

State of South Carolina
Office of the Secretary of State, Jim Miles
Public Charities Division

APPLICATION FOR EXEMPTION

MAIL TO: Public Charities Division Post Office Box 11350 Columbia, SC 29211 (803) 734-1790 NO FILING FEE

Initial Registration Renewal Renewals, Enter Registration Number: _____

1. Organization's Legal Name _____

Other Names Used _____

2. Contact Person's Name _____ Title _____

Contact Person's Mailing Address _____

City _____ County _____ State _____ Zip _____

Day Phone (____) _____ Evening Phone (____) _____ Fax (____) _____

Contact Person's E-mail: _____ Organization's Web Site: _____

3. General purpose of the organization: _____

4. Check ONE of the following categories that best describes the purpose of your organization:

- | | | |
|--|---|--|
| <input type="checkbox"/> Adoption / Abortion / Pregnancy | <input type="checkbox"/> Educational | <input type="checkbox"/> Literacy |
| <input type="checkbox"/> AIDs | <input type="checkbox"/> Environment & Beautification | <input type="checkbox"/> Mental Health |
| <input type="checkbox"/> Alcohol & Substance Abuse | <input type="checkbox"/> Ethnic Interest | <input type="checkbox"/> Law Enforcement Association |
| <input type="checkbox"/> Animal Rights & Adoption | <input type="checkbox"/> Fire-Fighting & Prevention | <input type="checkbox"/> Public Policy |
| <input type="checkbox"/> Arts | <input type="checkbox"/> Gun Control & Gun Rights | <input type="checkbox"/> Rescue |
| <input type="checkbox"/> Athletics & Sports | <input type="checkbox"/> Health | <input type="checkbox"/> Senior Citizens |
| <input type="checkbox"/> Child Protection & Sponsorship | <input type="checkbox"/> Historical | <input type="checkbox"/> Service Club |
| <input type="checkbox"/> Civil Rights | <input type="checkbox"/> Homeless / Housing | <input type="checkbox"/> Veterans |
| <input type="checkbox"/> Crime Prevention | <input type="checkbox"/> Human Services | <input type="checkbox"/> Youth |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Hunger | <input type="checkbox"/> OTHER: _____ |
| <input type="checkbox"/> Disaster Relief | <input type="checkbox"/> International / Peace | |
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Libraries | |

5. Basis for exemption according to the Solicitation of Charitable Funds Act of 1994, check ONE of the following:

(See reverse side for definitions of the types of exemptions.)

- (1) Educational Institution
- (2) Solicitation for the relief of a specified individual
- (3)(a) Organizations which raise less than \$5,000 in a calendar year
- (3)(b) Organizations which raise less than \$20,000 in a calendar year and have a letter of tax exemption from the IRS, if all of their functions including fund-raising activities are carried on by persons who are paid no more than \$500 annually for their services.
- (4) Organization solicits within its own membership, including utility cooperatives
- (5) Veterans organization with congressional charter
- (6) the State, its political subdivisions, and any agencies or departments thereof which are subject to the disclosure provisions of the Freedom of Information Act.

I certify that the information furnished in this application and all attached supplementary information is true and correct to the best of my knowledge, information and belief. I understand the giving of false or incorrect information may constitute a misdemeanor carrying a penalty upon conviction, for a first offense of not more than one thousand dollars or imprisonment for not more than thirty days, and for a second or any subsequent offense a fine of not more than five thousand dollars or imprisonment for not more than one year, or both.

(Signature of Chief Executive Officer)

(Print name of Chief Executive Officer)

(Date)

(Signature of Chief Financial Officer)

(Print name of Chief Financial Officer)

(Date)

**DEFINITIONS FOR THOSE ORGANIZATIONS
EXEMPT FROM FILING REGISTRATION STATEMENTS**

1. Educational Institution §33-56-50(1): "an educational institution which solicits contributions only from its students and their families, alumni, faculty, friends and other constituencies, trustees, corporations, foundations, and individuals who are interested in and supportive of the programs of the institution."

See also §33-56-20(10): 'Educational institution' means an organization organized and operated exclusively for educational purposes and which normally maintains a regular faculty and curriculum and normally has a regularly enrolled body of pupils or students in attendance at the place where educational activities are regularly carried on. The term 'educational institution' also includes the following persons, entities, or institutions if none of their fund-raising activities are carried on by professional solicitors as defined by this chapter: (a) any educational institution that is an eleemosynary junior or senior college in South Carolina whose major campus and headquarters are located within this State and which is accredited by the Southern Association of Colleges and Secondary Schools; and (b) any person or entity performing sanctioned fund-raising activities on behalf of the educational institutions referenced in subitem (a) above, its foundations, or related or affiliated funds."

2. Solicitation for the relief of a specified individual §33-56-50(2): "persons requesting contributions for the relief of an individual specified by name at the time of the solicitation when all of the contributions collected without any deductions of any kind are turned over to the named beneficiary for his use, provided that a person soliciting the contributions is not a named beneficiary."

- 3a. Raising less than \$5,000 in a calendar year 33-56-50(3)(a): charitable organization which "does not intend to solicit or receive contributions from the public in excess of five thousand dollars during a calendar year"

- 3b. Raising less than \$20,000 in a calendar year and having tax exempt status 33-56-50(3)(b): charitable organization which "does not intend to solicit or receive contributions from the public in excess of \$20,000 in a calendar year and has received a letter of tax exemption from the Internal Revenue Service, if all functions, including fund-raising activities, 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 the Secretary of State as required by this chapter."

4. Organization solicits within its own membership, including utility cooperatives §33-56-50(4): "organizations which solicit exclusively to their members, including utility cooperatives."

5. Veterans organization with congressional charter §33-56-50(5): "any veteran's organization which has a congressional charter."

6. The State, its political subdivisions, and any agencies or departments §33-56-50(6): "the State, its political subdivisions, and any agencies or departments thereof which are subject to the disclosure provisions of the Freedom of Information Act."

See also §33-56-20(3): 'Contribution' means the promise, grant, or pledge of any money, credit, assistance, or property of any kind or value. It does not include bona fide fees, dues, or assessments paid by members of an organization, provided that memberships is not conferred solely as consideration for making a contribution in response to a solicitation, and that membership does not bestow only a right to vote."