

CHARITABLE REGISTRATIONS AND EXEMPTIONS FOR MEMBERSHIP ORGANIZATIONS

As of September 13th, 2018

STATE	MEMBERSHIP ORGANIZATION DEFINITION AND EXEMPTION	REGISTRATION OR EXEMPTION?
Alabama	<p>Definition: Ala. Code §13A-9-70(5) "Contribution". The promise or grant of any money or property of any kind or value, including the promise to pay, <u>except payments by members of an organization for membership fees, dues, fines, or assessments, or for services rendered to individual members, if membership in the organization confers a bona fide right, privilege, professional standing, honor, or other direct benefit, other than the right to vote, elect officers, or hold offices, and except money or property received from any governmental authority.</u></p> <p>Exemption: Ala. Code §13A-9-71(f) The following persons shall not be required, pursuant to this article, to register with the Attorney General: ... (5) Civic leagues and civic organizations which solicit contributions solely from their own membership.</p>	<p>Exemption application required. (Available online.)</p>
Alaska	<p>Definition: No definition is provided in the statute.</p> <p>Exemption: AS 45.68.120(a) Registration is not required under AS 45.68.010 for... (3) a charitable organization that does not intend to raise or receive contributions, excluding government grants, in excess of \$5,000 during a fiscal year of the charitable organization, or that does not intend to receive contributions from more than 10 persons during a fiscal year of the charitable organization if, in either situation, A). all of the organization's functions, including solicitation, are performed by persons who are not paid for their services; and B). an officer or member of the organization is not paid or does not otherwise receive all or a part of the assets or income of the charitable organization;... Rule 9 AAC 12.070. In determining whether an organization is exempt from registration under AS 45.68.120(a)(3), the organization may exclude the following: 1.receipts from membership dues if the organization restricts <u>membership to persons engaged in particular vocation or trade.</u></p>	<p>Registration required, unless \$5,000 exemption is applicable.</p>
Arizona	Arizona has limited registration requirements applicable only to veterans organizations.	N/A
Arkansas	No exemption available. Membership organizations must register to solicit.	Registration required.
California	No exemption available. Membership organizations must register to solicit.	Registration required.

This chart is for informational purposes only and is not a substitute for professional legal and/or tax advice. While COGENCY GLOBAL makes every attempt to keep this information correct and current, you should review the relevant state statutes and seek competent professional legal/accounting advice when making decisions concerning corporate and charitable business entity filings. COGENCY GLOBAL does not provide legal and/or accounting advice or services.

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Colorado	<p>Definition: Colo. Rev. Stat. §6-16-111 (1.5)(c) ..."membership organization" means an organization that is a tax-exempt nonprofit organization under 26 U.S.C. sec. 501 (c) of the federal Internal Revenue Code of 1986, as amended, and has members who pay regular membership dues. §6-16-103 (5) "Contribution" means the grant, promise, or pledge of money, credit, property, financial assistance, or any other thing of value in response to a solicitation. "Contribution" does not include...<u>bona fide fees, dues, or assessments paid by members of a charitable organization if membership is not conferred primarily as consideration for making a contribution in response to a solicitation.</u></p> <p>Exemption: Colo. Rev. Stat. §6-16-104 (6) The following are not required to file a registration statement: (c) Charitable organizations that do not intend to and do not actually raise or receive gross revenue, excluding grants from governmental entities or from organizations exempt from federal taxation under section 501(c) (3) of the federal Internal Revenue Code of 1986, as amended, in excess of twenty-five thousand dollars during a fiscal year or do not receive contributions from more than ten persons during a fiscal year. The exemption authorized in this paragraph (c) shall not apply to a charitable organization that has contracted with a paid solicitor to solicit contributions in this state for the organization.</p>	Registration required, unless \$25,000 exemption is applicable. <u>(If exempt, online application optional.)</u>
Connecticut	<p>Definition: Conn. Gen. Stat. §21a-190a (5) "Contribution" means the grant, promise or pledge of money, credit, property, financial assistance or other thing of any kind or value in response to a solicitation. "Contribution" shall not include <u>bona fide fees, dues or assessments paid by members, provided membership is not conferred solely as consideration for making a contribution in response to a solicitation.</u> (12) "Membership" means that which entitles a person to the privileges, professional standing, honors or other direct benefit of the organization and the rights to vote, elect officers and hold office in the organization.</p> <p>Exemption: Conn. Gen. Stat. §Sec. 21a-190d. The following charitable organizations shall not be subject to the provisions of Sections 21a-190b and 21a-190c, provided each such organization shall submit such information as the department may require to substantiate an exemption under this section in a form prescribed by the commissioner: (6) Any charitable organization which normally receives less than fifty thousand dollars in contributions annually, provided such organization does not compensate any person primarily to conduct solicitations.</p>	Registration required, unless \$50,000 exemption is applicable. <u>(If exempt, application required.)</u>
Delaware	No state charitable registration requirements for charities/nonprofits.	N/A
DC	<p>Definition: No definition is provided in the statute.</p> <p>Exemption: DC Code §44-1703 (a) No person shall solicit in the District of Columbia unless he holds a valid certificate of registration authorizing such solicitation... (c) The provisions of subsection (a) of this section and §§ 44-1704, 44-1705, 44-1706, and 44-1708 shall not apply to any person making solicitations:...(2) Exclusively among the membership of the soliciting agency.</p>	<u>Exemption application required.</u>

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Florida	<p>Definition: Fla. Stat. §496.404 (16) “Membership” means the relationship of a person to an organization which entitles her or him to the privileges, professional standing, honors, or other direct benefit of the organization in addition to the right to vote, elect officers, and hold office in the organization. (5) “Contribution” means the promise, pledge, or grant of money or property, financial assistance, or any other thing of value in response to a solicitation...<u>The term does not include: (a) Bona fide fees, dues, or assessments paid by members if membership is not conferred solely as consideration for making a contribution in response to a solicitation;</u></p> <p>Exemption: Fla. Stat. §496.406 Exemption from registration.— (1) The following charitable organizations and sponsors are exempt from the requirements of s. 496.405: ...<u>(b) A charitable organization or sponsor that limits solicitation of contributions to the membership of the charitable organization or sponsor.</u> For the purposes of this paragraph, the term “membership” does not include those persons who are granted a membership upon making a contribution as a result of a solicitation. ...<u>(5) Any charitable organization which does not have any agreement with a paid solicitor and whose total revenue from contributions has been less than \$25,000.00 for both the immediately preceding and current calendar years.</u></p>	Exemption letter optional.
Georgia	<p>Definition: GA. Code §43-17-2. (11) “Membership” or “member” means a status by which, for the payment of fees, dues, assessments, and other similar payments, an organization provides services to the payor and confers on the payor a bona fide right, privilege, professional standing, honor, or other direct benefit other than the right to vote, elect officers, or hold offices. The term “membership” or “member” shall not be construed to apply to a person on whom an organization confers a membership solely as a consideration for making a contribution.</p> <p>Exemption: GA. Code §43-17-9. (a) The following persons are exempt from the provisions of Code Sections 43-17-5, 43-17-6, and 43-17-8: ...<u>(2) Business, professional, and trade associations and federations which do not solicit members or funds from the general public;</u> (3) <u>Fraternal, civic, benevolent, patriotic, and social organizations, when solicitation of contributions is carried on by persons without any form of compensation and which solicitation is confined to their membership.</u></p>	Exemption letter optional.

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Hawaii	<p>Definition: Haw. Rev. Stat. §467B-1. “Membership” means membership in a charitable organization that provides services and confers a bona fide right, privilege, professional standing, honor or other direct benefit upon its members, in addition to the right to vote, elect officers or hold offices, upon the payment of fees, dues, assessments, etc. The term does not include those persons who are granted a membership upon making a contribution as a result of solicitation. ... “Contribution” means the promise or grant of any money or property of any kind or value, including the promise to pay, <u>except payments by members of a charitable organization for membership fees, dues, fines, or assessments, or for services rendered to individual members, if membership in the charitable organization confers a bona fide right, privilege, professional standing, honor, or other direct benefit, other than the right to vote, elect officers, or hold offices</u>, and except money or property received from any governmental authority, or a grant or subsidy from any organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code.</p> <p>Exemption: Haw. Rev. Stat. §467B-11.5 The following charitable organizations shall not be subject to Sections 467B-2.1 and 467B-6.5, if the organization submits an application for an exemption to the department and the department approves the organization's application:... (8) Any charitable organization that normally receives less than \$25,000 in contributions annually, <u>if the organization does not employ or compensate a professional solicitor or professional fundraising counsel</u>. For purposes of this paragraph, an organization normally receives less than \$25,000 in contributions annually if, during the immediately preceding three fiscal years, it received, on average, less than \$25,000 in contributions.</p>	<p>Registration required, unless \$25,000 exemption is applicable. <u>(If exempt, online application required.)</u></p>
Idaho	No state charitable registration requirements for charities/nonprofits.	N/A
Illinois	<p>Definition: No definition is provided in the statute.</p> <p>Exemption: 225 ILCS §460/3. ... (b) The following persons shall not be required to register with the Attorney General:... 2. Fraternal, patriotic, social, educational, alumni organizations and historical societies when solicitation of contributions is confined to their membership. This exemption shall be extended to any subsidiary of a parent or superior organization exempted by Sub-paragraph 2 of Paragraph (b) of Section 3 of this Act [225 ILCS 460/3] where such solicitation is confined to the membership of the subsidiary, parent or superior organization.</p>	Exemption letter optional.
Indiana	No state charitable registration requirements for charities/nonprofits.	N/A
Iowa	No state charitable registration requirements for charities/nonprofits.	N/A
Kansas	<p>Definition: No definition is provided in the statute.</p> <p>Exemption: Kan. Stat. §17-1762. The following persons shall not be required to register with the secretary of state: ... (b) fraternal, patriotic, social, educational, alumni organizations and historical societies <u>when solicitation of contributions is confined to their membership</u>. This exemption shall be extended to any subsidiary of a parent or superior organization exempted by this subsection where such solicitation is confined to the membership of the subsidiary, parent or superior organization.</p>	Exemption letter optional.

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Kentucky	<p>Definition: K.R.S. §367.650 (3) “Contribution” means the grant, promise, or pledge of money, credit, property, financial assistance, or other thing of any kind or value in response to a solicitation for a charitable or civic purpose. <u>It does not include: (a) Bona fide fees, dues, or assessments paid by members, if that membership is not conferred solely as consideration for making a contribution in response to a solicitation;</u></p> <p>Exemption: K.R.S. §367.660. The following solicitations are exempt from the provisions of KRS 367.650 to 367.670: (1) Solicitations by an organization of contributions from its members and their families only, if membership is not included in a solicitation to avoid the provisions of KRS 367.650 to 367.670, is not granted upon the basis of contributions alone, and is within the exception of KRS 367.650(3).</p>	Exemption letter optional.
Louisiana	<p>Definition: No definition is provided in the statute.</p> <p>Exemption: There is no exemption in the statute for membership organizations, however, under Louisiana law, <u>only charitable organizations that use a professional solicitor are required to register annually</u> with the Louisiana Attorney General’s Office. Religious organizations, educational institutions and hospitals are also exempt, even if they employ solicitors.</p>	Exemption letter optional.
Maine	<p>Definition: 9 M.R.S. §5003 (5-E) “Membership” means the relationship of a person to an organization that entitles that person to the privileges, professional standing, honors or other direct benefits of the organization in addition to the right to vote, elect officers and hold office in the organization. (4) “Contribution” means the promise or grant of any money or property of any kind or value, including the payment or promise to pay in consideration of a sale, performance or event of any kind which is advertised in conjunction with the name of any charitable organization. <u>This definition does not include: A. Payments by members of an organization for membership fees, dues, fines or assessments, or for services rendered to individual members, if membership in the organization confers a bona fide right, privilege, professional standing, honor or other direct benefits, other than the right to vote, elect officers or hold offices;</u></p> <p>Exemption: 9 M.R.S. §5006. (1) The following charitable organizations, persons and institutions are exempt from the license requirements of Section 5004: A. Organizations that solicit primarily within their membership and do not contract with a professional solicitor. For purposes of this paragraph, the term “membership” does not include those persons who are granted a membership upon making a contribution as a result of a solicitation;...D. Charitable organizations that do not intend to solicit and receive and do not actually solicit or receive contributions from the public in excess of \$35,000 during a calendar year or do not receive contributions from more than 35 persons during a calendar year, if the charitable organizations do not contract with professional solicitors and if no part of the assets or income inures to the benefit of or is paid to any officer or member. If a charitable organization that does not intend to solicit or receive contributions from the public in excess of \$35,000 or does not intend to receive contributions from more than 35 persons during a calendar year does actually solicit or receive contributions in excess of that amount, whether or not all such contributions are received during a calendar year, or actually receives contributions from more than 35 persons during a calendar year, the charitable organization, within 30 days after the date contributions reach \$35,000 or the number of contributors reaches 35, must be licensed with the director as required by this Act.</p>	Exemption letter optional.

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Maryland	<p>Definition: Business Regulation Article §6-101 (2) “Charitable contribution” includes the payment, transfer, or enforceable pledge of financial help, including money, credit, property, or services. (3) “Charitable contribution” does not include: ... (iii) <u>membership assessments, dues, or fines;</u> ... 6-102(a) “Member” defined. — (1) In this section, “member” includes a student, former student, parent of a student or former student, present or former board member, and staff member of an accredited school, college, or university. (2) In this section, “member” does not include an individual who is granted membership on making a charitable contribution as the result of a charitable solicitation. Title 1, Subtitle 2, Ch. 4.01 J. “Membership” means that for the payment of fees, dues, assessments, and similar obligations, an organization provides services and confers a bona fide right, privilege, professional standing, honor, or other direct benefit, in addition to the right to vote, elect officers, or hold office. It does not include those persons who are granted a membership solely on the basis of making a contribution as a result of solicitation. In the case of an accredited school, college, or university, the students, alumni, their parents, past and present board members, and school personnel shall be considered members of the organization.</p> <p>Exemption: Business Regulation Article §6-102 (c)(1) Except as provided in paragraph (2) of this subsection, a charitable organization is exempt from the registration and disclosure requirements of this title if the charitable organization: (i) <u>does not employ a professional solicitor;</u> and ...3. solicits charitable contributions only from its members; ... 4. does not receive more than \$25,000 in charitable contributions from the public during the year for which a registration statement and annual report otherwise would be required.</p>	Exemption letter required.
Massachusetts	<p>Definition: Mass. Gen. Law, Chapter 68 §18. “Contributions”, the promise or grant of any money, property, credit, financial assistance, sponsorship or anything of value including the payment or promise to pay in consideration of a performance, event or sale of a good or service by a charitable organization or a commercial co-venturer. <u>Payments by members of a charitable organization for membership fees, dues, fines or assessments or for services rendered to individual members, if such fees, dues, fines or assessments confer a bona fide right, privilege, professional standing, honor or other direct benefit, shall not be deemed contributions;</u></p> <p>Exemption: Mass. Gen. Law, Chapter 68 §20. The following shall not be required to file registration statements with the division or to have a certificate of registration under section nineteen:...(2) charitable organizations which do not actually raise or receive contributions from the public in excess of five thousand dollars during a calendar year or do not receive contributions from more than ten persons during a calendar year, if all of their functions, including fund-raising activities, are carried on by persons who are unpaid for their services and if no part of their assets or income inures to the benefit of, or is paid to any officer or member; provided, however, that if the contributions raised from the public, whether or not all is received by any charitable organization during any calendar year, is in excess of five thousand dollars, it shall within thirty days after the date it shall have received total contributions in excess of five thousand dollars, register with and report to the division as required by section nineteen.</p>	Registration required, unless \$5,000 exemption is applicable.

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Michigan	<p>Definition: M.C.L. §400.272(d) “Contribution” means a promise, grant, or payment of money or property of any kind or value, including a promise to pay, <u>except payments by members of an organization for membership fees, dues, fines, or assessments, or for services rendered to individual members, if membership in the organization confers a bona fide right, privilege, professional standing, honor, or other direct benefit, other than the right to vote, elect officers, or hold offices, and except money or property received from a governmental authority or foundation restricted as to use.</u></p> <p>Exemption: M.C.L. §400.283. A charitable organization's registration and reporting requirements under this act do not apply to any of the following: ... (b) A charitable organization that does not intend to solicit and receive and does not actually receive contributions of more than \$25,000.00 during any 12-month period if all of its fund-raising functions are carried on by persons that are unpaid for their services and if the organization makes available to its members and the public a financial statement of its activities for its most recent fiscal year. If the gross contributions received during any 12-month period exceed \$25,000.00, the person shall register under this act within 30 days after the date its total contributions in that fiscal year exceed \$25,000.00. (c) A charitable organization that <u>does not invite the general public to become a member of the organization and confines solicitation activities to solicitation drives solely among its members, directors, trustees, or their immediate families.</u> As used in this subdivision, “immediate family” means the grandparents, parents, spouse, brothers, sisters, children, and grandchildren of a member, director, or trustee. [This includes a private foundation for IRS tax purposes that receives contributions solely from incorporators, directors, stockholders or their families, or from a sponsoring business.]</p>	<u>Exemption application required.</u>
Minnesota	<p>Definition: No definition is provided in the statute.</p> <p>Exemption: Minn. Stat. §309.515. Subdivision 1. Subject to the provisions of subdivisions 2 and 3, sections 309.52 and 309.53 shall not apply to any of the following: ... (d) A fraternal, patriotic, social, educational, alumni, professional, trade or learned society <u>which limits solicitation of contributions to persons who have a right to vote as a member.</u> The term “member” shall not include those persons who are granted a membership upon making a contribution as the result of a solicitation.</p>	<u>Exemption application required.</u>

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Mississippi	<p>Definition: Miss. Code §79-11-501. (d) “Contribution” means the promise or grant of any money or property of any kind or value, including the promise to pay, <u>except payments by members of an organization for membership fees, dues, fines, assessments or for services rendered to individual members, if membership in such organization confers a bona fide right, privilege, professional standing, honor or other direct benefit, other than the right to vote, elect officers or hold offices</u>, and except money or property received from any governmental authority.</p> <p>Exemption: Miss. Code §79-11-505. (1) The registration provisions of Sections 79-11-503 and the reporting provisions of Section 79-11-507 shall not apply to the following organizations:...(b) Fraternal, patriotic, social, educational, alumni organizations and historical societies <u>when solicitation of contributions is made solely by their membership</u>; however, posts of the American Legion and posts of the Veterans of Foreign Wars of the United States may utilize nonmembers to assist designated supervisors in the conduct of bingo under the Charitable Bingo Law and qualify for this exemption. This exemption shall be extended to any subsidiary of a parent or superior organization if such solicitation is made solely by the membership of the subsidiary, parent or superior organization. ... (d) Any charitable organization which does not intend to solicit and receive and does not actually receive contributions in excess of Twenty-five Thousand Dollars (\$25,000.00) during any twelve-month period ending June 30 of any year or on such other date as prescribed by rule, provided all of its fund-raising functions are carried on by persons who are unpaid for such services. However, if the gross contributions received by such charitable organization during any twelve-month period ending June 30 of any year or other date as prescribed by rule shall be in excess of Twenty-five Thousand Dollars (\$25,000.00) it shall, within thirty (30) days after the date it shall have received total contributions in excess of Twenty-five Thousand Dollars (\$25,000.00), register with and report to the Secretary of State as required by this chapter.</p>	<p><u>Exemption application required.</u> <u>(Available online.)</u></p>
Missouri	<p>Definition: No definition is provided in the statute.</p> <p>Exemption: M.R.S. §407.456(2). The provisions of sections 407.459 and 407.462, and subsection 1 of section 407.469 shall not apply to the following: ... (3) Fraternal, benevolent, social, educational, alumni, and historical organizations, and any auxiliaries associated with any of such organizations, when solicitation of contributions is confined to the membership of such organizations or auxiliaries; ... (6) Any organization that has obtained an exemption from the payment of federal income taxes as provided in section 501(c)(3), 501(c)(7) or 501(c)(8) of Title 26, United States Code, as amended, if, in fact, no part of the net earnings of the organization inure to the benefit of any private party or individual associated with such organization.</p>	<p>Exemption letter required.</p>
Montana	No state charitable registration requirements for charities/nonprofits.	N/A
Nebraska	No state charitable registration requirements for charities/nonprofits.	N/A
Nevada	No exemption available. Membership organizations must register to solicit.	Registration required.
New Hampshire	No exemption available. Membership organizations must register to solicit.	Registration required.

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New Jersey	<p>Definition: N.J. Stat. §45:17A-20 “Contribution” means the conveyance, promise or pledge of money, credit, property, financial assistance or other thing of any kind or value in response to a solicitation. <u>It does not include any of the following: bona fide fees, dues or assessments paid by members provided that membership is not conferred solely as consideration for making a contribution in response to a solicitation; moneys received pursuant to a governmental grant or contract; or, personal services rendered by a volunteer.</u> ... “Membership” means a relationship which entitles a person to the privileges, professional standing, honors or other direct benefit of the organization and either the right to vote or elect officers, or hold office in the organization. Membership shall not include any relationship granted solely upon making a contribution as a result of a solicitation.</p> <p>Exemption: N.J. Stat. §45:17A-26 (c). The registration requirements of P.L.1994, c.16 (C.45:17A-18 et seq.) shall not apply to any charitable organization or organizations engaging in a charitable fund raising campaign which do not receive gross contributions in excess of \$10,000 during a fiscal year, if all of its functions, including fund raising activities, are carried on by volunteers, members, officers or persons who are not compensated for soliciting contributions, except that if the gross contributions, whether or not all is received by any charitable organization during any fiscal year, are in excess of \$10,000 the charitable organization shall, within 30 days after the date on which it shall have received the contributions, register with and report to the Attorney General as required by Section 7 of P.L.1994, c.16 (C.45:17A-24).</p>	Registration required, unless \$10,000 exemption is applicable.
New Mexico	No exemption available. Membership organizations must register to solicit.	Registration required.
New York	<p>Definition: N.Y. Exec. Law, Article 7-A §171-a (2). “Contribution” The promise or grant of any money or property of any kind or value, whether or not in combination with the sale of goods, services, entertainment or any other thing of value, including a grant or other financial assistance from any agency of government, <u>except payments by members of any organization for membership, for services or other benefit, other than the right to vote for directors or trustees, elect officers, or hold offices.</u> (8). “Membership” The collective body of any charitable organization comprised of persons having voting rights and other powers of governance.</p> <p>Exemption: N.Y. Exec. Law, Article 7-A §172-a (2). The following persons shall not be required to register with the attorney general:...(b) Fraternal, patriotic, social, alumni, law enforcement support organizations and historical societies chartered by the New York state board of regents when solicitation of contributions is confined to their membership. EPTL Section 91.3. (a) EPTL registration exemption claims. An organization is exempt from registration under the EPTL if it fits any of the following definitions: ... (8) Organization is a membership organization (fraternal, patriotic, social, student, alumni, veterans) (EPTL Section 8-1.4[b][6]). (b) Article 7-A registration exemption claims. An organization is exempt from registration under Article 7-A if it fits any of the following definitions: ... (9) Organization is a membership organization (fraternal, patriotic, social or alumni) that confines its solicitation of contributions to its membership (Article 7-A Section 172-a.2[b]). (10) Organization is a law enforcement support organization that confines its solicitation of contributions to its membership (Article 7-A Section 172-a.2[b]). (11) Organization is a historical society chartered by the Board of Regents of the State University of New York that confines its solicitation of contributions to its membership (Article 7-A Section 172- a.2[b]).</p>	Exemption application optional.

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North Carolina	<p>Definition: N.C.G.S. §131F-2. (5) “Contribution” means a promise, pledge, grant of any money or property, financial assistance, or any other thing of value in response to a solicitation. “Contribution” includes, in the case of a charitable organization or sponsor offering a good or service to the public, the excess of the price at which the charitable organization or sponsor or any person acting on behalf of the charitable organization or sponsor sells the good or service to the public over the fair market value of the good or service. <u>“Contribution” does not include bona fide fees, dues, or assessments paid by members if the membership is not conferred solely as consideration for making a contribution in response to a solicitation.</u> “Contribution” does not include funds obtained by a charitable organization or sponsor under government grants or contracts. (13) “Membership” means the relationship of a person to an organization that entitles that person to the privileges, professional standing, honors, or other direct benefits of the organization in addition to the right to vote, elect officers, and hold office in the organization.</p> <p>Exemption: N.C.G.S. §131F-3 (3) The following are exempt from the provisions of this Chapter:...Any person who receives less than twenty-five thousand dollars (\$25,000) in contributions in any calendar year and does not provide compensation to any officer, trustee, organizer, incorporator, fund-raiser, or solicitor.</p>	Registration required, unless \$25,000 exemption is applicable. <u>(If exempt, application required.)</u>
North Dakota	No exemption available. Membership organizations must register to solicit.	Registration required.
Ohio	<p>Definition: Ohio Rev. Code §1716.01 (E) “Contribution” means the promise, pledge, or grant of any money or property, financial assistance, or any other thing of value in response to a solicitation. <u>“Contribution” does not include any bona fide fees, or any dues or assessments paid by members</u>, provided that membership is not conferred solely as a consideration for making a contribution in response to a solicitation.</p> <p>Exemption: Ohio Rev. Code §1716.03. The following shall not be required to file a registration statement as provided in Section 1716.02 of the Revised Code: ... (D) Every person other than an individual, when solicitation of contributions for a charitable purpose or on behalf of a charitable organization is confined to its existing membership, present or former employees, or present or former trustees;...(G) Any charitable organization that does not receive gross revenue, excluding grants or awards from the government or an organization that is exempt from federal income taxation under section 501(a) and described in section 501(c)(3) of the Internal Revenue Code, in excess of twenty-five thousand dollars during its immediately preceding fiscal year, if the organization does not compensate any person primarily to solicit contributions.</p>	<u>Exemption application optional.</u> <u>(Available online.)</u>
Oklahoma	<p>Definition: No definition is provided in the statute.</p> <p>Exemption: Okla. Stat. §552.4 Except as otherwise specifically provided in the Oklahoma Solicitation of Charitable Contributions Act, the provisions of Sections 552.3 of this title shall not apply to the following persons:...(3) Fraternal organizations, when soliciting from their own members, and patriotic and civic organizations, when solicitation of contributions is confined to the membership of said organizations, and the solicitation is managed by their own membership without paid solicitors.</p>	Exemption letter optional.

CHARITABLE REGISTRATIONS AND EXEMPTIONS FOR MEMBERSHIP ORGANIZATIONS

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Oregon	<p>Definition: O.R.S. §128.620 (1) “Charitable corporation” means any nonprofit corporation organized under the laws of this state for charitable or eleemosynary purposes and any similar foreign corporation doing business or holding property in this state for such purposes. The mere making of grants or donations to institutions or beneficiaries within the State of Oregon, or the investigation of applicants for such grants or donations, does not constitute doing business in this state. However, the solicitation of funds for charitable purposes in this state shall constitute doing business therein. (3) “Charitable organization” includes charitable corporations, trustees and other charitable organizations not specifically exempted from the application of ORS 128.610 to 128.769.</p> <p>Exemption: O.R.S. §128.630 Application of ORS 128.610 to 128.769. (1) ORS 128.610 to 128.769 apply to all <u>charitable organizations</u> holding property for charitable purposes over which the state or the Attorney General has enforcement or supervisory powers. (2) ORS 128.610 to 128.769 shall apply regardless of any contrary provisions of any instrument. Ore. Admin. Rules §137-010-0005 General Registration (1) <u>Charitable organizations</u>, including trustees of charitable remainder trusts, which hold property for charitable purposes over which the State or the Attorney General has enforcement or supervisory power are required to register with the Charitable Activities Section of the office of the Attorney General.</p> <p>Note: On the Oregon Secretary of State's website, in the <i>Nonprofit Glossary of Terms</i>, “mutual benefit corporations” include all other nonprofit corporations which are not classified as public benefit or religious corporations. Mutual benefit corporations are typically organized for the benefit of the organization's membership. Examples of mutual benefit nonprofit corporations include social clubs, business leagues and veterans groups. The Charitable Activities Section of the Oregon Department of Justice has stated that the charitable registration statute and rules apply to charitable nonprofits, and that mutual benefit nonprofits are generally not considered charitable (excluded by definition). Also, the Charitable Activities Section's website indicates that “corporation(s) organized in Oregon as a mutual benefit nonprofit” are not required to register to solicit in Oregon.</p>	Registration required, unless incorporated or qualified in Oregon as a “mutual benefit corporation”.
Pennsylvania	<p>Definition: 10 P.S. §162.3 “Contribution” The promise, grant or pledge of money, credit, property, financial assistance or other thing of any kind or value, excluding volunteer services, in response to a solicitation, including the payment or promise to pay in consideration of a performance, event or sale of a good or service. <u>Payment by members of an organization for membership fees, dues, fines or assessments or for services rendered to individual members, if such fees, dues, fines or assessments confer a bona fide right, privilege, professional standing, honor or other direct benefit, shall not be deemed contributions</u>, provided that membership is not conferred solely as consideration for making a contribution in response to a solicitation.</p> <p>Exemption: 10 P.S. §162.6 (a) The following charitable organizations shall be exempt from the registration requirements of this act: .. (8) Any charitable organization which receives contributions of \$25,000 or less annually, provided that such organization does not compensate any person who conducts solicitations. Charitable organizations which receive more than \$25,000 in contributions shall file the appropriate registration statement within 30 days after the contributions are received.</p>	Registration required, unless \$25,000 exemption is applicable. <u>(If exempt, application required.)</u>

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Rhode Island	<p>Definition: R.I. Gen. Laws §5-53.1-1. (3) “Contribution” means the promise or grant of any money, property or anything of value obtained through solicitation <u>except payments by members of any organization for fees, dues, fines, assessments, or for services rendered to individual members.</u> (8) “Membership” means the collective body of any charitable organization comprised of persons having voting rights and other powers of governance and who derive a direct benefit or privilege as a member thereof.</p> <p>Exemption: R.I. Gen. Laws §5-53.1-3. (a) The following persons shall not be required to file a registration statement with the department: ... (3)(i) Any charitable organization which does not intend to solicit and receive and does not actually raise or receive contributions in excess of twenty-five thousand dollars (\$25,000) during a fiscal year of the charitable organization, <u>provided none of its fundraising functions are carried on by professional fund raisers</u> and no part of its assets or income inures to the benefit of or is paid to any officer, director, member (if a limited liability company), trustee, partner or member of the charitable organization. ... (4) Organizations which solicit only from their own membership. The term “membership” shall not include those persons who are granted a membership upon making a contribution as the result of a solicitation.</p>	Exemption letter optional.
South Carolina	<p>Definition: S.C. Code §33-56-20. (4) “Contribution” means the promise, grant, or pledge of money, credit, assistance, or property of any kind or value. <u>It does not include bona fide fees, dues, assessments, or sponsorships paid by members of an organization if membership is not conferred solely as consideration for making a contribution</u> in response to a solicitation, and the monetary value of the fees, dues, assessments, or sponsorships compares reasonably with the monetary value of benefits provided to members. Fees, dues, assessments, or sponsorships paid by members primarily to support the organization’s activities, and not to obtain benefits of more than nominal or insubstantial monetary value, are contributions within the meaning of this chapter.</p> <p>Exemption: S.C. Code §33-56-50. (A) The following are not required to file registration statements with the Secretary of State <u>if their fundraising activities are not conducted by professional solicitors, professional fundraising counsel, or commercial coventurers:</u> (3) a charitable organization which (a) does not intend to solicit or receive contributions from the public in excess of twenty thousand dollars in a calendar year and (b) has received a letter of tax exemption from the Internal Revenue Service, if all functions, including fundraising activities, of the organization exempted pursuant to this item are conducted by persons who are compensated no more than five hundred dollars in a year for their services and no part of their assets or income inures to the benefit of or is paid to an officer or a member. If the contributions raised from the public, whether or not the contributions are actually received by a charitable organization during any calendar year, are in excess of these amounts, within thirty days after the date the contributions exceed these amounts, the organization must register with and report to the Secretary of State as required by this chapter; (4) an organization which solicits exclusively from its membership, including a utility cooperative.</p>	<u>Annual exemption application required.</u>
South Dakota	No state charitable registration requirements for charities/nonprofits.	N/A

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Tennessee	<p>Definition: Tenn. Code. §48-101-501. (3) “Contributions” means the promise or grant of any money or property of any kind or value, including the payment or promise to pay in consideration of a sale, performance or show of any kind which is advertised or offered in conjunction with the name of any charity. <u>“Contribution” does not include bona fide fees, dues or assessments paid by members; provided, that membership is not conferred solely as consideration for making a contribution in response to a solicitation;</u> Chapter 1360-03-01.01. (6) “Membership” shall mean a status applied upon condition of the payment of fees, dues, assessments, etc., in an organization which provides services and confers a bona fide right, privilege, professional standing, honor or other direct benefit, in addition to the right to vote, elect officers, or hold offices. The term “membership” shall not include those persons who are granted a membership upon making a contribution.</p> <p>Exemption: Tenn. Code. §48-101-502. (a) The registration requirements of this part do not apply to: ... (2) A charitable organization which does not intend to solicit and receive and does not actually raise or receive gross contributions (total solicited revenue before any solicitation expenses have been deducted) from the public in excess of thirty thousand dollars (\$30,000) during a fiscal year; provided, that if the contributions raised from the public by any charitable organization during any fiscal year shall be in excess of thirty thousand dollars (\$30,000), the charitable organization shall, within thirty (30) days after the date it shall have received total contributions in excess of thirty thousand dollars (\$30,000), register with, and report to, the secretary of state as required by this part.</p>	Registration required, unless \$30,000 exemption is applicable.
Texas	Texas has limited registration requirements that are usually not applicable to membership organizations unless they are veterans, law enforcement or public safety organizations.	N/A
Utah	<p>Definition: No definition is provided in the statute.</p> <p>Exemption: Utah Code §13-22-8. (1) Section 13-22-5 does not apply to: (C) a separate group or corporation that is an integral part of an institution that is an income tax exempt organization under 26 U.S.C. Sec. 501(c)(3) and is not primarily supported by funds solicited outside the group’s or corporation’s own membership or congregation; ... (m) a chapter of a charitable organization or a person who solicits contributions for a charitable organization, if the charitable organization is registered with the division pursuant to Section 13-22-5 or is exempt from registration under this section, and: (i) all contributions solicited by the chapter or person are delivered directly to the control of the charitable organization; or (ii) (A) the charitable organization holds a United States Internal Revenue Service group tax exemption that covers the chapter; (B) the charitable organization provides a list of its chapters to the division with its registration or renewal of registration; (C) the chapter is on the list provided under Subsection (1)(m)(ii)(B); (D) the chapter maintains the information required under Section 13-22-15 and provides the information to the division upon request; and (E) solicitations by the chapter or the person are <u>limited to the collection of membership-related fees, dues, or assessments from new and existing members.</u></p>	<u>Exemption application required.</u> <u>(Available online.)</u>
Vermont	No state charitable registration requirements for charities/nonprofits.	N/A

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Virginia	<p>Definition: Va. Code §57-48. “Contribution” means any gift, bequest, devise, or other grant of any money, credit, financial assistance, or property of any kind or value, including the promise to contribute, <u>except payments by the membership of an organization for membership fees, dues, fines, or assessments, or for services rendered to individual members...</u></p> <p>Exemption: Va. Code §57-60. (A). The following persons shall be exempt from the registration requirements of § 57-49, but shall otherwise be subject to the provisions of this chapter: ... (3). Charitable organizations that do not intend to solicit and receive, during a calendar year, and have not actually raised or received, during any of the three next preceding calendar years, contributions from the public in excess of \$5,000, if all of their functions, including fund-raising activities, are carried on by persons who are unpaid for their services and if no part of their assets or income inures to the benefit of or is paid to any officer or member. Nevertheless, if the contributions raised from the public, whether all of such are or are not received by any charitable organization during any calendar year, shall be in excess of \$5,000, it shall, within 30 days after the date it has received total contributions in excess of \$5,000, register with and report to the Commissioner as required by this chapter. (4). Organizations that solicit only within the membership of the organization by the members thereof.</p>	<u>Exemption application required.</u>
Washington	No exemption available. Membership organizations must register to solicit.	Registration required.
West Virginia	<p>Definition: No definition is provided in the statute.</p> <p>Exemption: W.VA. Code §29-19-6. The following charitable organizations are not required to file an annual registration statement with the Secretary of State:... (4) Organizations which solicit only within the membership of the organization by the members thereof: Provided, that the term “membership” does not include those persons who are granted a membership upon making a contribution as the result of solicitation. For the purpose of this section, “member” means a person having membership in a nonprofit corporation, or other organization, in accordance with the provisions of its articles of incorporation, bylaws or other instruments creating its form and organization; and having bona fide rights and privileges in the organization, including the right to vote, to elect officers, directors and issues, to hold office or otherwise as ordinarily conferred on members of the organizations.</p>	Exemption letter optional.
Wisconsin	<p>Definition: Wisc. Stat. §202.11 (5) “Contribution” means a grant or pledge of money, credit, property, or other thing of any kind or value, except food, used clothing, or used household goods, to a charitable organization or for a charitable purpose. <u>“Contribution” does not include income from any of the following:...(c) A bona fide fee, due, or assessment paid by a member of a charitable organization,</u> except that, if initial membership in a charitable organization is conferred solely as consideration for making a grant or pledge of money to the charitable organization in response to a solicitation, that grant or pledge of money is a contribution.</p> <p>Exemption: Wisc. Stat. §202.12 (5) (a) The following are not required to register under sub. (1): 3m. A fraternal, civic, benevolent, patriotic, or social organization that solicits contributions solely from its membership.</p>	Exemption letter optional.
Wyoming	No state charitable registration requirements for charities/nonprofits.	N/A

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