

Garden Clubs of Idaho, Inc.

IRS required bylaws language - Revising club bylaws

Instructions for amending your club bylaws to include the Requirements to be Exempt as an Organization described in section 501(c)(3) of the Internal Revenue Code.

The Internal Revenue Service requires that club bylaws include specific language in order for the club to be considered a nonprofit, exempt organization as described in section 501(c)(3) of the Internal Revenue Code. The five (5) paragraphs in the box below are the IRS-approved 501(c)(3) language that needs to be included in your clubs bylaws (organizing document) to demonstrate that your organization is, indeed, a non-profit public-benefit organization.

The **exact wording** in the five sections below are **all** required by the Internal Revenue Service: they include purpose, inurement, lobbying, notwithstanding, and dissolution clauses. The sections may be included separately within different articles of your bylaws or they may be added as one, complete amendment as appears below.

Contact the GCII Group Tax Exemption Program Chairman if you have any questions: gcii.qtep.program@gmail.com

DIRECTIONS: Submit a full copy of your clubs bylaws (governing document) to GCII. Make sure your bylaws are

- a. ***dated*** with the date these bylaws were legally approved by club membership/governing body
- b. ***signed*** by two (2) officers with the date they are signed to certify the copy is a true copy of the bylaws (governing document) of your organization

•••PLEASE make sure the NAME of your organization is included in the bylaws. •••

Note that both the purpose and membership statements of your bylaws must reflect the 501(c)(3) charitable and educational purpose of your organization. *(If using the Article below as one unit, please give this article a new number consistent with the numbering in your bylaws)*

Article Amendment to the By-laws -- Requirements to be exempt as an Organization described in section 501(c)(3) of the Internal Revenue Code

Section 1. Said organization is organized exclusively for charitable, educational, or scientific purposes, including, for such purposes, the making of distributions to organizations that qualify under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Section 2. No part of the net earnings of the organization shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the purpose clause hereof.

Section 3. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office.

Section 4. Notwithstanding any other provision of these articles, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by an organization, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Section 5. Upon the dissolution of the organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

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