***Reports to Be Filed and Other Steps To Take for A Not For Profit***

***Taxes:***

Should you decide to apply for federal income tax-exemption, you should do so after you have been incorporated and have received the filed Articles of Incorporation from the Secretary of State. Obtain the proper application form from the IRS. Complete and submit the application, along with photocopies of your Articles of Incorporation and your by-laws, to the IRS. The IRS will notify you of their determination, and the annual reports that will be required in the future, as soon as practicable after they have received your papers. If you do not apply for or do not receive a federal tax exemption, you must file federal income tax returns and pay the appropriate tax. Consult the IRS for the time to file and the forms to use.

***Illinois Income Tax:***

If your corporation receives a federal tax exemption, it is exempt from Illinois income tax. No reports need to be filed and no tax is due. If you do not apply for or do not receive a federal tax exemption, you must file Illinois income tax returns and pay the appropriate tax. Consult the Illinois Department of Revenue, Income Tax Division, for the time to file and the forms to use.

***Illinois Sales Tax:***

Some not-for-profit corporations may qualify for an exemption from paying sales tax on goods bought for the use of the organization if they are formed for exclusively charitable, religious or educational purposes or for senior citizens. To find out if you qualify, write a letter of request to the Illinois Department of Revenue, Sales Tax Division, and enclose photocopies of your Articles of Incorporation, by-laws, constitution, IRS exemption letter or any other document that may help in determining your status. The Department of Business Services will notify you of your status as soon as practicable. If you qualify for sales tax exemption, you will be issued a letter ruling to that effect. You may not use your not-for-profit registration number or IRS number to claim exemption from Illinois sales tax.

***Filings After Incorporating***

***Recording:***

After you receive the Articles of Incorporation from the Secretary of State, you must file them with the Recorder of Deeds of the county in which the registered office of the corporation is located. This recording must be made within 15 days after the Secretary of State has mailed these items, or as soon as possible thereafter.

***Reporting Requirements***

***Illinois Attorney General Registration:***

Certain charitable organizations must register with the Attorney General, Division of Charitable Trust and Solicitations, under either or both the Illinois Charitable Trust Act or the Illinois Solicitation Act. Information and forms may be obtained from the Office of the Illinois Attorney General.

***Annual Reports to the Secretary of State:***

All not-for-profit corporations must file an annual report of officers and directors with the Secretary of State. The due date depends upon when the corporation was formed. The Annual Report is due before the first day of the corporation’s anniversary month each year. The anniversary month is the month in which the corporation was formed. For example, if the date of incorporation was Sept. 15, the anniversary month is September and each Annual Report is due before the first day of September each year. Forms will be sent to the registered agent approximately 60 days before the due date.

Failure to file an annual report may result in involuntary dissolution of the corporation.

***Annual Reports to Other Government Agencies:***

The Internal Revenue Service, the Illinois Department of Revenue and the Illinois Attorney General may require various annual returns. Whether you must file a return and which return you will use depends in part upon your status as a tax-exempt or non-tax-exempt corporation. To be sure of your obligations, please consult the proper agency.

***Other Reports to the Secretary of State:***

Any change in the corporate name, duration or purpose will require that the Articles of Incorporation be amended, using the proper form. Also, should the corporation need to report a merger, dissolution or reinstatement; it should use the proper form. All forms for these reports are available from the Secretary of State and should be filed upon the occurrence of the particular event. The government agencies listed in this guide are not intended to be a complete list, but merely those agencies most frequently required to be consulted. Some local governments also may require filings or reports.