

Exemption from registering as a public charity⁶

The following types of charitable organizations may file an application for registration exemption *if their fundraising activities are not conducted by professional fundraisers*: (a) organizations that solicit only from members; (b) veterans' organizations with a congressional charter; and (c) the State and political subdivisions that are subject to the Freedom of Information Act. The following types of charitable organizations may file an application for registration exemption *regardless if their fundraising activities are conducted by professional fundraisers*: (a) public school districts and public schools; and (b) organizations that solicit less than \$7,500.00 per year

A charitable organization claiming exemption must file an annual application with the Division of Public Charities. There is no filing fee for the application for exemption. Exempt charitable organizations do not have to file annual financial reports with the Division of Public Charities.

**SOUTH CAROLINA
SECRETARY OF STATE
PUBLIC CHARITIES DIVISION**

ANNUAL APPLICATION FOR REGISTRATION EXEMPTION

Filing Instructions

- Pursuant to Section 33-56-50 of the South Carolina Code of Laws, failure to complete all sections of this form may cause your application for exemption to be returned to you and may result in a possible violation and/or fine.
- Please contact our office with any questions regarding this form at 803-734-1790 or email charities@sos.sc.gov.
- Mail to South Carolina Secretary of State, Attn: Public Charities, 1205 Pendleton St., Suite 525, Columbia, SC 29201.
- There is no fee for the filing of this application.

Name of Organization: _____

Check one: Initial Registration Renewal

Application for Current Fiscal Year _____ to _____
(mo/day/year) (mo/day/year)

Enter Federal Employer's Identification Number: _____ - _____ Charity Public ID: _____
(If applicable) (Renewal only)

EXEMPTION QUALIFICATION (S.C. Code Section 33-56-50)

Select ONE of the following bases for exemption under section A or B, not both. If none of these qualifications for exemption applies to your organization, you must submit a registration statement for a charitable organization.

A. Fundraising activities are not conducted by professional solicitors, professional fundraising counsel, or commercial co-venturers and you are:

- (1) an educational institution which solicits contributions from only 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;
- (2) a person requesting contributions for the relief of an individual specified by name at the time of the solicitation, when all of the contributions collected, without deductions of any kind, are turned over to the named beneficiary for his or her use, as long as the person soliciting the contributions is not a named beneficiary;
- (3) a charitable organization which (a) does not intend to solicit or receive contributions from the public in excess of \$20,000.00 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 \$500.00 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. **Please provide a copy of any determination letter recognizing the charitable organization's tax-exempt status from the Internal Revenue Service and any changes, amendments, or revocations to that letter;**
- (4) an organization which solicits exclusively from within its own membership, including utility cooperatives;
- (5) a veterans' organization which has a 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.

B. Regardless of whether your fundraising activities are conducted by professional solicitors, professional fundraising counsel, or commercial co-venturers and you are:

- (1) a public school district located in the State and any public school teaching pre-K through grade twelve located within the public school district.
- (2) a charitable organization that does not intend to solicit or receive contributions from the public in excess of \$7,500.00 during a calendar year.

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⁶ S.C. House of Representatives, House Legislative Oversight Committee, "Agency Presentation – Charities and Trademarks (October 28, 2019)," under "Committee Postings and Reports," under "House Legislative Oversight Committee," under "Secretary of State, Office of the," and under "Meetings,"

[https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/SecretaryofState/SoS%20presentation%20-%20Charities%20and%20Trademarks%20\(10.28.19\).pdf](https://www.scstatehouse.gov/CommitteeInfo/HouseLegislativeOversightCommittee/AgencyWebpages/SecretaryofState/SoS%20presentation%20-%20Charities%20and%20Trademarks%20(10.28.19).pdf) (accessed November 27, 2019), slide 18-20. Hereinafter "Charities Presentation."