

**CERTIFICATION OF AGENCY PROFILE/CHARITY REGISTRATION NO. STATUS  
PROCUREMENT AND DISBURSEMENT GUIDELINES**

**Subject: Contracts With Non-Profit Organizations    Date: 8/22/88    Bulletin No.: G-79**

The purpose of this bulletin is to clarify the procedure for providing charities registration information for State Contracts with non-profit organizations. This bulletin supercedes Procurement and Disbursement Guidelines' Bulletin G-72 dated April 1, 1988.

Article 7-a of the Executive Law, requires, with certain exemptions, that non-profit organizations which receive funding of \$25,000 or more in total from governmental agencies must register with the Department of Law as a charitable organization. Section 172-a of Article 7-a sets forth categories of organizations that are exempt from registration. A copy of the Department of Law's summary of exemption categories regarding charitable registrations is attached.

Effective immediately, contracts submitted for non-profit organizations which receive funding of \$25,000.00 or more in total from governmental agencies must submit one of the following:

1. The organization's charitable registration number. This number must be inserted in the "provisions" section of the AC 340 Contract Encumbrance form accompanying the contract.
2. A statement from the contractor (non-profit organization) that the organization is exempt pursuant to one of the categories indicated on the Department of Law's Summary of Exemption Categories. The statement should list the specific category why they are exempt.
3. A statement from the contractor (non-profit organization) that they have applied for a registration number from the Department of Law, Office of the New York State Attorney General.

If you have questions regarding the statutory requirements for registration, or to verify the status of a provider organization contact:

NYS Attorney General  
Office of Charities Registration  
Capitol  
Albany, NY 12224  
(518) 486-9797

If you have questions regarding this bulletin contact:

Office of the State Comptroller  
Bureau of State Expenditures  
Alfred E. Smith State Office Building – 7<sup>th</sup> Floor  
Albany, NY 12236  
(518) 474-6979

## DEPARTMENT OF LAW

### SUMMARY OF

#### EXEMPTION CATEGORIES REGARDING CHARITABLE REGISTRATION

1. A Corporation organized under the Religious Corporations Law, and other religious agencies and organizations, and charities, agencies, and organizations operated, supervised or controlled by or in connection with a religious organization:
2. An Educational Institution, that confines solicitation to its student body, alumni, faculty and trustees and their families or such institution or Library registered with the State Education Department (SED), provided that the annual financial report of such institution or library shall be filed with the SED, where it shall be open for public inspection;
3. A Fraternal, Patriotic, Social or Alumni Organization or Historical Society chartered by the NYS Board of Regents, when solicitation of contributions is confined to its membership;
4. A Person requesting contributions for the relief of an individual, specifically named at time of solicitation, providing all contributions are turned over to the named beneficiary;
5. An Organization that solicits or receives less than \$25,000 in contributions during its fiscal year (regardless of the total amount received from a community chest or united fund) provided all fund raising functions are carried on by persons who are unpaid for such services;
6. A Local Post, Camp, Chapter or County Unit of a Bona Fide Veterans or Volunteer Firefighters or Ambulance Service (as defined by 3001, Public Health Law) or its Auxiliary or Affiliate, providing all fund raising is done by members for no compensation; or
7. An Organization that receives (substantially) all of its funds from a single government agency to which it reports annually, providing the report contains financial information similar in content to that required by the Department and not more than \$25,000 is received from sources other than the agency to which it reports;
8. A Governmental or Quasi-Governmental Agency. This exemption category is not specified in law but is supported by one or more Attorney General rulings. The Office of Charities Registration's traditional position is that registrants are drawn from the not-for-profit community and that this group could not rationally include a governmental body.

(Revised – 1/17/89)