



State Fundraising Registration and Corporate Compliance for Boston-area Nonprofit Financial Managers group

December 4, 2025

Presenter

MAIA LEE, PRESIDENT



I AM NOT AN ATTORNEY

I do not practice law. Do not consider what you learn today to be legal advice. The sources of information shared today include personal experience registering hundreds of organizations, conversations and email exchanges with state charity officials, conversations with attorneys, my own and others, extraordinarily careful readings of published instructions and state forms, state statutes, the Unified Registration Statement instructions, and the book, *The Law of Fundraising* by Bruce R. Hopkins

Overview

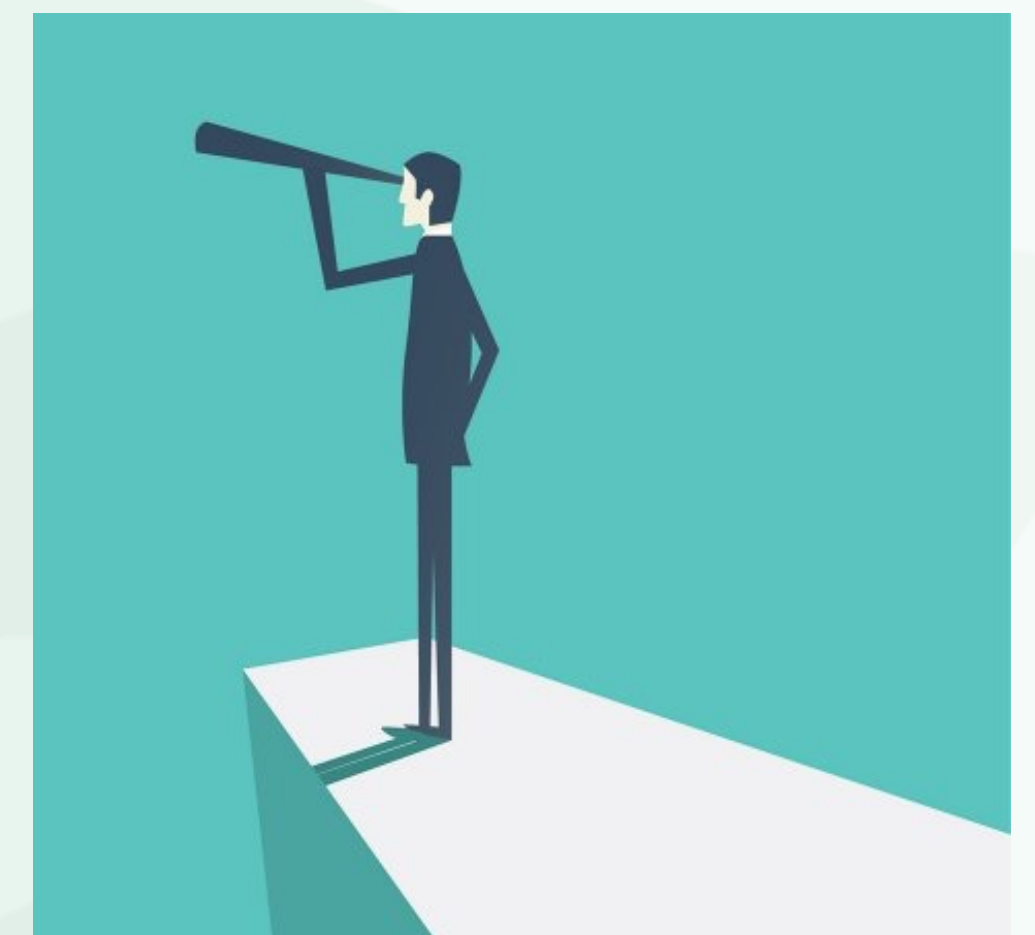
Basics:

- Background, Know Going In
- Stick vs. Carrot
- State Requiring Registration
- Income Thresholds
- Registration Triggers
- Online Fundraising
- Exemptions
- State Fees
- Registered Agents, etc.
- At-home Registration Process
- Documents and Information
- Annual Maintenance

Strategy

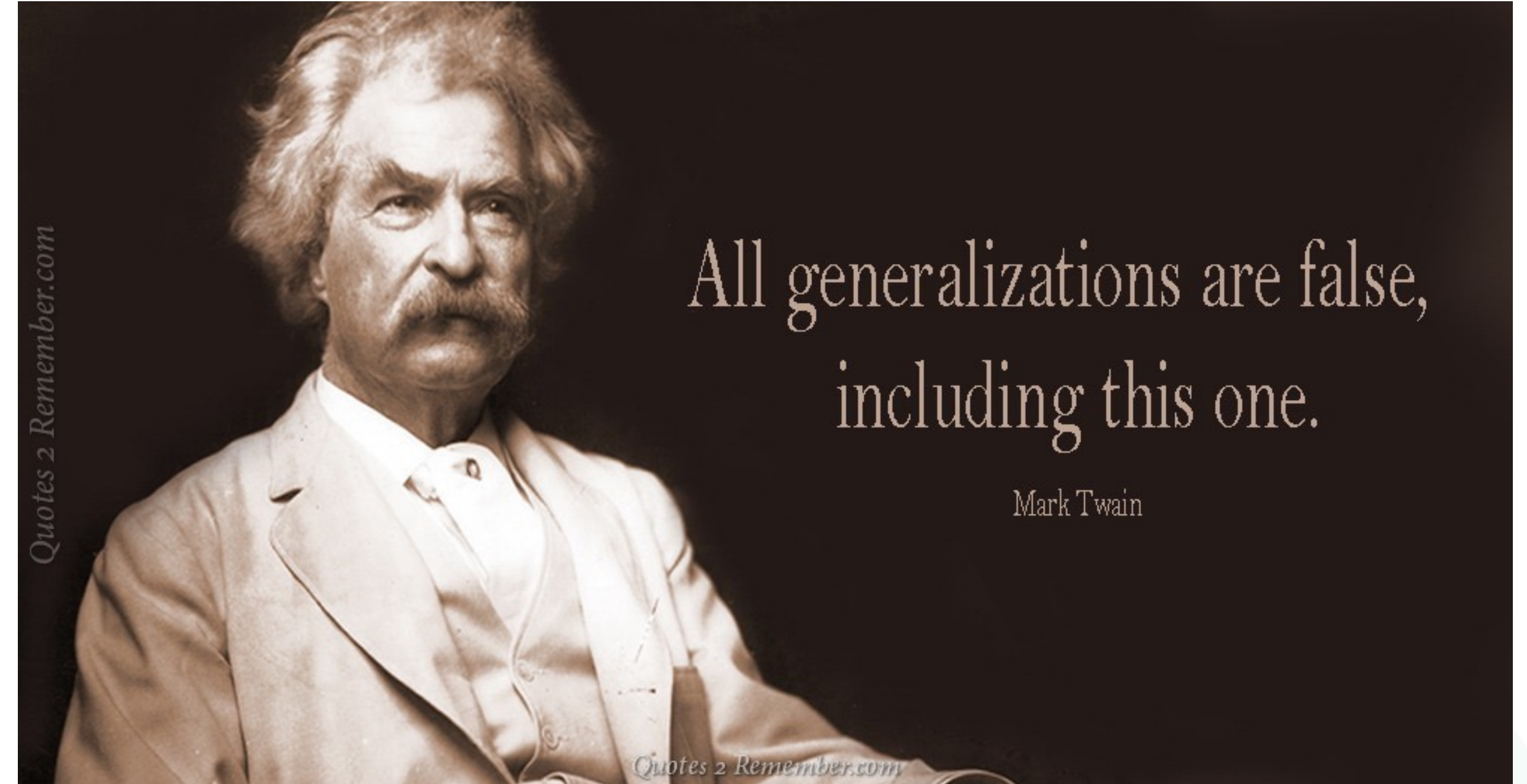
- ROI vs. Risk Assessment
- What to Expect
- Worst Case Scenario
- Penalties
- Make it Affordable
- Support Solutions

Q & A



Generalizations

- Fundraising Registration = Charitable Solicitation Registration
- It is the law of the state in which you are soliciting that applies.
- Every general statement you can make about registration requirements or the process has an exception



Why?

To Identify the Good Groups



- First law written in 1955
- “The Legislature finds that there exists in the area of solicitations and sales solicitations for charitable purposes a condition which has worked fraud, deceit and imposition upon the people of the state which existing legal remedies are inadequate to correct. Many solicitations or sales solicitations for charitable purposes have involved situations where funds are solicited from the citizens of this state for charitable purposes, but an insignificant amount, if any, of the money solicited and collected actually is received by any charity.”
- Soliciting prior to registering? Don’t worry, there’s a remedy ...

Anticipate Fines



- Back filings:
 - CA, CO, DC, FL, IL, MA, MS, NM, OH, OR, PA, RI, SC, and/or more
- Initial filing fees and fines:
 - CA, DC, IL, MA, NM, OH, PA, VA, and/or more
- Date(s) of activity
- Regulator discretion

REPUTATION

1

Passion

2

Mission

3

Accountability / Outcomes

4

Transparency

5

Integrity



Failure to Register

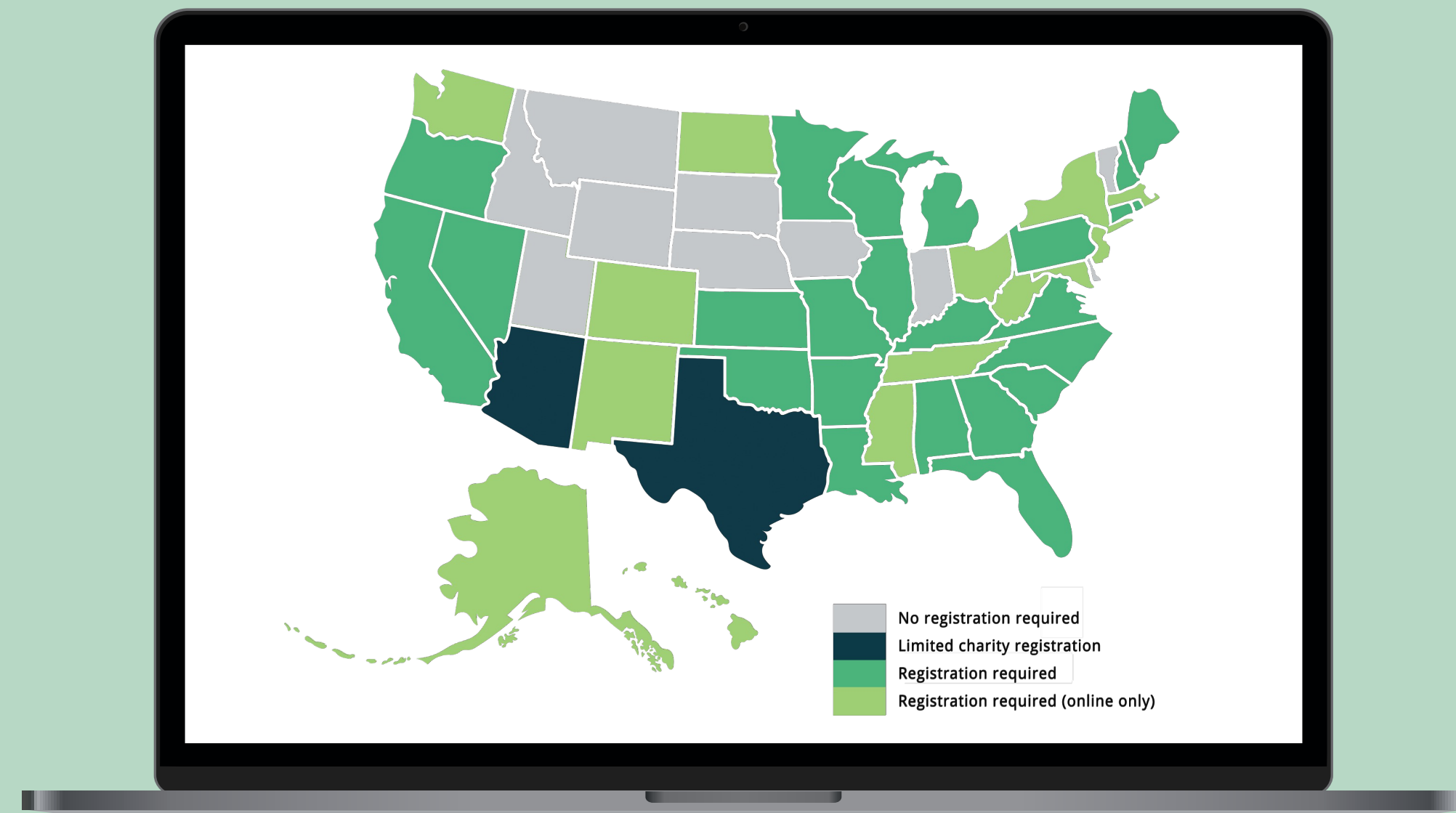


- It breaks the law.
- Easy to report unregistered charities
- False Report on 990 puts 501c status at risk
- Board members at personal risk
- Potential donor loss
- Fines and penalties
- Banned from fundraising!
- Bequests & planned gifts challenged

There are 38 states that require registration.

*Plus, AZ & TX (limited), and DC

States Requiring Registration



AL, AK, AZ*, AR, CA, CO, CT, DC*, FL, GA, HI, IL, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, NV, NH, NJ, NM, NY, NC, ND, OH, OK, OR, PA, RI, SC, TN, TX*, VA, WA, WV, WI

Income Thresholds

If soliciting and gross contributions or revenue >\$25,000, laws say you must register





- TV
- Radio
- Newspaper
- Newsletter
- Hardcopy mail
(letters, newsletters)
- Acquisition mailings
- Telephone
- Face-to-face
- Foundation
- Corporation
- Cause-related Marketing

- Email
- Branding
- Social Media

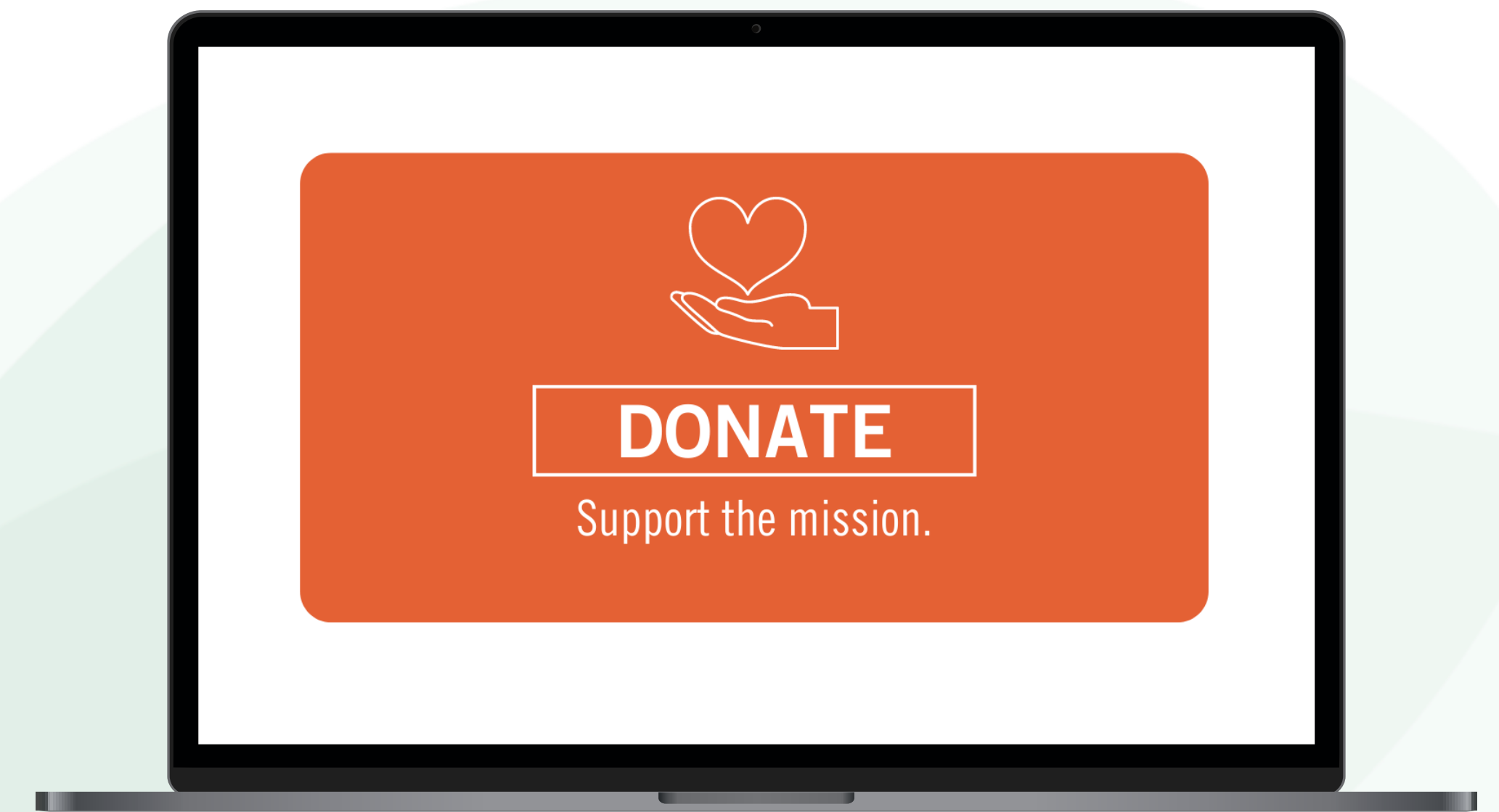
Solicitation
Requires
Registration

Online Fundraising

- Do you have to register out-of-state if you are receiving online donations from out-of-state?
- ME, MN, NM, NJ, NY, IL, OH, OR, and NC – [FL]

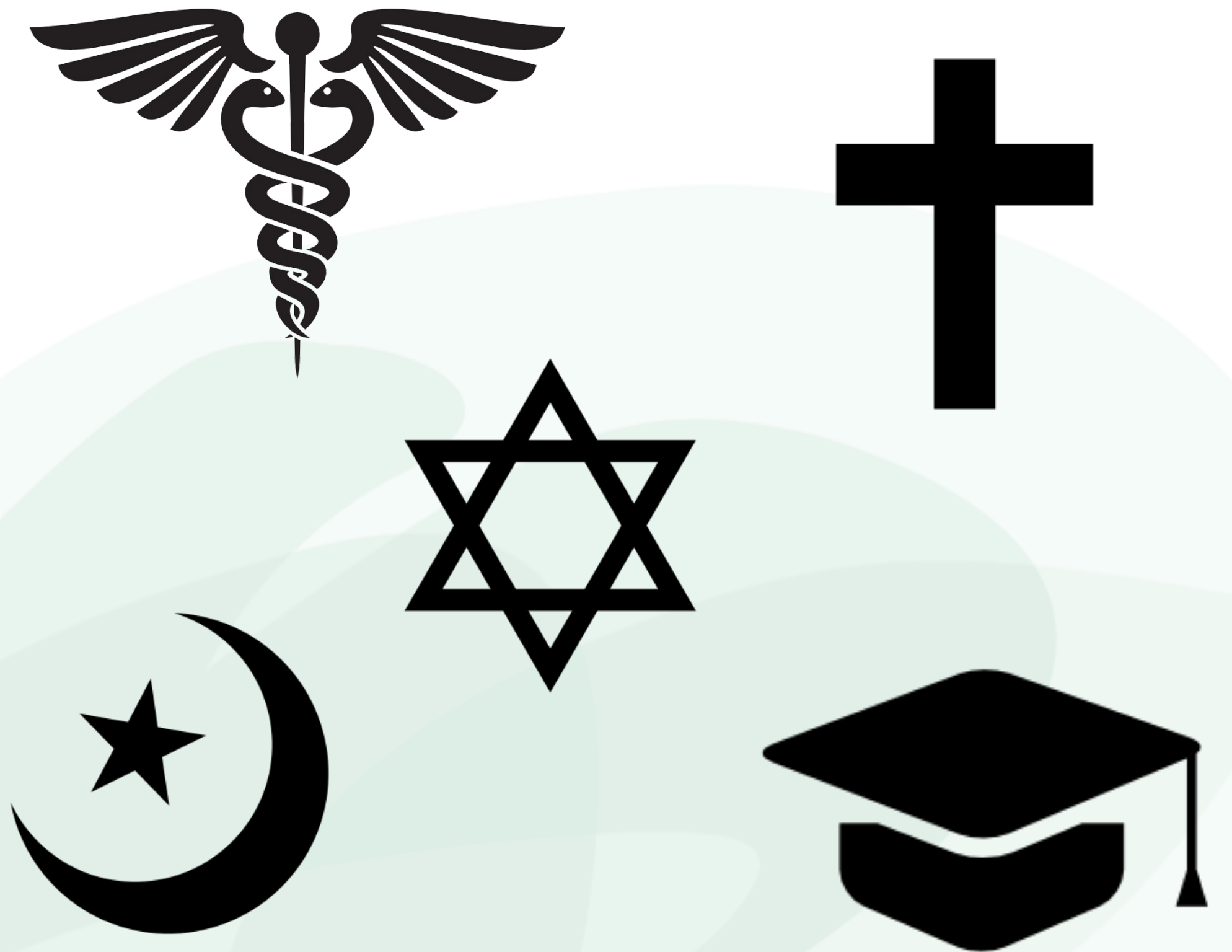
State	Regulation	Repeated and Ongoing	Substantial
Colorado	Section 10.1.2 of the Rules for the Administration of the Colorado Charitable Solicitations Act	50+ donations	The lesser of \$25,000 or 1% of the organization's total contributions in online contributions from Colorado ¹²
Mississippi	Rule 2.08 of the Mississippi Charities Act Rules	25+ donations	\$25,000 ¹³
Tennessee	Rule 1360-03-01-.07 of the Rules of Secretary of State Charitable Solicitations Division	100+ donations	\$25,000 ¹⁴

- Trifecta:
 - URL
 - + Call to action
 - + Donate button
 - = Solicitation



Registration Exemptions

- Churches
- Religious Organizations – 19, N/A if filing 990
- Education – 24
- Education Foundations – 16
- Hospitals & Foundations – 14 / 7
- Membership (civic, service) – 24 (limited)
- Appeals conducted by volunteers on behalf of a named individual
- Gross Income < \$25,000
- Political Organizations



Annual State Fees (Nationwide)

- \$3,151 if <\$250,000
- \$3,221 if \$250,000-\$500,000
- \$3,782 if \$500k-\$1 million
- \$4,231 if \$1 million-\$5 million
- \$4,431 if \$5 million-\$10 million
- \$5,456 if over \$10 million



DUE DATE

Registered Agents & More

- Certificate of Authority – CO, DC, ND, and often IL
- Resident Registered Agents – up to 11
 - 4 states will be the agent for free: HI, MS, SC, and VA
- Conducting Business / Corporate filings – All other states
 - Boots-on-the-ground
 - Owning or renting property
 - Bank account
 - Incorporation
- Trade Name filings



The (At-Home) Registration Process



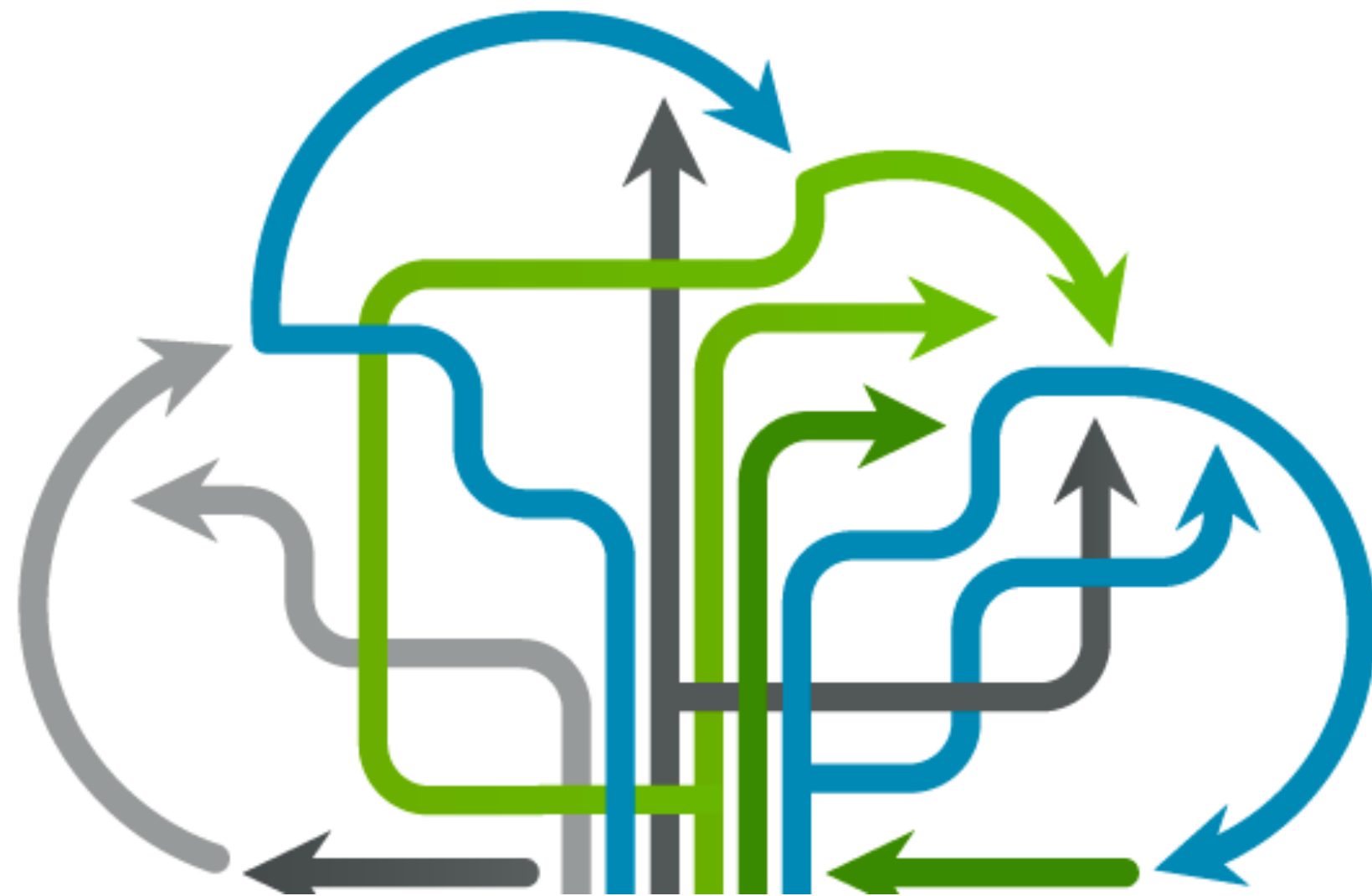
- The Right Person
(not fundraiser or junior staff)
- Time
- Gather Documents
- Complete Forms
- Signatures
- Checks
- Packets
- Track renewals

Initial Registration Documents



- Board & chapter lists
 - Financial support list (501c entity names & addresses)
 - Date solicitation *began*, per state
 - Articles of Incorporation
 - Bylaws & amendments, signed
 - Conflict of interest policy
 - Form 1023, signed (if applicable)
 - IRS Determination Letter
 - Board member criminal/felony history & documentation
 - Form 990, signed
 - Audits/CPA financial reviews
 - Payroll expenses
 - List of **professional service providers** & their contracts
 - Bank/financial institution
 - Form 8879, signed (if applicable)
 - Amount of funds raised, per state*, & solicitation materials
- Already registered in some states?**
- URS (limited)
 - State form(s), notarized
 - Form 8868

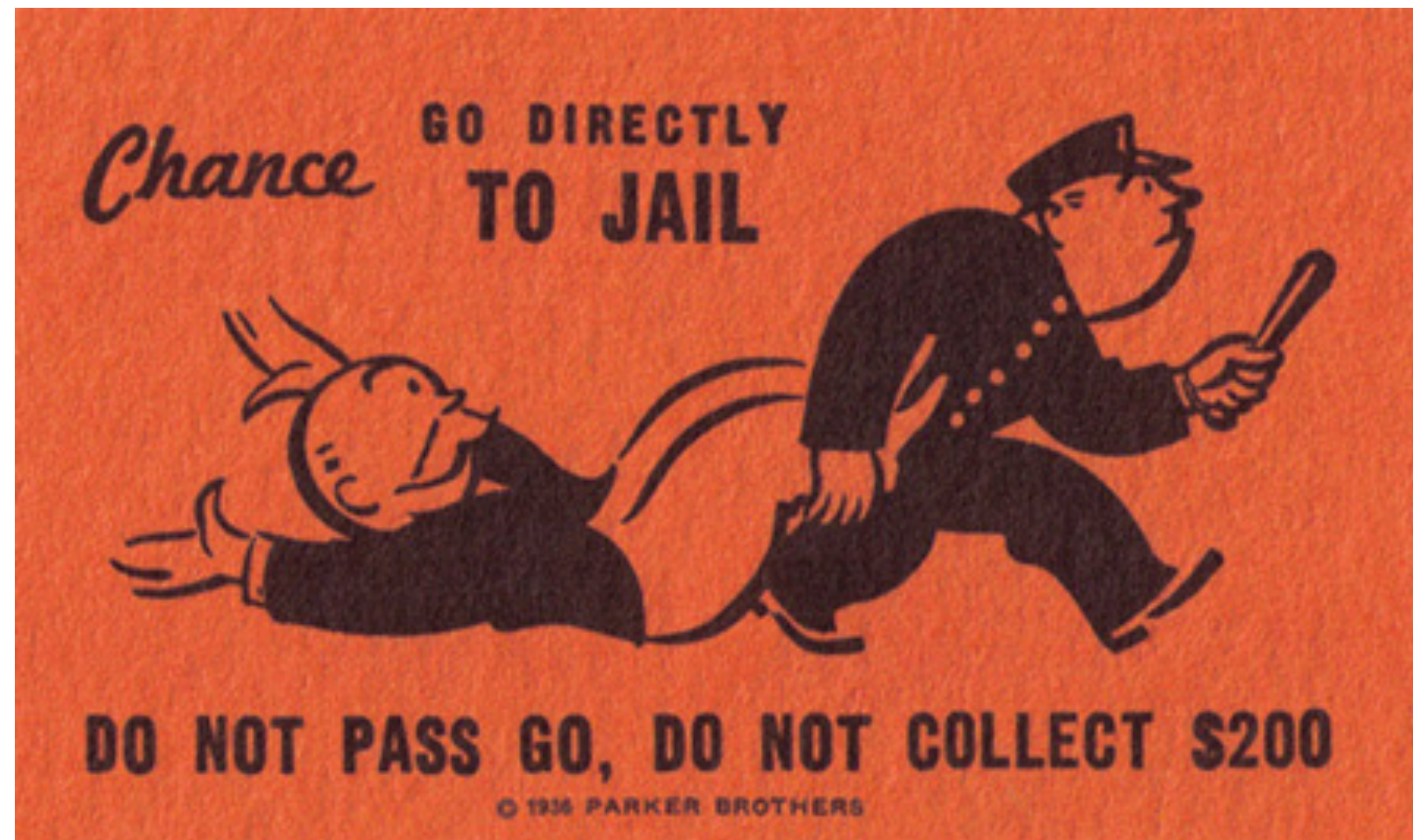
Staying Registered



- Renewal vs. Annual Report
- Precious few use URS (initial/renew)
- 30 With online filing options
- 29 Require signed 990 (all want the data)
- 21 Due dates (pre-extension)
 - Calculated, anniversary, fixed
- 25 Extensions
 - 6* Automatic extensions
 - 17 None
- 27 Late fees
 - Fixed, monthly, tiered

Penalties

- Written warning
- Usually civil penalties
- Fines
- Noncompliance, criminal
- 3rd degree felony
- Potential jail time



Difficult/Expensive States



- California
- District of Columbia
- Florida
- Hawaii
- Illinois
- Mississippi
- Massachusetts
- Pennsylvania
- Tennessee

Strategizing for a Lean Budget

pri· or· i· tize

/prī'ôrə,tīz/

Verb

1. Designate or treat (something) as more important than other things: "Prioritize your credit card debt."

2. Determine the order for dealing with (a series of items or tasks) according to their relative importance: "People prioritize their goals."

- Home state
- Adjacent states if regional
- Look at entire mailing list
- Target solicitation #s
- Consider at ROI – cost of registration vs. donations received
- Donate button states
- Stop soliciting where not registered
 - Suppress from mailing list
 - Expensive states
 - Low ROI states

Risk Assessment



Anticipate Problems



- Inexperience shows
- Board push-back
- Rejections
- Fundraising consultants
- Any prior filings
- When did you begin fundraising

Worst Case Scenario



"Death on the Pale Horse," painted by the American artist Benjamin West in 1796

- Terminal Withdrawals Required
 - Time
 - Money
 - Difficult
- Consequences of Walking Away
 - Snowballing late fees
 - Legal action
 - Banned from fundraising
- Dissolving
 - South Carolina
 - Filing articles of dissolution

Select Third-Party Filers



- Perlman and Perlman – New York, NY
- Charitable Registry – Owings Mills, MD
- Webster, Chamberlain & Bean – Washington, DC
- Affinity Fundraising Registration – Denver, CO

Beware of Inexperience



- CPAs
- Boutique attorneys
- Newbies

Do-it-Yourself Options



- Affinity Single Portal® – GoSinglePortal.com
- built in estimator
- withdrawal instructions
- NOLO Nonprofit Fundraising Registration Digital Guide by Fishman & Barrett
- ~~www.MultiStateFiling.org~~ – URS (*beware!*)

Affinity is Awesome

Partnerships



- 16+ years in operation
- 30+ years experience
- Proven (and affordable) process
- Affinity Single Portal®
- Service Levels:
 - Full Support
 - Independent Plus
 - Independent Registration

BoardSource®

Affinity's Support Services

Help comes in many forms



Full Support



Compliance Assessments



Independent Registration

The Affinity Single Portal®



- First developed in 2010
- 2013 began build-out
- Constantly changing
- Cloud-based
- Full Support
- Fully-populated forms
- Independent users
 - 1–39 states
- Demo
 - December 11, 2025 | 8am PT / 11am ET
- www.GoSinglePortal.com

Resources

- www.FundraisingRegistration.com
 - FREE ESTIMATE – of all registration fees
- [Compliance NEWS](#), [Digital Resources](#)
- [Interactive State Registration Map](#)
- [NOLO Nonprofit Fundraising Registration Digital Guide](#)
- [15th Annual New Developments Update PDF Handout \(2025\)](#)
- Affinity Single Portal® Demo: December 11, 2025, 8am PT / 11am ET

Get in Touch

FundraisingRegistration.com
Maia@FundraisingRegistration.com



PEOPLE-ORIENTED

Remaining questions or
concerns? I'm here to help.



Questions & Answers