

How to Register as a Charitable Organization

SECRETARY OF STATE WEBSITE:

[http://www.scsos.com/Public Charities/Public Charities Info](http://www.scsos.com/PublicCharities/PublicCharitiesInfo)

I. REQUIREMENTS

- a. All charitable organizations which intend to solicit contributions or have contributions solicited on their behalf must register on an annual basis with the Secretary of State of South Carolina
- b. In addition to the registration requirement, charitable organizations must also submit annual financial reports. Failure to submit reports to the Secretary of State's Office may result in administrative fines of up to \$2,000 per violation.

II. WHAT IS A CHARITABLE ORGANIZATION?

- a. "Charitable organization" means a person, as defined in item (7):
 - i. determined by the Internal Revenue Service to be a tax exempt organization pursuant to Section 501(c)(3) of the Internal Revenue Code;
 - ii. that is or holds itself out to be established for any benevolent, social welfare, scientific, educational, environmental, philanthropic, humane, patriotic, public health, civic, or other eleemosynary purpose, or for the benefit of law enforcement personnel, firefighters, or other persons who protect the public safety; or
 - iii. that employs a charitable appeal as the basis of solicitation or an appeal that suggests that there is a charitable purpose to a solicitation, or that solicits or obtains contributions solicited from the public for a charitable purpose.

III. WHO MUST REGISTER AS A CHARITABLE ORGANIZATION?

- a. All charitable organizations that solicit contributions or have contributions solicited on their behalf must register with the Secretary of State's Office prior to any solicitation activity *unless they fall under one of the statutory exemptions from registration*.
 - i. See website for exemption details:
[http://www.scsos.com/Public Charities/Public Charities Info](http://www.scsos.com/PublicCharities/PublicCharitiesInfo)

IV. WHAT IS THE REGISTRATION PROCESS FOR A CHARITABLE ORGANIZATION?

- a. Charities and professional fundraisers can now file registrations and financial reports online.
 - i. [Click here to start the online filing process.](#)
- b. **OR** a charitable organization that must register with the Secretary of State's Office can do so by submitting a
 - i. <http://www.scsos.com/forms/Charities/CharitiesRegistrationForm.pdf> and a \$50 filing fee by mail.

V. REGISTRATION CHECKLIST

- ✓ Make sure the Registration Form is completely filled out (if you do not have enough space on the form, please attach additional pages). Our office will not process incomplete forms. They will be returned to the charitable organization. Late registration forms may result in a fine of up to \$2,000 against the charitable organization.
- ✓ Make sure the Registration Form is signed by the CEO and CFO of the charitable organization.
- ✓ If you are a 501(c)(3) organization, make sure your IRS Tax Exempt Designation Letter is attached to your application.
- ✓ If your annual financial report is due, make sure that it is submitted with the Registration Form.

VI. *SENDING DOCUMENTATION*

- a. All documents and correspondence should be mailed to:

South Carolina Secretary of State
Attn: Division of Public Charities
P.O. Box 11350
Columbia, SC 29211

- b. or hand-delivered to:

Edgar Brown Building
1205 Pendleton Street, Suite 525
Columbia, SC 29201

- c. Telephone inquiries may be directed to (803) 734-1790.
d. To obtain the forms for Charitable Organizations, follow the link below:
[Charitable Organization Forms](#)
[General Charities Forms](#)
e. For more questions please refer to the website:
i. http://www.scsos.com/Public_Charities/Public_Charities_Info