Group Structure

When forming a group, there are some legal implications to consider in terms of how it is structured. Even if you are not applying for 501c3 status immediately, there are still benefits to registering as a nonprofit at the state level, including limiting your personal liability. Outdoor Service Guides groups would fall under the Public Benefit Corporation category, as the mission revolves around providing youth outdoor education and service opportunities. You will need to have articles of incorporation and bylaws in place to register.

Once you have registered with the Secretary of State, you can go about applying for an EIN. This allows you to open a business bank account in the name of the group. Once you have an EIN, you can consider applying for 501c3 status. The primary benefits to being a 501c3 is that income is not taxed and that you may apply for grants without needing an external fiscal sponsor. Nonprofit status may also affect your ability to get insurance. the downsides of becoming a 501c3 are additional record keeping and filing requirements. Groups are not required to hold 501c3 status but it is recommended that they incorporate and obtain an EIN to limit personal liability.

Groups in some locations (such as Portland, OR and Brooklyn, NY) have established local councils that may be able to assist with the process of organizing and registering a new group, as well as obtaining insurance at a discounted rate.

Articles of Incorporation

Articles of incorporation are a legal document required to file with the Secretary of State. They are a public document that create and form the foundation of a corporation, nonprofit or otherwise.

Bylaws

Bylaws are a legal document required to obtain nonprofit status. These detail the rules, structure and workings of your organization. Bylaws may change over time as your group grows and can be amended by a vote of the board of your group.

Yearly Filings

Once your group is established, whether you are a nonprofit or not, you will have yearly filings that need to be done. Filing requirements vary by state. You can check here to find out what the annual filings are where you are located. Late or missed filings can result in fines or your nonprofit status being revoked.

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