

New Hampshire Nonprofit Checklist Frequently Asked Questions

Q: If my organization is not a 501(c)(3) organization, do I need to complete this checklist?

A: **No**, this checklist only applies to those organizations with an IRS designation of charitable organizations (501(c)(3)). Other organizations are considered nonprofits, such as 501(c)(4), 501(c)(6) and municipal organizations, such as town government or public schools, but they are not covered by this list.

Q: What should I do if my organization is a municipal entity and not required to submit the checklist?

A: State in your cover letter that your organization is not one covered by the checklist.

Q: My organization is a 501(c)(3), but we are not based in New Hampshire. Do we need to fill out this form?

A: **No**. Although federal requirements are the same, the state requirements may vary. This list reflects only those requirements for New Hampshire registered nonprofits.

Q: My organization fits into one of these categories of organization not required to fill out the checklist. Should I do anything to flag that for the funder – or simply not include it?

A: **Yes**. Just reference this fact in your cover letter, and indicate that your organization is not required to complete the checklist.

Q: Do I need include copies of all the back up documents, which prove we have complied?

A: **No**. All that is required is the signature of the CEO and the Board Chair, assuring that these documents exist. While no backup documents need to be attached to the list, related documents most likely will continue to be requested as additional attachments by some funders, such as 990's, board lists and financials.

Q: My organization is run by a volunteer Board, and we have no staff. Who should sign the form?

A: Just the Board Chair.

Q: Do I have to include an originally signed form, or may I send a copy?

A: A copy is fine.

Q: How often should this form be signed?

A: It should be re-signed once a year. The timing of the signatures does not matter.

Q: If I have not complied with something on the form, what should I do?

A: Check with the regulatory agency whose form is in question – either the IRS, the Secretary of State’s office or the Attorney General’s office. All websites are listed on the back of the form.

Q: I see that the Secretary of State requires registration only every 5 years. How do I do that?

A: Registration of nonprofits is required every five years, for the years ending in 0 or 5. This means that 2005 is a year for all nonprofits to register. This registration may be done on-line at www.sos.nh.gov, and costs \$25.

Q: Will grantmakers now stop requiring other attachments, like financials and board lists?

A: **No.** The Checklist is merely a part of a comprehensive way in which grantmakers can evaluate your organization. Compliance with minimum legal standards is only one measure they will use. Most will continue to ask you for copies of board lists, financials, 990’s etc. For more information on building stronger boards and organizations, contact the New Hampshire Center for Nonprofits at www.nhnonprofits.org.

Q: Do I have to file this checklist with the Attorney General’s office as well?

A: **No.** The checklist is merely a means for your organization to demonstrate to funders and donors that you are meeting legal requirements.

8/10/05