



Anglican Diocese of San Joaquin

General Congregation Incorporation Checklist

| CONGREGATION INFORMATION | |
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| Congregation name: | |
| Address: | |
| Telephone number: | |
| Fax number (if any): | |
| New Congregation or Existing? | Choose an item. |
| Date Congregation Formed: | |

| CHECKLIST | | |
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| <input type="checkbox"/> | Choose type of Organization: | Choose an item. |
| <input type="checkbox"/> | Select end of fiscal year (December 31 is highly preferable and recommended for conformity with the rest of the Diocese and Province): | Fiscal year-end: December 31 |
| <input type="checkbox"/> | Compile all existing documents: | <ul style="list-style-type: none"> • Current Bylaws • Current Articles of Association • Letter from IRS granting EIN • Letter from CA EDD granting state employer number |
| <input type="checkbox"/> | Apply for IRS Employer Identification Number (EIN), if one does not yet exist: | To obtain Form SS-4 to apply for an EIN, go to www.irs.gov |
| <input type="checkbox"/> | Request to be added to Diocesan 501c3 Group Exemption if you are not already part of it: | A letter on letterhead with the church's FEIN number and a statement that the entity wishes to be added under the diocesan group exemption; sent to 1300 E. Shaw Ave. Suite 123, Fresno, CA 93710 or administrator@dioceseofsanjoaquin.net |
| <input type="checkbox"/> | Apply for CA EDD Number, if one does not yet exist [must obtain FEIN first]. This is essential as an employer: | You can find information here: http://www.edd.ca.gov ; you will specifically need to do forms DE 1378 and DE 1SNP, but may have to do some additional steps or forms, depending |
| <input type="checkbox"/> | Make sure you have purchased insurance plan(s): | Church Mutual is the Diocesan Recommended Liability, D&O, Workers Comp/Employment Practices, and Property Insurance Provider 1-800-554-2642 (mention you're part of ADSJ) |

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| <input type="checkbox"/> | Obtain sample bylaws from Diocesan Office; in order to make any needed changes: | Various changes may be required, depending on which status is sought between Incorporation vs. Unincorporated Religious Association. Bylaws must comply with California Corporations Code §§ 9150 – 9153. |
| <input type="checkbox"/> | Obtain sample Articles of Incorporation from Diocesan Office: | These will give a general sense of what is required, optional, etc. Email: administrator@dioceseofsanjoaquin.net ; Phone: 559-244-4828 |
| <input type="checkbox"/> | Obtain sample Articles of Association from Diocesan Office: | These make the relationship as part of the Diocese, while still being a corporation, clear. Email: administrator@dioceseofsanjoaquin.net ; Phone: 559-244-4828 |
| <input type="checkbox"/> | Send Draft Documents to Diocesan Chancellor for approval or changes: | The Chancellor may require some changes, depending on what laws and regulations may have changed. Articles of Incorporation and Bylaws must comply with ADSJ Canons. Send to: administrator@dioceseofsanjoaquin.net and we'll forward to appropriate Chancellor. |
| <input type="checkbox"/> | If changes are required, re-authorize new bylaws and/or articles (of both kinds) through the vestry: | Send the minutes of this meeting with completed application package. Email: administrator@dioceseofsanjoaquin.net ; USPS: 1300 E. Shaw Ave. Suite 123, Fresno, CA 93710 |
| <input type="checkbox"/> | Application must be made for permission to incorporate, and is recommended to be made sixty (60) days prior to desired incorporation date, to allow time for any other required changes, but at least more than thirty (30) days are necessary: | Once the application packet is received and presented to the Diocesan Council and Standing Committee, thirty (30) days' notice must be given to the Clergy and Congregations of the Diocese prior to the Council or Committee taking action on the application. (ADSJ Canon 20.08). If changes are required or made, the 30-day clock may have to restart. Email: administrator@dioceseofsanjoaquin.net ; USPS: 1300 E. Shaw Ave. Suite 123, Fresno, CA 93710 |
| <input type="checkbox"/> | A complete application packet will include: | <ol style="list-style-type: none"> 1. A Cover Letter stating the application type being made (Incorporation or Unincorporated Religious Association), why it is being made, and addressed to the Bishop and listing all attachments 2. A copy of the Articles of Incorporation, as intended for submission to the CA Secretary of State 3. A copy of the Bylaws approved by the vestry 4. A copy of the Articles of Association 5. A copy of the minutes of the vestry meeting where the Articles and Bylaws were adopted 6. Financial statements for the three years prior to the year the application is being made, along with audit summaries 7. Current year's budget summary/financial statement up to the month prior to application (if applying in July, financials would be through the end of June) |
| <input type="checkbox"/> | Receive written consent from both Diocesan Council and Standing Committee: | Notice of approval or rejection of the application will be sent after each body's vote. |

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| <input type="checkbox"/> Send Articles of Incorporation packet, including all fees , remembering to request a certified copy/copies of the approved Articles from the Secretary of State (SoS) | <p>All form and fee information for incorporating is here: http://www.sos.ca.gov/business-programs/business-entities/forms/</p> <ul style="list-style-type: none"> • Standard Filing Fee: \$30.00; refundable if rejected, no guarantee of how long it will take • Request for a certified copy of filed/endorsed Articles: \$5.00 per copy <p>For Unincorporated Religious Associations (NOT needed if you are incorporating), the two forms needed are here: http://bpd.cdn.sos.ca.gov/other/forms/una-128.pdf http://bpd.cdn.sos.ca.gov/other/forms/ua-100.pdf</p> |
| <input type="checkbox"/> Once approved by the SoS, a Statement of Information (abbreviated as SOI) must be filed within ninety (90) days of initial filing of Articles of Incorporation: | <p>General Statement of Information page is here: http://www.sos.ca.gov/business-programs/business-entities/statements/</p> <p>After the initial 90-day filing, SOIs must be filed every two years; if the church incorporated in an even year, you'll re-file the SOI every even year; if the church incorporated in an odd year, you'll re-file the SOI every odd year. All of these subsequent filings are due in the same month the church incorporated. The website above is helpful.</p> <p>The fee is \$20.00, plus \$5.00 for every certified copy.</p> |
| <input type="checkbox"/> Remember to file for California tax exempt statuses that the entity qualifies for (income tax, property taxes in all three categories, etc.): | <p>http://www.taxes.ca.gov/exemptbus.shtml</p> |
| <input type="checkbox"/> Note that, when dissolving the corporation: "A religious corporation is required to obtain court or Attorney General approval for the distribution of its assets upon dissolution of the corporation. (Corporations Code section 9680.)" | <p>http://ag.ca.gov/charities/publications/guide_for_charities.pdf</p> |