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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 1. ADMINISTRATION OF WELFARE AND INSTITUTIONS [148 - 153] (*Division 1 enacted by Stats. 1937, Ch. 369.*)

CHAPTER 2. Unattended Collection Boxes [150 - 153] (*Chapter 2 added by Stats. 2010, Ch. 75, Sec. 1.*)

150. For purposes of this chapter, the following definitions shall apply:

- (a) "Collection box" means an unattended cannister, box, receptacle, or similar device, used for soliciting and collecting donations of salvageable personal property.
- (b) "Commercial fundraiser" shall have the same meaning as in subdivision (a) of Section 12599 of the Government Code.
- (c) "Nonprofit organization" means an organization that is exempt from taxation pursuant to Section 501(c)(3) or 501(c)(4) of the United States Internal Revenue Code.
- (d) "Salvageable personal property" has the same meaning as in subdivision (b) of Section 148.

(*Added by Stats. 2010, Ch. 75, Sec. 1. (AB 918) Effective January 1, 2011.*)

151. (a) The front of every collection box shall conspicuously display both of the following:

(1) The name, address, telephone number, and, if available, the Internet Web address of the owner and operator of the collection box.

(2) A statement, in at least two-inch typeface, that either reads, "this collection box is owned and operated by a for-profit organization" or "this collection box is owned and operated by a nonprofit organization." For purposes of this chapter, a commercial fundraiser shall be classified as a for-profit organization.

(b) If the collection box is owned by a nonprofit organization, the front of the collection box shall also conspicuously display a statement describing the charitable cause that will benefit from the donations.

(c) If the collection box is owned by a for-profit entity, the front of the collection box shall also conspicuously display a statement that reads "this donation is not tax deductible." If the collection box is owned and operated by a commercial fundraiser, the commercial fundraiser may post notice of donations to a charitable cause only on the sides of the box. This notice shall always be smaller in size than the for-profit entity's name and address and shall constitute only 25 percent of the notice space of the box.

(*Added by Stats. 2010, Ch. 75, Sec. 1. (AB 918) Effective January 1, 2011.*)

152. A city, county, or city and county shall have the authority to declare a box that is in violation of this chapter to be a public nuisance and to abate that nuisance accordingly.

(*Added by Stats. 2010, Ch. 75, Sec. 1. (AB 918) Effective January 1, 2011.*)

153. Nothing in this chapter shall be construed to do either of the following:

- (a) Supersede or in any way limit existing authority of the Department of Justice over fundraising for charitable purposes.
- (b) Limit or infringe upon the powers of a city, county, or city and county to impose additional requirements upon the solicitation and sale of salvageable personal property within its jurisdiction.

(*Added by Stats. 2010, Ch. 75, Sec. 1. (AB 918) Effective January 1, 2011.*)