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Since 1925

Managing a Non-Profit Corporation? Deadlines are nearing!

The Commonwealth of Massachusetts Corporations Division requires all non-profit corporations to file annual reports by November 15th. If you are responsible for the annual reporting for a Massachusetts non-profit corporation, you may already be aware that November 15th is looming. If not, here are a few hints on what you should be preparing.

Reports to the Corporations Division may be filed online, by mail or in person. If you choose to file online, which we recommend because it will keep your public profile on the Corporation Division's website up-to-date, you will need your ID and Pin number to log in to the Corporations Division's secure website. Once logged in, the reports are easily filled out, and you will be able to update your non-profit's address, officers or directors if they have changed since the previous year. Of course, you can always choose to file your annual report the traditional way, by printing out the form and manually entering the data. In either case, the filing fee is \$15.

For non-profits with a fiscal year ending on June 30th, annual reporting is also due to the IRS on November 15th (non-profits whose fiscal years end on December 31st have until May 15th to file). For most non-profits with annual gross receipts of under \$50,000, the only reporting necessary is the online "postcard" known as IRS Form 990-N. Again, you will need an ID and password, which you establish when signing up to file the postcard. Organizations with gross receipts over \$50,000 must file an IRS Form 990 or 990EZ instead. In general, organizations with less than \$200,000 in gross receipts and total assets of less than \$500,000 are eligible to file the 990EZ, which is a much simpler report. Obviously, it is always best to consult with your tax or financial advisor to be certain that you are filing the appropriate form.

Finally, in addition to annual reporting to the Corporations Division, non-profit corporations in Massachusetts are also required to register with the Massachusetts Attorney General's office. If your organization has not done so, you will need to file an initial Form PC which is similar to the Corporations Division's annual report. If you are still within your first Fiscal year, you may use Short Form PC. However, the initial filing of Form PC (or Short Form PC) also requires submission of formation documents along with the names and addresses of officers, copies of the organization's bylaws and indication of acceptance as a non-profit by the IRS. Annual reporting requires submission of Form PC, available online, and a copy of IRS Form 990 or 990 EZ if your non-profit's gross receipts are greater than \$5,000, despite the fact that the IRS only requires you to file a Form 990 if your organization's receipts are over \$50,000. Therefore, even if you are only required by the IRS to complete the postcard Form 990-N, the Attorney General's office still requires a copy of the full Form 990 if your gross receipts are greater than \$5,000. There is a sliding scale of fees based on gross revenue, with a minimum annual filing fee of \$35.

Brown & Brown, PC has significant experience in filing and reporting for non-profit corporations. Before getting completely frustrated and confused by the reporting requirements, please contact us for assistance and guidance. Your non-profit is serving many for the greater good, and we want to keep your mission exciting and satisfying.