



Brian P. Kemp
 Secretary of State

**Georgia Charitable Solicitations Act
 Charitable Organization Registration**

Tanja Battle
 Executive Director

EXECUTION PAGE

**Statutory Fees
 (Nonrefundable)**

Make Check Payable to Georgia Secretary of State

INITIAL
 APPLICATION
 \$35.00

AMENDMENT
 (No Fee Required)

REINSTATEMENT
 Registration #: _____
 \$35.00

WARNING: Failure to keep this form current and file accurate supplemental information on a timely basis, or failure to keep accurate books and records or otherwise comply with provisions of the Georgia Charitable Solicitations Act of 1988, is a violation of said Act and may result in disciplinary, administrative, injunctive or criminal action. INTENTIONAL MISSTATEMENTS OR OMISSIONS OF FACT MAY CONSTITUTE CRIMINAL VIOLATIONS.

1. Official Name and Mailing Address of Applicant (Charitable Organization):

2. Other Names under which solicitations will be made:

3. Contact Person:

Telephone:

Contact Person Email Address for Official Correspondence:

4. Location of Books and Records:

EXECUTION: On behalf of the applicant identified above, for the purpose of complying with the Charitable Solicitations Act of 1988, as amended (O. C. G. A. 43-17-1 et seq.) ("Act"), I hereby certify that the applicant is in compliance with said Act and irrevocably appoints the Secretary of State of the State of Georgia the agent for the applicant upon whom may be served any notice, process or pleading in any action or proceeding against the applicant arising out of, or founded upon, a violation or an alleged violation of said Act. The applicant hereby consents that any such action or proceeding against said applicant may be commenced in any court of competent jurisdiction and proper venue within the State of Georgia by service of process upon Secretary of State with the same effect as if the applicant was a resident of the State of Georgia and had been personally served with process. The undersigned hereby verifies that he had executed this form on behalf of, and with the authority of, said applicant. The undersigned and applicant represent that the information and statements contained herein, including the exhibits attached hereto, and other information filed herewith, all of which are made a part hereof, are current, true and complete. The undersigned and applicant further represent that to the extent any information previously submitted is not amended, such information is currently accurate and complete.

Name of authorized Executive Officer (please type or print):

Date:

Signature of Executive Officer:

Title:

Official Witness (Notary)

THIS PAGE MUST ALWAYS BE COMPLETED IN FULL with original manual signature and notarization with seal. To amend, circle number(s) being amended. To explain answers attach additional sheets identifying the questions and provide explanation.

APPLICANT'S NAME:

To amend, circle numbers being amended and file with a completed execution page (C100 page 1)

5. Status of registration in other jurisdictions

Enter "1" for pending registrations, "2" if already registered, and leave blank if not registered.

	AL		AK		AR		AZ		CA		CO		CT		DC		D E
	FL		GA		HI		IA		ID		IL		IN		KS		K Y
	LA		M A		MD		ME		MI		MN		MO		MS		M T
	NC		ND		NE		NH		NJ		NM		NV		NY		O H
	OK		OR		PA		PR		RI		SC		SD		TN		T X
	UT		VA		VT		WA		WI		W V		WY				

ORGANIZATION

6. Fiscal Year Ends on (Month/Day):

Date of Formation:

Place of Filing:

7. **Applicant is a:**

Corporation

Proprietorship

Partnership

Limited Liability Company

Other:

8. If **FOREIGN Corporation**, date qualified to transact business in Georgia:

9. The following financial information must accompany the application in order for registration to become effective:

An IRS Form 990 or 990 E-Z dated within one year of filing **AND** one of the following types of financial statements dated within one year of filing:

- Organizations that received or collected more than \$1,000,000 in the preceding fiscal year must submit a financial statement certified by an independent certified public accountant.
- Organizations that received or collected more than \$500,000 but less than \$1,000,000 must submit a financial statement reviewed by an independent certified public accountant
- Organizations that received or collected less than \$500,000 must submit a financial statement. The financial statement does not have to be reviewed or certified.
- If no funds have been received or collected, attach a signed statement to that effect.

10. State the general purpose for which the charitable organization is organized (attach additional sheets if necessary):

SOLICITATION INFORMATION

11. Specify the purpose or object for which funds solicited will be used (attach additional sheets if necessary):

12. Specify the method and period of time of solicitation:

13. Does the charitable organization have a contract with a fund raising counsel or paid solicitor to solicit contributions in Georgia? Yes No

If the answer to the above question is yes:

(a) list the name and address of the fund raising counsel or paid solicitor to be used in connection with the solicitations in Georgia:

(b) Terms of remuneration for paid solicitor:

(c) Is the paid solicitor registered with the Secretary of State to solicit contributions in Georgia? Yes No

BACKGROUND INFORMATION

To amend, circle questions being amended and file with a completed Execution page (C100 page 1)

NOTE: (1) For the purpose of the following questions the term “executive officer” means the chief executive officer, the president, the principal financial officer, the principal operation officer, each vice president with responsibility involving policy-making, the treasurer or any other person performing similar functions.

(2) All YES answers to questions must be fully explained. Attach additional sheets as needed.

	YES	NO
14. In the past ten years has the applicant, executive officer, or control person been convicted of or pled guilty or nolo contendere (no contest) to a felony or misdemeanor which:		
(a) Involves the solicitation or acceptance of charitable contributions or the making of a false oath, the making of a false report, bribery, perjury, burglary, or conspiracy to commit any of the foregoing offenses?	___	___
(b) Arises out of the conduct of solicitation of contributions for a charitable organization?	___	___
(c) Involves the larceny, theft, robbery, extortion, forgery, counterfeiting, fraudulent concealment, embezzlement, fraudulent conversion, or misappropriation of funds?	___	___
(d) Involves murder or rape?	___	___
(e) Involves assault or battery if such person proposes to be engaged in counseling, advising, housing, or sheltering individuals? Or	___	___
(f) Pled guilty or nolo contendere (no contest) to any other felony offense?	___	___
15. Has any court:		
(a) in the past ten years enjoined the applicant or an executive officer in connection with any aspect of the fundraising business?		
(b) ever found that the applicant or executive officer was involved in a violation of any state or federal law regarding fundraising or any other deceptive practice?		
16. Has any local, state or federal government agency:		
(a) ever found the applicant or executive officer to have made a false statement or omission or been dishonest, unfair or unethical?		
(b) ever found the applicant or executive officer to have been involved in a violation of a fundraising law?		
(c) ever found the applicant or executive officer to have been a cause of any fundraising organization having its authorization to do business denied, suspended, revoked or restricted?		
(d) in the past ten years entered an order or consent order against the applicant or an executive officer in connection with any fundraising statute or deceptive practices?		
(e) ever denied, suspended, or revoked the applicant's or an executive officer's registration or license, prevented it from association with a fundraising organization, or otherwise disciplined it by restricting its activities?		
(f) ever revoked or suspended the applicant's or an executive officer's license as an attorney or accountant?		
17. Is the applicant or executive officer now the subject of any proceeding that could result in a yes answer to any question contained herein?		
18. Does the applicant have any unsatisfied judgments or liens against it or has it filed for any type bankruptcy?		
19. Has any governmental agency, including the United States Internal Revenue Service determined that the organization is tax exempt? <u>If yes, attach copy of determination letter.</u> If applicable, indicate employer identification number here:		
20. Has a tax exemption status been denied or cancelled at any time by any governmental agency or official?		

**List the name and address of each affiliated branch or chapter
located within the State of Georgia and
the directors of each such branch or chapter.**

Attach additional sheets as needed.

Name	Address	Director(s)
Name	Address	Director(s)
Name	Address	Director(s)
Name	Address	Director(s)
Name	Address	Director(s)

OTHER OFFICERS, DIRECTORS AND TRUSTEES

List the names and address of all officers, directors, and trustees

Attach additional sheets as needed.

Name	Address	Title
Name	Address	Title
Name	Address	Title
Name	Address	Title
Name	Address	Title

ACKNOWLEDGEMENTS

By submitting this application, the applicant acknowledges the following statutory requirements:

- (a) SOLICITATION CONTRACT REQUIRED. [OCGA 43-17-3(e)(1)] There must be a written contract between the charitable organization and paid solicitor.
- (b) SOLICITATION NOTICE. [OCGA 43-17-3(f)] Paid solicitor must file a solicitation notice and a copy of each solicitation contract with the Secretary of State in order to commence a solicitation campaign in Georgia.
- (c) POINT OF SOLICITATION DISCLOSURE. [OCGA 43-17-8] Every charitable organization, paid solicitor, or solicitor agent required to be registered under this Code section, at the time of any solicitation that occurs in or from this state, shall include the following disclosures: (1) The name and location of the paid solicitor and solicitor agent, if any; (2) The name and location of the charitable organization for which the solicitation is being made; (3) That the following information will be sent upon request: (A) A full and fair description of the charitable program for which the solicitation campaign is being carried out and, if different, a full and fair description of the programs and activities of the charitable organization on whose behalf the solicitation is being carried out; and (B) A financial statement or summary which shall be consistent with the financial statement required to be filed with the Secretary of State pursuant to Code Section 43-17-5; and (4) If made by a solicitor agent or paid solicitor, that the solicitation is being made by a paid solicitor on behalf of the charitable organization and not by a volunteer and inform the person being solicited that the contract disclosing the financial arrangements between the paid solicitor and the charity is on file with and available from the Secretary of State.
- (d) ACCOUNTING TO CHARITABLE ORGANIZATION. [OCGA 43-17-3(g)] Within 90 days after a solicitation campaign has been completed, and on the anniversary of the commencement of a solicitation campaign lasting more than one year, the paid solicitor shall account in writing to the charitable organization with whom it has contracted and to the Secretary of State, for all contributions received and expenses paid. The accounting shall be in the form of a written report, submitted to the charitable organization and to the Secretary of State, and shall be retained by the charitable organization for three years.
- (e) COLLECTIONS AND DEPOSITS. [OCGA 43-17-3(h)] Each monetary contribution received by the paid solicitor shall, in its entirety and within three business days of its receipt, be deposited in an account at a federally insured financial institution. The account shall be in the name of the charitable organization with whom the paid solicitor has contracted and the charitable organization shall have sole control of all withdrawals from the account.
- (f) EXPIRATION. [OCGA 43-17-5(b)(9)] Registration as a charitable organization, if granted, shall be valid for a period of 24 months, and if not renewed shall expire without further notice to the applicant.
- (g) COMMERCIAL CO-VENTURERS. [OCGA 43-17-6] Every charitable organization which agrees to permit a charitable sales promotion shall obtain, prior to the commencement of the sales promotion, a written agreement from the commercial coventurer, signed by the charity and the commercial coventurer.
- (h) AMENDMENTS TO REGISTRATION. [OCGA 43-17-5(b)(5)] Registration must be current and up to date at all times and must be amended within 30 days to reflect any material changes in operations of the charitable organization.
- (i) RECORDS. [OCGA 43-17-5(d)] Records must be prepared and maintained for no less than three years and be available for inspection by representatives of the Secretary of State.
- (j) MISAPPROPRIATION OF FUNDS AND FRAUDULENT CONDUCT. [OCGA 43-17-12] The Georgia Charitable Solicitations Act of 1988, as amended O.C.G.A. 43-17-1 et seq. ("Act"), establishes that it is a felony to engage in fraudulent conduct or to misappropriate, convert or illegally withhold contributions collected pursuant to the Act.

APPLICANT'S NAME:

CONTROL PERSONS

The applicant must provide the following information for **each person** who directly or indirectly, has the power to direct or cause the direction of the management and policies of the applicant. The term control person includes, but is not limited to, each executive officer or person holding similar position.
Make additional copies of this form as needed.
(Please type or print)

Name:	Title:	
Address:		
City:	State:	Zip Code:
Date of Birth:	Social Security Number:	

**The person named above MUST provide a ten year employment history beginning with the most recent employment.
Attach separate sheets if needed.**

All persons who have custody of charitable donations must submit to a criminal background check. By signing this form, the person named above authorizes the Secretary of State to conduct a criminal history check pursuant to the charitable organization's registration in the State of Georgia.

Signature of Control Person _____
This _____ Day of _____

Official Witness (Notary) Signature _____