



How to File a Charity Registration

One of the requirements many states implement for nonprofit organizations is the charity registration. Whenever any individual or organization raises funds for a charitable purpose, the state typically wants to know about it. This is an attempt to prevent scam organizations from presenting themselves as legitimate 501(c)(3) charities.

The process for this ranges widely between states (e.g. Ohio's simple online platform to Massachusetts' 14-page Form PC). The following is a list of information and documents likely needed, regardless of the size of the organization.

To get started, you will need:

- › The organization's officer information
- › Articles of Incorporation and/or bylaws
- › The fiscal year end
- › Profit/loss statements
- › 990, 990EZ, or 990N e-Postcard
- › IRS determination letter (PBUSA membership certificate)

Step 1. Determine the correct office and filing process. The simplest thing to do is run a search for "[state] charity registration" in your preferred search engine. The state department website (or form itself) should be one of the first few options.

Practice tip: It is important to ensure you are filing with the state itself. There are many websites which resemble a government agency but are a separate filing company.

Step 2. Ensure you are using the correct form. There are a few things to look for in searching for the correct form. Most states have a form for the initial registration, then a variety of forms for the renewal filing which are based on income categories.

Practice tip: Many states offer exemptions. These exemptions may be in the form of not paying state fees, submitting different paperwork, or not submitting anything. The state department will have specific information on various exemptions.

Step 3. Determine the due date. The due date may be found in a few different places, such as, the state website, the form itself, or included on the instructions of the form. Some states, such as, Wisconsin, will have a due date for payment and a separate due date for the paperwork.

Practice tip: Don't have the information yet? Many states offer extensions. This requires the same type of research from Step 1 of these instructions.

Step 4. Work through the form. The charity registration is unique and asks a lot of different questions. These questions are designed to report clear conflicts of interest, if people handling money have been convicted for various crimes, and a variety of other scenarios. These questions are not designed to be tricky, so answer them as best you can. If you have questions, feel free to call PBUSA, the state department, or a nonprofit accountant/attorney.

Practice tip: If you are doing an annual renewal and there have been significant changes to your organization (name, bylaws, purpose), you may need to attach the articles of amendment or relevant document to the charity renewal.

Step 5. Complete the financial section. There is usually a section of the form for reporting income and expenses. Be aware of how the state defines each line. For example, when filing an IRS tax return, contributions are defined as money given with nothing in return. Some states may define contributions as money given, merchandise sold, fundraising income, etc.

Step 6. Attach required documents. The charity form itself will usually have a list of attachments. If it is an online submission, there will be a page that has a list of the needed forms.

New Jersey page:

Uploaded Documents

Step instructions go here.

Document Type	Upload Status	Uploaded On
✓ Bylaws	Uploaded	9/13/2018, 11:36:49 AM
✓ Articles of incorporation or Formation Documents	Uploaded	9/13/2018, 11:36:14 AM
✓ IRS Determination letter (or IRS 1023)	Uploaded	9/13/2018, 11:37:44 AM
✓ CRI 200 Signature Page	Uploaded	9/13/2018, 11:38:08 AM

Practice tip: Audits! Many states require an audit when gross contributions exceed a certain amount. An audit is when a Certified Public Accountant (CPA) counts all the receipts and writes a report similar to the 990EZ or 990. These audits are usually only required when contributions go over \$100,000.

Step 7. Understand conflicts of interest. Some states may require a conflict of interest clause. Conflict of interest clauses help to protect the charitable purpose of the organization. A sample conflict of interest clause may be found in PBUSA's sample bylaws.

Step 8. Understand the use of professional fundraisers. There are a variety of individuals or organizations that will fundraise on your behalf – these are referred to as professional fundraisers. These individuals or companies plan an entire fundraising campaign and take a percentage of the earnings after the campaign ends.

Practice tip: Most states will have a section of the registration designated to professional fundraisers. You may need specific information, such as, a registration number. The best source of information will be the professional fundraiser themselves; they should be familiar with the charity registration.

Step 9. Sign the form and submit. Pay close attention to who is required to sign the form and in how many places.

Congratulations! You have completed the charity registration or renewal. Based on the state laws, you should now be able to begin fundraising!



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