

TITLE XI. DEPARTMENT OF JUSTICE

Text of Modified Regulations

DOJ has illustrated changes to the original text in the following manner: regulation language originally proposed in the initial notice is underlined; additions to the language originally proposed in the first fifteen-day notice are double-underlined; additions to the language originally proposed in the second fifteen-day notice are in italics.

s *Section* 300. Initial Registration.

(a) Every charitable corporation, unincorporated association, trustee or other person subject to the registration requirements of that act entitled the "Supervision of Trustees and Fundraisers for Charitable Purposes Act" (Article 7, Chapter 6, Part 2, Division 3, Title 2, of the Government Code commencing with Section 12580, hereafter "Act") shall file with the Attorney General as required by that Act a copy of the articles of incorporation and bylaws, trust agreement, decree of distribution or other instrument governing its operation. Filing of the applicable documents, the form application for initial registration, and a required registration fee of \$25 shall constitute the initial registration. Each registrant has ninety (90) days from the time of initial registration to provide a copy of each required document. *Filing of the Initial Registration Form, the supporting documents required by that form, and the required registration fee of \$25 shall constitute the initial registration. Required information and supplemental documents identified in the Initial Registration Form that are not available at the time of filing of the form may be submitted within ninety (90) days of submittal of the form.*

(b) An application for initial registration Initial Registration Form and supplemental documents identified in that form shall be submitted to the Registry of Charitable Trusts. The application Initial Registration Form shall contain consist of the following provisions:

(1) Name of the organization *(the name must be the legal name as stated in the organization's organizing instrument);*

(2) Official Mmailing address of the organization;

(3) Federal employer identification number from the Internal Revenue Service;

(4) Federal employer identification group exemption number from the Internal Revenue Service (if applicable);

(5) If the organization is a corporation, the G corporate or organization number from the Secretary of State. *If the organization is unincorporated, the organization number assigned by the Franchise Tax Board upon application for California tax*

exemption;

(6) Names, and addresses, and positions of all trustees or directors and officers;

(7) Attach or provide a statement fully describing the primary activity of the organization. (A copy of the material submitted with the application from federal or state exemption will normally provide this information);

(8) If the organization is based outside of California, comment fully on the extent of activities in California and how the California activities relate to total activities. In addition, list all funds, property, and other assets held or expected to be held in California. Indicate whether you are monitored in your home state, and if so, by whom;

(9) If assets (funds, property, etc.) have been received, enter the date first received;

(10) Annual accounting period adopted (Fiscal Year or Calendar Year, and if fiscal year, when does it end? state the end of the year);

(11) Attach your founding documents as follows:

(A) Corporations - Furnish a copy of the articles of incorporation and all amendments and current bylaws. If incorporated outside of California, enter the date the corporation qualified through the California Secretary of State's Office to conduct activities in California;

(B) Associations - Furnish a copy of the instrument creating the organization (bylaws, constitution and/or articles of association);

(C) Trusts - Furnish a copy of the trust instrument or will and decree of final distribution; and

(D) Trustees for charitable purposes - Furnish a statement describing your operations and charitable purpose.

(12) Attach a copy of the organization's bylaws

(12 13) Has If the organization applied for or has been granted IRS tax exempt status?, please state the following:

(A) Date of application or and date of determination letter;

(B) If granted, U-nder which subdivision of Internal Revenue Code section 501(c) the organization has applied for, or received, tax exempt status;

(C) Are Whether contributions to the organization are tax-deductible? (if

known);

(D) Attach a copy of the federal exemption determination letter, if available; and

(E) Attach a copy of IRS Form 1023, if available.

(1314) Does If your organization contracts with or otherwise engages the services of any commercial fundraiser for charitable purposes, paid solicitor, fundraising counsel, or commercial co-venturer? If yes, provide the name, address, type of service provider, and telephone number of the provider;

(1415) Signature of officer, director, or trustee, signed under penalty of perjury;

(1516) Title of person signing the Initial Registration Form;

(1617) Date of signature;

(18) Address

(1719) Organization's telephone number;

(1820) Organization's eE-mail address;

(1921) Organization's fax number; and

(2022) Organization's Web website (if the organization has a website).

Note: Authority cited: Sections 12584, 12585, 12586 and 12587, Government Code.
Reference: Sections 12581, 12583, 12585, 12586 and 12587, Government Code.