are used on behalf of the public to find a remedy.

We are committed to service excellence, even in the most daunting times. FY 2021 welcomed inaugural Town Hall meetings. Virtual Town Halls were held for charities, more are scheduled for charities, notaries, and flags!

Pease visit our website <https://sos.maryland.gov> to learn if a charitable organization is compliant with the Maryland Solicitation Act, the status of Notaries Public, and other activities of our Division.

Sincerely,

A handwritten signature in blue ink that reads "Kathy".

Kathleen M. Smith  
Assistant Secretary of State

## SECTION ONE - CHARITABLE ORGANIZATIONS, PROFESSIONAL SOLICITORS, FUNDRAISING COUNSELS:

The Charities and Legal Services Division registers, regulates, and annually renews 16,000+ charitable organizations, professional solicitors and fund-raising counsels doing business in Maryland. Our Division reviews charitable organizations' financial and governing documents, as well as all fundraising contracts.

In order to encourage public confidence in the integrity of charities, the Maryland Solicitations Act mandates that charities disclose their financial and programmatic activities, to the public, with the belief that an informed public will exercise prudence in giving.

Legislation established a Charitable Giving Information Program which requires a toll-free line, a speaker's bureau, and the production of charitable giving literature. The program is designed to increase public awareness and encourage questions regarding charitable giving, as well as to offer the public a means of voicing concerns and reporting suspected violations of the charitable law.

Statutory Authority: Business Regulation Article, §§ 6-101 through 6-701

A list of Charitable Organizations registered with our Division may be found on the Office of the Secretary of State website: <https://sos.state.md.us/Charity/Pages/SearchCharity.aspx>. We encourage donors to check out our website and to use other available resources, such as Better Business Bureau's Wise Giving Alliance at [www.give.org](http://www.give.org); GuideStar at [www.guidestar.org](http://www.guidestar.org); or Charity Navigator at [www.charitynavigator.org](http://www.charitynavigator.org); to make giving decisions.

## CHARITIES REGISTERED, DELINQUENTS & ENFORCEMENT ACTIONS

(There are a total of about 16,000 active charities in our database that we are responsible for, that number is growing)

Charities:	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
# Charities Registered	13,739	13,948	14,472	15,211	16,257
# Active Delinquent Charities	1,505	1,268	1,179	1,814	2,887*
Enforcement Actions Regarding Delinquents	6,442	6,072	5,367	5,317	685**

### Newly Tracked Charities Activities:

Charitable Organizations < \$25k - First Dollar Registrations	2,992	2,886	3,104	3,277	3,540
Charitable Organizations < \$25k - First Dollar Enforcement Actions Taken	1,576	1,238	1,926	498**	0**
Incomplete Registrations	690	638	635	711	826
Enforcement Actions Regarding Incompletes	347	245	61	0**	0**

\*1412 charities were delinquent pre-pandemic 1475 of the delinquents in FY 21 were due to COVID Extensions

\*\* Decreased enforcement actions resulted from the pandemic which caused a temporary shift in priorities.

A Professional Solicitor and Fundraising Counsel generally is a person or corporation that is paid by a charitable organization to raise money on the charity’s behalf. The for-profit business usually arranges a flat fee or charges the charity a percentage of the donations collected on the charity’s behalf.

A **Professional Solicitor** is any person who, for compensation, does not qualify as a fundraising consultant and either 1) performs any service, including the employment or engagement of other persons or services, to solicit contributions for a charitable organization or 2) plans, conducts, manages, consults, whether directly or indirectly, in connection with the solicitation of contributions for a charitable organization.

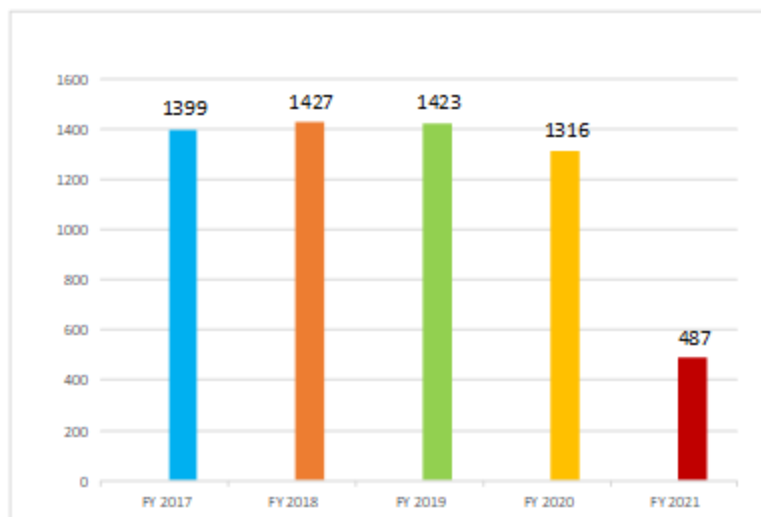
A **Fundraising Counsel** is a professional who is paid to advise a charity on its fundraising activities but does not solicit contributions directly and does not at any time have custody or control of contributions.

A list of Professional Solicitors and Fundraising Counsels registered with in Maryland may be found at the following link: <https://sos.state.md.us/Charity/Pages/Solicitor-and-Fund-Raiser-Counsel-List.aspx>

*(Note: This data does not include fundraising professionals employed directly by charities in the State.)*

# FUNDRAISING PROFESSIONALS

## FUNDRAISING PROFESSIONALS CONTRACTS



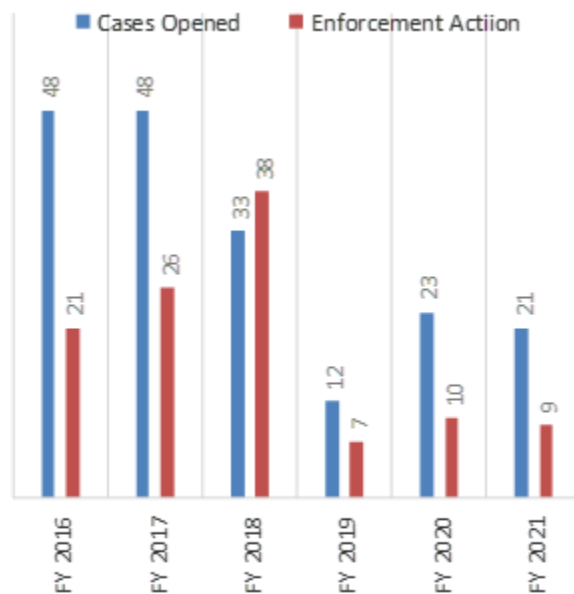
\*Processing underway, temporary shift in priorities

## CHARITIES INVESTIGATIONS AND ENFORCEMENT ACTIVITIES:

A function of the Charities & Legal Services of the Office of the Secretary of State is to enforce the Maryland Solicitations Act. Enforcement actions are taken on behalf of the citizens of Maryland in the public interest. In response to internal leads and concerns and inquiries from the public and the media, an Investigator investigates to determine whether violations of the Maryland Solicitation Act have occurred. Areas of investigation include, but are not limited to:

- Failure to register before soliciting donations
- Misrepresenting the scope of programs and services
- Misleading advertising
- Misleading about anything important to, or likely to affect a person's decision to make a charitable donation
- Using charitable contributions in a manner substantially inconsistent with the charitable solicitations.

## CHARITY INVESTIGATIONS AND ENFORCEMENT ACTIONS



\* Enforcement actions were on hold temporarily during beginning of FY2021

## **SECTION TWO - NOTARIES PUBLIC:**

The Charities & Legal Services Division registers, regulates and renews 90,000+ Notaries Public. Those who wish to become Notaries Public or renew their commission may apply online. After accepting the processing fee and reviewing the application, this Division forwards the application for approval by the State Senator of the legislative district in which the applicant lives. Each State Senator is charged with making a determination about each Notary applicant in their district. Senators may delegate the determination to the Office of the Secretary of State. Senators who choose to delegate this function authorize the Charities & Legal Services Division to make the determination about applicants in their districts. When the application has been approved and returned, the Division processes the notary commission and notifies the applicant of the appointment by the Governor. Approved applicants are directed to the Clerk of the Circuit Court in the county in which they are commissioned to complete the process to take their oath of office and receive their notary commission. A notary that is renewing their commission does not need approval of their State Senator. Investigations of improper notary acts are conducted and if appropriate, a notary commission may be suspended or terminated.

Notaries may request approval to perform remote notarial acts by submitting a remote notary notification form. In order for a notary to be approved to perform remote notarial acts, a notary must be a notary in good standing with a valid commission and must select one or more authorized RON Vendors when performing remote notarial acts.

Statutory Authority: State Government Article, § 18-101 et seq.

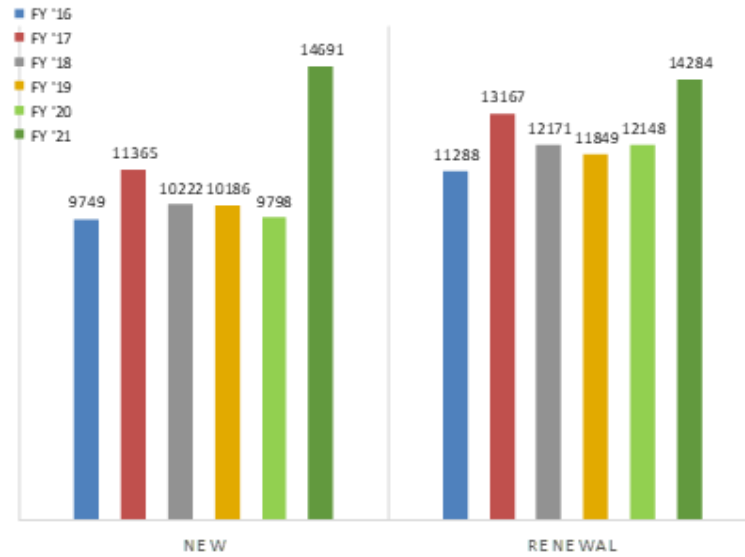
**Original applications to become a notary public and renewal applications are accepted online only** at the following link: <https://www.egov.maryland.gov/sos/notary/#/home>.

Information about notaries public, including a search of notaries public who are Commissioned in Maryland may be found at the following link: <https://sos.state.md.us/Notary/Pages/default.aspx>

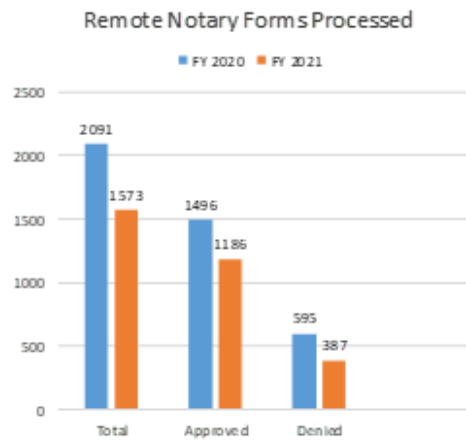
Information relevant to notaries public, including the revised handbook, a list of authorized remote notaries, and authorized RON Vendors may be found online: <https://sos.maryland.gov/Notary/Pages/default.aspx>.

# NOTARIES

## Notary Applications



# REMOTE NOTARY NOTIFICATION FORMS





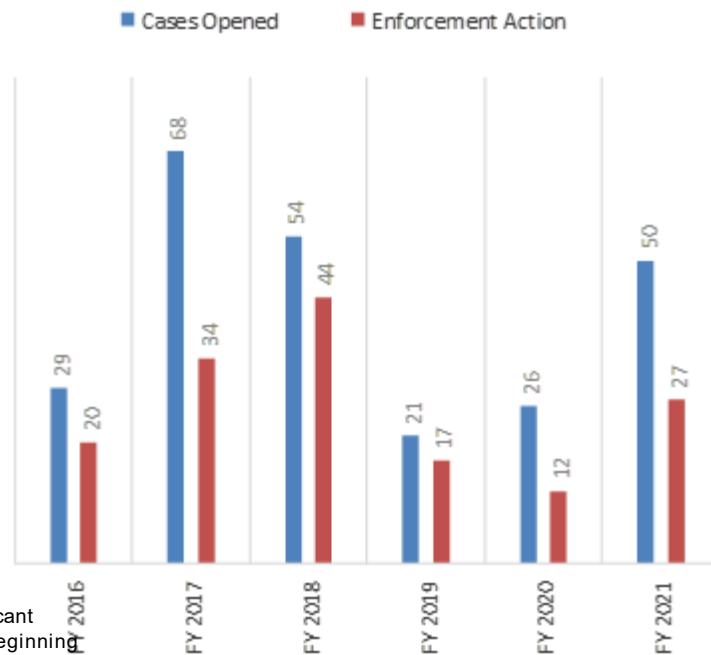
### SECTION THREE - NOTARIES INVESTIGATIONS AND ENFORCEMENT ACTIVITIES:

A function of the Charities & Legal Services Division of the Office of the Secretary of State is to enforce the Notary Public statute.

Enforcement actions are taken on behalf of the citizens of Maryland and are in the public interest. In response to internal leads and concerns and inquiries from the public and the media, an Investigator investigates to determine whether violations of the Notary Public statute have occurred. Areas of investigation involving Notaries Public include, but are not limited to:

- Failure to identify the signer
- Failure to attach a notarial certificate to the document
- Failure to require personal appearance of the individual requesting the notarial act
- Overcharging
- Failure to maintain a record of notarial acts, now called a journal
- Fraudulent use of a Commission
- Using the seal of another Notary Public

## NOTARY INVESTIGATIONS AND ENFORCEMENT ACTIONS



\* Enforcement actions were temporarily on hold due to vacant investigator position during beginning of FY2021

**SECTION FOUR - MARYLAND CHARITY CAMPAIGN:**

The Secretary of State administers the Maryland Charity Campaign, the State’s workplace giving campaign, for State Employees and Retirees. In addition to oversight of the Operating Agency, which is under contract to the Secretary of State, the Secretary of State reviews and, if appropriate, approves applications of organizations eligible who apply to participate in the campaign.

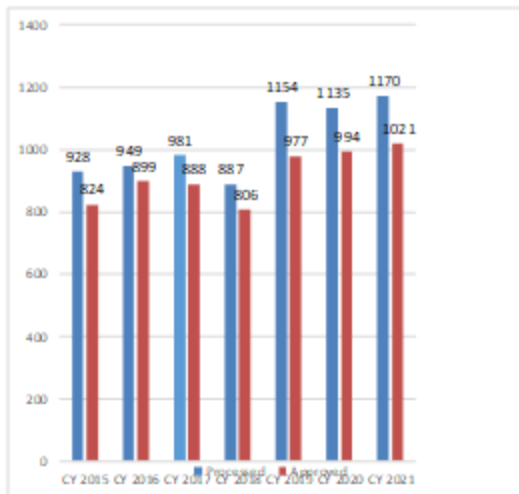
As noted on the graph below, Maryland State employees and Retirees have contributed millions of dollars to support charities who feed the hungry, house the homeless, provide literacy programs to those who can’t read, to support the arts: music, theater, dance, and so much more! We are deeply grateful for their generosity and the immense impact they’re making in their communities near and far.

Statutory authority: executive order 01.01.1996.07

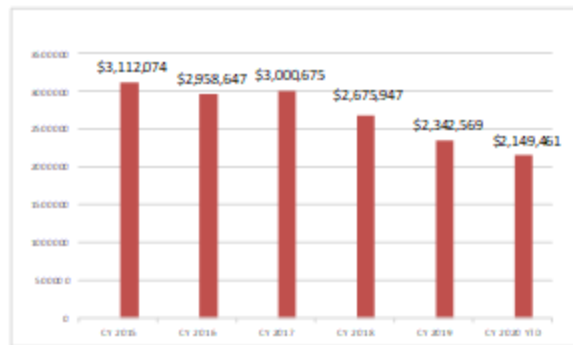


# MARYLAND CHARITY CAMPAIGN (MCC)

APPLICATIONS PROCESSED & APPROVED



TOTAL DONATIONS RAISED



\* Remarkably, the MCC exceeded the \$2M goal in CY 2020 in the midst of the pandemic.

**SECTION FIVE - EXTRADITIONS & REQUISITIONS:**

Extradition is a process where one state (the asylum state) surrenders to another (the demanding state) an individual accused or convicted of an offense outside the territory of the asylum state and within the territorial jurisdiction of the demanding state. The Secretary of State’s Office administers this process on behalf of the Governor.

Requisitions are formal requests by the Governor of Maryland to the Governor of another state. Extradition is the process that occurs when the Governor of another state submits a requisition to the Governor of Maryland. After extradition documents are reviewed and found sufficient, a rendition warrant, also known as a Governor’s Warrant, is issued.

Statutory Authority: Criminal Procedure Article, Title 9; Constitution of Maryland, Article II, § 23

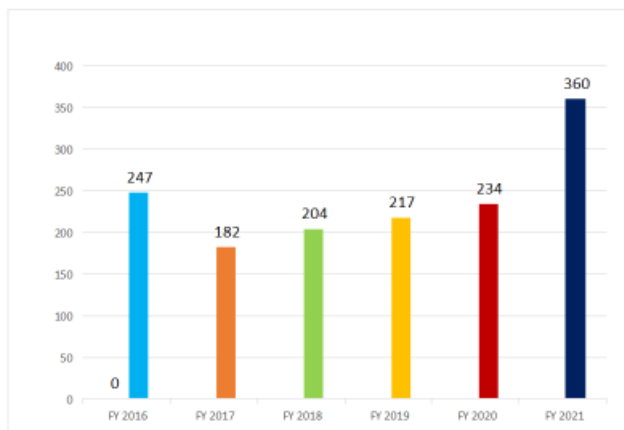
**SECTION SIX - PARDONS & COMMUTATIONS:**

The Governor may grant a pardon or commutation for individuals incarcerated in the State of Maryland. When the signed pardon or commutation is received from the Governor’s Office, the Secretary of State’s signature is affixed, the State Great Seal applied, and the pardon or commutation is recorded in the pardon docket. The completed original pardon or commutation is forwarded to Governor’s legal office so that it can be sent to the person that received the pardon. A copy of the pardon or commutation is kept in the Office of the Secretary of State. The pardon docket is also kept in the Office of the Secretary of State.

Statutory Authority: Constitution of Maryland, Article II, § 20



**EXTRADITIONS, PARDONS, & COMMUTATIONS**



FY '21 data demonstrates the need for a Full-time Extradition Officer.

**SECTION SEVEN - FLAGS:**

The Secretary of State is required by law to present a State flag to the family of any firefighter or police officer killed in the line of duty. The flag is to be presented to the family of the deceased firefighter or police officer by the State Senator of the legislative district in which the deceased resided.

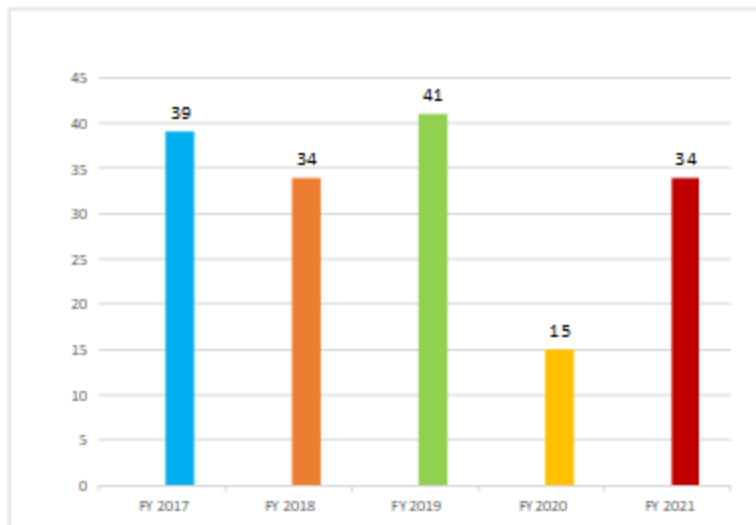
Statutory Authority: Article 38A, § 44; Article 41, § 4-1003

Additionally, the Secretary of State is customarily entrusted with the role of educating the public as to the history, protocol, and appropriate display of the Maryland state flag individually and as it is flown with other flags. The Secretary of State will also advise other agencies when the Maryland State Flag, the U.S. Flag, or both have been ordered to fly at half-staff.

Statutory Authority: Custom



# FLAGS

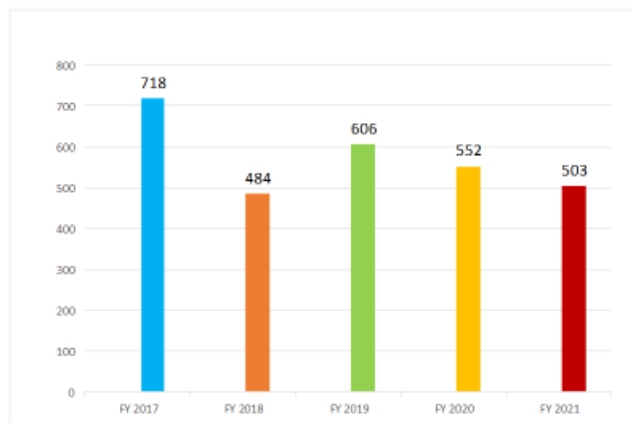


## SECTION EIGHT - SPECIAL POLICE AND RAILROAD POLICE:

The Superintendent of the Maryland State Police is charged with reviewing applications for appointment and recommending to the Governor whether to grant or deny appointments as a special police officer or a railroad police officer. The Governor may accept or reject the Superintendent's recommendation and is assisted in this process by the Secretary of State's Office which processes and records the applications.

Statutory Authority: Article 41, § 4-901 et seq.; Article 23, § 256, et seq.

### Special Police And Railroad Police COMMISSIONS (e.g. Hospital, University, etc.)



## SECTION NINE CEREMONIAL BILL- SIGNING PENS:

At the close of each legislative session, the Office of the Secretary of State receives, processes, and distributes ceremonial pens used by the Governor in signing legislation.

## SECTION TEN - CONDOMINIUMS:

Since 1981, a developer of a condominium regime has been required to file with the Office of the Secretary of State a public offering (disclosure) statement for a proposed regime. If the Secretary determines that the public offering statement complies with State law, an Order of Registration is issued. The review period is forty-five days, and until the public offering statement is registered, a contract for the initial sale of a unit is prohibited. Out-of-state projects offered to Maryland residents must go through a similar review process.

Amendments to public offering statements must be delivered promptly to purchasers and to the Secretary of State.

A developer converting a residential rental facility into a condominium regime also files a public offering statement with the Secretary of State. This public offering statement includes a notice to tenants informing

them of certain protection provided by law to reduce the impact of the conversion. These rights include the right to purchase the unit and to receive moving expenses if the resident chooses not to purchase, and, for income-eligible elderly and handicapped tenants, the right to apply for a three-year lease extension. The Secretary of State publishes the income eligibility figures used for this purpose in the Code of Maryland Regulations. State law also provides that the Secretary of State shall establish a file of Local legislation affecting condominiums. When a condominium regime has sold all its units, it should terminate its registration with the Secretary of State and is no longer required to file amendments to Condominium documents with this Division.

The Consumer Protection Division of the Office of the Attorney General has limited enforcement authority over the Maryland Condominium Act. State law provides that the Secretary of State work in cooperation with the Consumer Protection Division of the Office of the Attorney General in the enforcement of the Maryland Condominium Act.

Statutory Authority: Real Property Article, Title 11

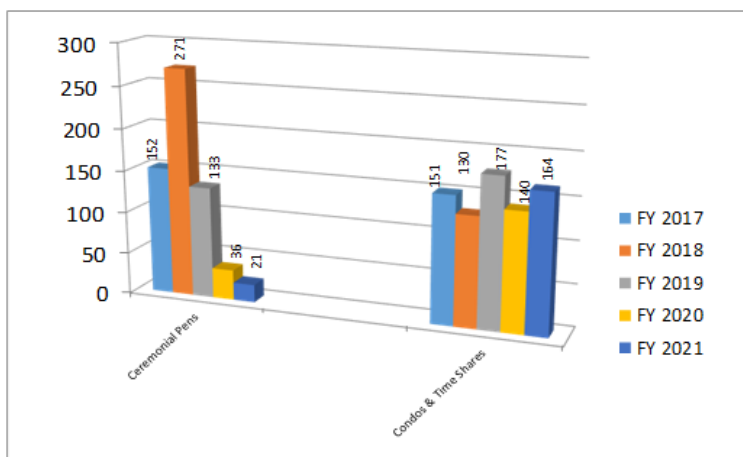
**SECTION ELEVEN - TIMESHARES:**

Since 1985, a developer of a time-share project has been required to file in the Office of the Secretary of State a public offering (disclosure) statement for a proposed project. If the Secretary determines that a public offering statement satisfies the requirements of the Maryland Real Estate Time-Sharing Act, an order of registration is issued. The review period is forty-five days. Until the public offering statement is registered, it cannot be delivered to a time-share purchaser.

Statutory Authority: Real Property Article, Title 11A



**CEREMONIAL PENS AND CONDOS & TIMESHARES**



\*Very few Ceremonial Pens were requested in FY '20 and FY '21, the pandemic likely impacted this data point.

## **SECTION TWELVE - COOPERATIVE HOUSING CONVERSIONS:**

An owner/landlord of a residential rental property which is going to become a cooperative housing corporation is required to file with the Division. The owner/landlord must file a copy of the conversion notice, a list of all tenants who will be receiving the notice and an affidavit. The Division receives this information at least fifteen days prior to the conversion notice's being given to the tenants.

Statutory authority: corporations and associations article, § 5-6b-05(a)(2)

## **SECTION THIRTEEN - Housing Authorities:**

All housing authorities in existence prior to July 1, 1990, are filed with the Secretary of State. These existing housing authorities may choose to be governed by Articles of Organization. Once the proper documentation has been filed, a certificate of approval for the articles is issued to the authority.

Housing authorities activated after July 1, 1990 cannot transact business or exercise powers until the Secretary of State issues a certificate of approval for the articles and a certificate of organization. This process is based on a review of their articles of organization.

An authority may amend or restate its articles of organization. Once the Secretary of State determines that the required documentation and certification comply with the housing authority law, a certificate of approval is then issued.

In addition, the Secretary of State issues certified copies of the articles of organization and any amendments for admission as evidence in a suit, action or proceeding.

Statutory Authority: Article 44A, Title 1

## **SECTION FOURTEEN - RETURNABLE CONTAINERS AND TEXTILES**

This Division is responsible for maintaining the registry of returnable containers (chip and pretzel cans, for example) and textiles (towel, linen or diaper service, for example). A record is maintained with a description of the mark. All transfers and assignments of ownership are also recorded.

Statutory Authority: Business Regulation Article, §§ 19-301 through 19-307

## **SECTION FIFTEEN - MANUAL SIGNATURES**

Any authorized officer may file a manual signature form with the Office of the Secretary of State. An authorized officer is defined as any official of the State or its political subdivisions whose signature to a public security or instrument is required or permitted. After filing with the Secretary, the facsimile signature of the authorized officer has same legal effect as the manual signature, and the official may execute with a facsimile signature any public security (if signature of at least an authorized officer is manually subscribed) and any instrument of payment. If the law requires that public security be manually signed by an agent, one signature must be manually signed by any other signatures on public security may be facsimile signatures.

Statutory Authority: State Finance and Procurement Article, §§ 2-301

## SECTION SIXTEEN - REVENUE GENERATED BY THE CHARITIES AND LEGAL SERVICES DIVISION

The chart below illustrates how the Charities & Legal Services Division generates revenue. The Division collects fees related to charity registration, professional solicitor and fundraising counsel registration, notary applications, condominium registration, timeshare registration, and ceremonial pen requests.

### CHARITIES & LEGAL SERVICES DIVISION REVENUE GENERATED

Revenue Source	FY '16	FY '17	FY '18	FY '19	FY '20	FY '21
Charity Registration and Late fees*	\$1,904,097	\$2,224,483	\$2,164,575	\$2,257,394	\$2,015,694	\$2,492,749
Notary Application fees**	\$404,465	\$256,793	\$199,353	\$197,788	\$195,327	\$258,085
Solicitor Registration fees	\$73,650	\$73,650	\$67,500	\$71,750	\$72,050	\$73,200
Condo/Timeshare Registration fees	\$8,922	\$4,586	\$6,340	\$6,150	\$6,320	\$7,770
Ceremonial Pens fees:	n/a	\$1,520	\$2,710	\$1,330	\$360	\$210
<b>Total</b>	<b>\$2,391,134</b>	<b>\$2,561,032</b>	<b>\$2,440,478</b>	<b>\$2,534,142</b>	<b>\$2,289,751</b>	<b>\$2,832,014</b>

FY '21 TOTAL REVENUE GENERATED \$2,832,014

\* Includes General and Special funds  
\*\* Notary Fee reduction from \$20 to \$9 resulted in reduced revenue

## SECTION SEVENTEEN - CUSTOMER SERVICE

The graph below displays the volume of requests made under the Maryland Public Information Act. The graph to the right below demonstrates the volume of phone calls and e-mails received annually by the Charities & Legal Services Division. E-mails and voicemail messages are returned within 2 working days.

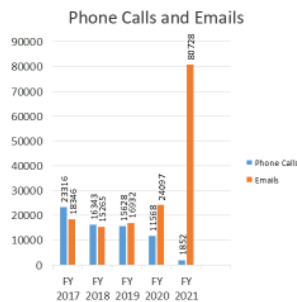
### CUSTOMER SERVICE DATA

PHONE CALLS, EMAILS, AND PUBLIC INFORMATION ACT REQUESTS

RESPONSES TO PUBLIC INFORMATION ACT REQUESTS



CUSTOMER SERVICE DATA



\*FY '20 and FY '21 saw huge spikes in emails resulting from inquiries received during the height of the pandemic. As directed, staff worked remotely, and customers were asked to email inquiries



## **SECTION EIGHTEEN – CHARITIES AND LEGAL SERVICES DIVISION STAFF AND CONTACT INFORMATION**

Wineland Building, 16 Francis St., Annapolis, Maryland 21401

### **CHARITIES & LEGAL SERVICES DIVISION**

Kathleen M. Smith, Assistant Secretary of State for Charities & Legal Services (410) 260-3856  
e-mail: [kathleen.smith1@maryland.gov](mailto:kathleen.smith1@maryland.gov)

Michael P. Schlein, Division Administrator (410) 260-3863  
e-mail: [michael.schlein@maryland.gov](mailto:michael.schlein@maryland.gov)

### **CHARITIES & NOTARIES INVESTIGATIONS**

Email: [dlinvestigations\\_sos@maryland.gov](mailto:dlinvestigations_sos@maryland.gov)  
Robert G. Gurley, Investigator (410) 260-3859; e-mail: [robert.gurley@maryland.gov](mailto:robert.gurley@maryland.gov)

### **CHARITY REGISTRATION**

Email: [dlcharity\\_sos@maryland.gov](mailto:dlcharity_sos@maryland.gov)  
Kimberly E. Smith, Internal Auditor (410) 260-3879; e-mail: [kimberlye.smith@maryland.gov](mailto:kimberlye.smith@maryland.gov)  
Tricia Wetzel, Charity Enforcement Analyst (410) 260-3890; e-mail: [tricia.wetzel@maryland.gov](mailto:tricia.wetzel@maryland.gov)  
Stephanie M. Marsiglia, Charity Officer (410) 974-2620; e-mail: [stephanie.marsiglia@maryland.gov](mailto:stephanie.marsiglia@maryland.gov)  
Shawn Estrada, Charity Officer/Special Projects (410) 260-3974; e-mail: [shawn.estrada@maryland.gov](mailto:shawn.estrada@maryland.gov)  
Jasmine Neal, Charity Officer (410) 974-5549; e-mail: [jasmine.neal@maryland.gov](mailto:jasmine.neal@maryland.gov)

### **MARYLAND CHARITY CAMPAIGN**

Loraine D. Parks, Maryland Charity Campaign Administrator & Special Assignment Officer (410) 260-3857; e-mail:  
[loraine.parks@maryland.gov](mailto:loraine.parks@maryland.gov)

### **NOTARIES PUBLIC**

Email: [dlnotary\\_sos@maryland.gov](mailto:dlnotary_sos@maryland.gov)  
Carrienne S. Gurley, Notary Public Officer (410) 260-3860; e-mail: [carrienne.gurley@maryland.gov](mailto:carrienne.gurley@maryland.gov)  
Marquita A. Lewis, Notary Public Officer (410) 260-3861; e-mail: [marquita.lewis@maryland.gov](mailto:marquita.lewis@maryland.gov)  
Tarshia Neal, Notary Public Officer (410) 260-3834; e-mail: [tarshia.neal@maryland.gov](mailto:tarshia.neal@maryland.gov)  
Brye'Ann Dozier, Notary Public Officer (410) 260-3864; e-mail: [bryeann.dozier@maryland.gov](mailto:bryeann.dozier@maryland.gov)

### **PROFESSIONAL SOLICITORS, FUND-RAISING COUNSEL, & PUBLIC SAFETY SOLICITOR REGISTRATION**

Robert G. Gurley, Charity Officer (410) 260-3864; e-mail: [robert.gurley@maryland.gov](mailto:robert.gurley@maryland.gov)

### **CEREMONIAL PEN REQUEST**

Stephanie M. Marsiglia, Charity Officer (410) 974-2620; e-mail: [stephanie.marsiglia@maryland.gov](mailto:stephanie.marsiglia@maryland.gov)

### **EXECUTIVE ORDERS AND CERTIFICATE OF INCUMBENCY**

Margaret A. Schnoor, Executive Assistant (410) 260-3894; e-mail: [margaret.schnoor@maryland.gov](mailto:margaret.schnoor@maryland.gov)

### **CONDOMINIUMS & TIME-SHARES, SPECIAL POLICE & RAILROAD POLICE, AND MANUAL SIGNATURES**

Kimberly E. Smith, Internal Auditor (410) 260-3879; e-mail: [kimberlye.smith@maryland.gov](mailto:kimberlye.smith@maryland.gov)

### **EXTRADITIONS & PARDONS**

Shawn Estrada, Charity Officer/Special Projects (410) 260-3974; e-mail: [shawn.estrada@maryland.gov](mailto:shawn.estrada@maryland.gov)

## APPENDIX A

### STATUTORY AUTHORITY - (References are to the Annotated Code of Maryland)

ACTIVITY	AUTHORITY
Ceremonial Bill-Signing Pens	Custom and Tradition
Certifications	State Government Article, § 7-106
Charities & Fundraisers	Business Regulation Article, §§ 6-101 through 6-701
Charity Campaign, Maryland	Executive Order 01.01.1996.07
Condominiums	Real Property Article, Title 11
Cooperative Housing Conversions	Corporations and Associations Article, § 5-6B-05(a)(2)
Extraditions & Requisitions	Criminal Procedure Article, Title 9; Constitution of Maryland; Article II, § 23
Flag	Article 38A, § 44; Article 41, § 4-1003
Housing Authorities	Article 44A, Title 1
Notary Division	State Government Article, § 18-101 <i>et seq.</i>
Pardons and Commutations	Constitution of Maryland, Article II, § 20
Returnable Containers & Textiles	Business Regulation Article, §§ 19-301 through 19-307
Special Police & Railroad Police	Article 41, § 4-901 <i>et seq.</i> ; Article 23, § 256 <i>et seq.</i>
Time Shares	Real Property Article, Title 11A

## APPENDIX B

### Links to application and registration forms used by charities & legal services division:

FORM	LINK
Charity New Registration Form (more than \$25,000 in contributions)	<a href="https://sos.maryland.gov/Documents/COR-92.pdf">https://sos.maryland.gov/Documents/COR-92.pdf</a>
Charity Annual Renewal Registration Form (more than \$25,000 in contributions)	<a href="https://sos.maryland.gov/Documents/AnnualUpdateForm.pdf">https://sos.maryland.gov/Documents/AnnualUpdateForm.pdf</a>
Charity Financial Report Form (more than \$25,000 in contributions but no 990 or 990-EZ)	<a href="https://sos.maryland.gov/Documents/COF-85.pdf">https://sos.maryland.gov/Documents/COF-85.pdf</a>
Charity New and Renewal Registration Form (less than \$25,000 in contributions)	<a href="https://sos.maryland.gov/Documents/ExemptOrganizationFund.pdf">https://sos.maryland.gov/Documents/ExemptOrganizationFund.pdf</a>
Professional Solicitor, Fundraising Counsel, and Public Safety Solicitor Registration Form	<a href="https://sos.maryland.gov/Documents/RegisterSolicitorComboForm.pdf">https://sos.maryland.gov/Documents/RegisterSolicitorComboForm.pdf</a>
Professional Solicitor Fund-Raising Notice form	<a href="https://sos.maryland.gov/Documents/FundRaisingNotice.pdf">https://sos.maryland.gov/Documents/FundRaisingNotice.pdf</a>
Professional Solicitor Accounting Report form	<a href="https://sos.maryland.gov/Documents/PSAcctReport.pdf">https://sos.maryland.gov/Documents/PSAcctReport.pdf</a>
Professional Solicitor/Public Safety Solicitor Surety Bond	<a href="https://sos.maryland.gov/Documents/SuretyBond.pdf">https://sos.maryland.gov/Documents/SuretyBond.pdf</a>
Notary Online New and Renewal Application	<a href="https://www.egov.maryland.gov/sos/notary/#/home">https://www.egov.maryland.gov/sos/notary/#/home</a>
Notary Online Name and/or Address Change	<a href="https://www.egov.maryland.gov/sos/notary/#/home">https://www.egov.maryland.gov/sos/notary/#/home</a>
Remote Notary Notification Form	<a href="https://sos.maryland.gov/Notary/Documents/Remote-Notary-Notification-Form.pdf">https://sos.maryland.gov/Notary/Documents/Remote-Notary-Notification-Form.pdf</a>
Maryland Charity Campaign Application Form	<a href="https://mcc.maryland.gov/">https://mcc.maryland.gov/</a>
Condominium Application Form	<a href="https://sos.maryland.gov/Documents/condoapp.pdf">https://sos.maryland.gov/Documents/condoapp.pdf</a>
Timeshare Application Form	<a href="https://sos.maryland.gov/Documents/TimeshareApp.pdf">https://sos.maryland.gov/Documents/TimeshareApp.pdf</a>
Ceremonial Signing-Pen Request Form	<a href="https://sos.maryland.gov/Documents/PenRequest.pdf">https://sos.maryland.gov/Documents/PenRequest.pdf</a>
Manual Signature Application Form	<a href="https://sos.maryland.gov/Documents/ManualSignatureForm.pdf">https://sos.maryland.gov/Documents/ManualSignatureForm.pdf</a>

## APPENDIX C

### FLAG PROTOCOL: LOWERING THE U.S. FLAG AND MARYLAND STATE

By order of the Governor or authorized representative, the Maryland flag shall be flown at half-staff on any occasion deemed appropriate and for a period prescribed by Governor or representative. Executive Order 01.01.1999.30 26:22 MD. R. 1661 <http://www.dsd.state.md.us/comar/comarhtml/01/01.01.1999.30.htm> (October 22, 1999)

#### Presidential Proclamation, Death of: Public Official, Firefighter, Police Officer, Military Personnel:

Staff assigned to Flag Protocol is responsible to prepare and issue a notification to lower the U.S. Flag and Maryland State Flag when a Pres. Proclamation is issued, or the Governor orders the Maryland Flag lowered. The chart below states how long the flag is lowered, per Executive Order, the Governor has the discretion to prescribe a different time.

The following time frames are used when issuing a notice to lower the flag. **Note: Governor has the discretion to alter time frames to lower the Maryland Flag. Orders from the Governor supersede the chart below.**

President or Former President	30 days from day of death
Vice President	10 days from day of death
Chief Justice of the U.S	10 days from day of death
Retired Chief Justice of the U.S.	10 days from day of death
Speaker of the House	10 days from day of death
Associate Justice of the Supreme Court	Day of death until sunset on day of interment
Secretary of Executive or Military Department	Day of death until sunset on day of interment
Former Vice President	Day of death until sunset on day of interment
Governor of a State	Day of death until sunset on day of interment
Member of US Congress or Senate	Day of death and the following day
Former MD Congressman or US Senator	Day of interment from sunrise to sunset
MD Delegate/Senator/County Executive	Day of death until sunset on day of interment
Former MD Delegate/Senator/County Executive	Day of interment from sunrise to sunset
Former MD Governor	Day of death until sunset on day of interment
Former MD Cabinet Secretary	Day of interment from sunrise to sunset
MD Firefighter (line of duty)	Day of death until sunset on day of interment
MD Police Officer (line of duty)	Day of death until sunset on day of interment
MD Correctional Officer (line of duty)	Day of death until sunset on day of interment
Member of the Armed Forces from Maryland	Day of interment from sunrise to sunset
Presidential Proclamation	Follow instructions of proclamation

#### Armed Forces

- The U.S. Flag and Maryland State Flag are lowered from sunrise to sunset on the day of interment.
- Public law 110.41 authorizes the Governor to order that the U.S. flag be flown at half-staff in the event of the death of a member of the Armed Forces from that State who dies while serving on active duty. 4 U.S.C §7(m) (2016). <https://www.congress.gov/110/plaws/publ41/PLAW-110publ41.pdf>

#### Police Officer, Firefighter, or Correctional Officer killed in the line of duty:

- When a Police Officer, Firefighter, or Correctional Officer is killed in the line of duty (must be “line of duty”), the Maryland Flag is lowered immediately.
- An “updated” notification will be issued indicating the date to restore the Flags to Full Staff on day of interment.
- Eff February 9, 2018, H.R. 189 authorizes the Governor to lower U.S. Flag to half-staff in the event a first responder is killed in the line of duty. <https://www.gpo.gov/fdsys/search/pagedetails.action?packageId=BILLS-115hr1892eh>

**Local Jurisdictions:**

- County and municipal government officials may order the Maryland Flag lowered on property in their jurisdiction. Executive Order 01.01.1999.30, paragraph 5.04: "The Maryland flag should be flown at half-staff when ordered by county and municipal government officials on all property under their jurisdiction."

**The following events honor Heroes: BOTH the U.S. Flag and Maryland Flag are lowered at sunrise and raised at sunset**

<ul style="list-style-type: none"> <li>• May 15 -Peace Officers Memorial Day*</li> <li>• Memorial Day - <b>Half-Staff until 12 Noon**</b></li> <li>• Patriot Day - September 11</li> <li>• Fire Prevention Week - First Sunday in October</li> <li>• National Pearl Harbor Remembrance Day -December 7</li> </ul>	<p><i>*Flags are not lowered if Peace Officers Memorial Day conflicts with Armed Forces Day: the 3<sup>rd</sup> Sat. in May)</i></p> <p><i>**Memorial Day, flags are lowered until noon in honor of those who died in the line of duty and raised to full-staff at noon in honor of the living veterans</i></p>
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**The following event honors Fallen Heroes: ONLY the Maryland Flag is lowered at sunrise and raised at sunset**

- Civil Rights Heroes Day-February 20<sup>th</sup>. This day recognizes the courage, sacrifice, and relentless efforts of civil rights and abolition leaders throughout history and reaffirms our commitment to be a land of opportunity, hope, and justice for every citizen.
- Fallen Heroes Day-First Friday in May. The Maryland State Flag is lowered in honor of Maryland's emergency responders who died in the line of duty during the past year.
- Maryland Fire and Rescue Services Memorial Remembrance Day-First Sunday in June.

**POW/MIA and the Honor and Remember flags:**

POW/MIA flag, honors those that are Prisoners of War and Missing in Action

Honor and Remember flag, designed to honor all members of the Armed Forces who died in the line of duty

- Contact DGS 2-3 days in advance so they can display the flag.
- No notification is issued re: POW/MIA and Honor and Remember flags.
- On the State House, POW/MIA and Honor and Remember flags fly on:
  - Armed Forces Day (3<sup>rd</sup> Saturday in May)
  - Memorial Day
  - Independence Day
  - Veterans Day
  - Saturday & Sunday closest to Memorial & Veterans Day.
  - POW/MIA Recognition Day (3<sup>rd</sup> Friday in September)
- POW/MIA, Honor & Remember flags are flown on State Grounds on the right side of the building (facing Rowe Blvd)

With the exception of the State House, a State building that is a historic building, or a State building that has a flagpole attached to the building and is determined to be structurally unable to withstand additional flags being flown from the flagpole; the Secretary of General Services and the Secretary of Transportation shall cause the POW/MIA flag to be flown on the grounds of all State buildings under their control whenever the flag of the United States is flown (Annotated Code of Maryland, State Finance and Procurement Article, 4-210).

<http://mgaleg.maryland.gov/mgawebsite/Laws/StatuteText?article=gsf&section=4-210&enactments=false>

- POW/MIA flag is flown below the United States flag on state buildings.
- The POW/MIA flag is flown at half-staff when the United States flag is flown at half-staff. When only the Maryland flag is flown at half-staff, the POW/MIA flag is still flown at full-staff.

**Blue Star Flag:** “Formally known as the Blue Star Mothers of America, Inc. The Service flag is an official banner authorized by the Dept. of Defense under DoD Directive 1348.1, which implemented an act of Congress (U.S. Code 179-182) for display by families who have members serving in the Armed Forces during any period of war or hostilities the U. S. may be engaged in for the duration of such hostilities. Blue star represents 1 family member serving, banners display up to 5 stars. The Service flag may be displayed by an organization to honor members serving during a period of war or hostilities. While designed to be displayed in the window of a home, the State Senate building has chosen to fly it on a flagpole outside of the State Senate building. It should not be flown above the United States flag, Maryland flag, or POW/MIA flag on a flagpole. [Blue Star Mothers Service Flag](#). The American Legion rekindled a spirit of pride in our military following Sept. 11, 2001, terrorist attacks by providing banners to military families across the nation.” Source: [Blue Star Banner | The American Legion](#)