

# FRATERNAL ORGANIZATION

## Qualifications, Requirements and Necessary Documentation



## Texas Administrative Code Rule §141.420

This guide is to be used to assist organizations in completing an original application to conduct bingo.  
Submittal of information does not guarantee approval.

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# DEFINITIONS

**Bylaws** are a standing set of rules governing the regulation of an organization's internal affairs.

A **constitution** is the set of fundamental principles according to which an organization is governed.

**Articles of Incorporation** are documents that set forth the basic terms and purposes of an organization and are the official recognition by the Texas Secretary of State.

A **Certificate of Formation** is a document filed with the Texas Secretary of State, to create a nonprofit corporation under the provisions of the Texas Business Organization Code (BOC).

**Nonprofit organization** means an unincorporated association or a corporation that is incorporated or holds a certificate of authority under Chapter 22 of the BOC. The organization:

- (A) may not distribute any of its income to its members, officers, or governing body, other than as reasonable compensation for services.
- (B) must have obtained tax exempt status under Section 501(c), Internal Revenue Code of 1986.

# INTRODUCTION

## **To qualify under the FRATERNAL ORGANIZATION status Bingo Enabling Act §2001.002 (11)(A)(B):**

“Fraternal organization” means:

- (A) A nonprofit organization organized to perform and engaged primarily in performing charitable, benevolent, patriotic, employment-related, or educational functions.
- (B) A nonprofit organization representing the owners and lessees of a majority of the real property located within a designated “National Historical District” whose net proceeds are used for restoration, construction, maintenance, and security in the district.

The term “fraternal organization” does not include an organization whose members are predominantly veterans or dependents of veterans of the armed services of the United States.

Listed below are a few questions to consider before your organization begins the application process:

1. Is your organization a non-profit unincorporated association or corporation?
2. Is the conduct of bingo legal in the municipality, county, or justice precinct where your organization has its primary business office? If not, you may be able to play in an adjacent county where bingo is legal. Check the adjacent counties.
3. Has your 501(c) been active for at least three years?
4. Has your organization been established in the state of Texas for at least three years?

If you answer “NO” to any of these questions, your organization is not currently qualified for a license to conduct charitable bingo.

If you answer “YES” to all of the questions, proceed with your application, and utilize this guide to assist you in the process.

## ELIGIBILITY

The applicant must be an unincorporated association or corporation organized to perform and engage in charitable work.

The name of the applicant organization must match the name stated in its organizing instruments.

### **Submit the following:**

- A signed copy of the organization's organizing instruments, including any bylaws, constitution, charter, and articles of incorporation.
- 

## 501(c) EXEMPTION

The applicant must hold a valid 501(c) exemption through the Internal Revenue Service.

### **Submit one of the following:**

If the Department is unable to validate directly with the Internal Revenue Service that the organization has a 501(c) designation, the Department will request additional documentation from the applicant. The supporting documentation may include:

1. A copy of your "Letter of Determination" issued by the IRS, if your organization maintains its own 501(c) exemption.

*Or*

2. If your organization is covered under a group 501(c) exemption, submit FORMID 110 *Verification by Parent for Charitable Organization Conductor*, and a copy of your parent organization's letter from the IRS that grants approval to cover its affiliated subordinate units.

## DISTRIBUTION OF INCOME

The applicant may not distribute any income to members, officers, or governing body except as reasonable compensation for services.

**Submit the following:**

- The most recent copy of *IRS Form 990* if the organization is required to file it with the Internal Revenue Service.

Indicate on application if organization is not required to file *Form 990*. (*FORMID 1*, Item 12.)

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## ORGANIZED IN TEXAS FOR THREE YEARS

The applicant must have been established in Texas for at least three years. The applicant must submit documentation that reflects the applicant's name and Texas address. The documents must either be dated at least three years prior to the application date or establish that the organization was founded more than three years ago.

**Submit one of the following:**

1. A copy of a listing in a publication such as a national roster or newspaper article if not affiliated with a state or national organization.

*Or*

2. A letter to the applicant from a government agency.
- 

## MEMBERSHIP

The applicant must have a bona fide membership and may appoint only the organization's members to serve as operators.

**Submit the following:**

- A current membership list with all officers and directors noted. The membership list will be compared to the persons listed on the application to confirm that only members have been named as operators.

## ORGANIZATION'S PURPOSE

Proof of organization is currently active and has been continuously engaged in furthering its authorized purposes for the past three years.

### **Submit the following:**

1. Organizing instruments describing the organization's purposes.
  2. Copies of minutes from three annual membership meetings reflecting that the organization voted on the election of officers and reported on matters related to furthering the organization's purpose.
  3. Collectively, the three meeting minutes must encompass a thirty-six-month period (i.e., one per year).
  4. The meeting minutes must be dated and signed by an officer of the organization.
- 

## PUBLIC SUPPORT OF A CANDIDATE

The applicant may not authorize support for or opposition to a candidate for public office.

### **Submit the following:**

- Organizing instrument(s) reflecting that organization has not authorized support or opposition of a public office candidate.

# DEMONSTRATION OF PROGRESS

The applicant must demonstrate significant progress toward the accomplishment of the organization's purposes during the 24 months preceding the date of application.

## What is needed:

- At least three different types of acceptable documents as proof that the organization was engaged in furthering its charitable purpose for the time period beginning one year prior to the date the application was signed.

## Examples of acceptable documentation:

1. Canceled checks
2. Newspaper Articles
3. Brochures
4. Receipts
5. Meeting minutes
6. *IRS Form 990*

All documents must be dated and indicate the organization's name. To establish the beginning date, an organization may submit documentation dated up to three months prior to the year before the application was signed in order to prove that the organization has been engaged in furthering its charitable purpose throughout the past 24 months.

## Documentation Included:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

## CRIMINAL HISTORY INVESTIGATION

The applicant must ensure that none of the organization's officers, directors and/or operators have been convicted in any jurisdiction of a gambling or gambling-related offense; and have not been convicted of a criminal fraud offense, with the exception of a criminal fraud offense that is a Class C misdemeanor.

The Department will compare the names of officers and directors included in the documents to the application to ensure all officers and directors have been disclosed. A criminal history check on all officers, directors and operators will occur. Any officer, director, or operator listed on the application not meeting the criminal history background requirement must resign before a license may be issued.

The guidelines and factors used by the Charitable Bingo Operations Division related to bingo workers can be found at:

<https://www.txbingo.org/export/sites/bingo/Licensing/Worker/index.html>.

### **Submit one of the following:**

1. A signed copy of the applicant organization's organizing instruments, including any bylaws, constitution, charter, and articles of incorporation that list the officer and director positions.

*Or*

2. If officers and/or directors are not listed in organizing instruments, a current membership list identifying officers and directors.

*If Applicable*

3. If officer and/or director positions are unfilled, a statement signed by an officer indicating which positions are vacant.

# LETTER OF GOOD STANDING

## **Submit the following:**

- Proof the applicant is in good standing with the Secretary of State. (The right to do business in Texas.) The Department will request additional documentation from the applicant if unable to validate good standing directly with the SOS.

This documentation may include a copy of “Tax Clearance Letter for Reinstatement” from the Texas State Comptroller of Public Accounts and a stamped, filed copy of an “Application for Reinstatement” from the SOS.

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## REQUIRED TRAINING

- The Bingo Chairperson is required to take the On-Line Bingo Training located in the Bingo Service Portal: <https://bsc.txbingo.org/>

**All members of the organization involved in the conduct of Bingo are highly encouraged to complete the online training.**

## REQUIRED FORMS

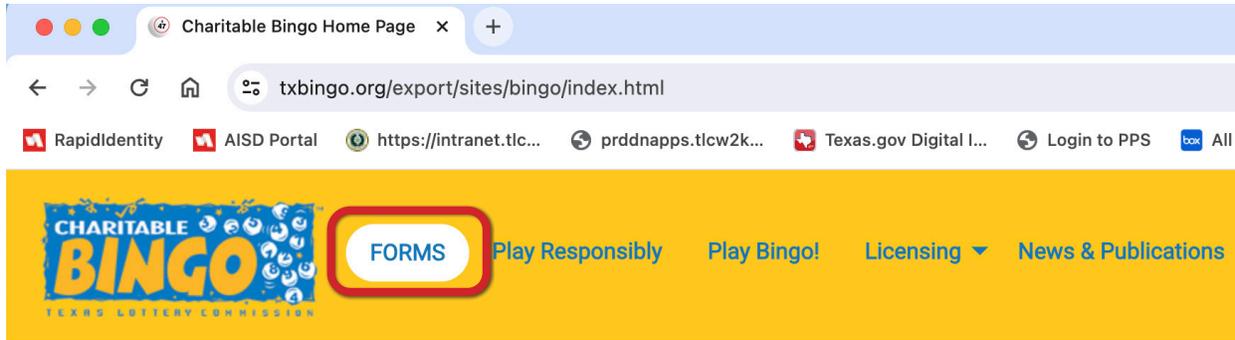
1. ***Application for an Original License to Conduct Bingo FORMID 1***
2. ***Application for an Original License to Conduct Bingo Supplement FORMID 7***
3. ***Add Individuals to a License to Conduct Bingo FORMID 2***
4. **Bond Information** (Submit one of the following)
  - a. ***Assignment of Security for a License to Conduct Bingo FORMID 3***  
(Assignment of account, such as Certificates of Deposit/Savings, for the specified amount to the Texas Department of Licensing & Regulation.)
  - b. ***Surety Bond for a License to Conduct Bingo FORMID 4*** (Provide a bond from an authorized agent.)
  - c. **Cash Bond** (Send a check or money order payable to “TX State Comptroller”.)
  - d. **U.S. Treasury Bonds** (No form is available, must be submitted with application.)
  - e. **Letters of Credit** (No form is available, must be submitted with application.)

## SUPPLEMENTAL FORMS

1. **Application for Registry of Bingo Workers FORMID 46:** (This form must be completed by a person that will be involved with the conduct of bingo as an operator, manager, cashier, usher, caller, salesperson, bookkeeper, or Bingo Chairperson for an annual license holder.)
2. **Add Designated Member to Conductor License FORMID 62:** (This form must be submitted by an applicant for a license to conduct bingo to designate an individual as a member of their organization for the purposes of conducting bingo.)
3. **Verification by Parent for Charitable Organization Conductor FORMID 110:** (This form must be submitted by an organization applying for a license to conduct charitable bingo in Texas that is a subordinate organization to a parent organization. The form will verify that the subordinate organization is in good standing with the parent organization and whether the subordinate organization is covered under the 501(c) group exemption letter issued by the Internal Revenue Service (IRS) to the parent organization.)
4. **Return of Organization Exempt from Income Tax IRS Form 990:** (This form is used by tax-exempt organizations and nonexempt charitable trusts, to provide the IRS with the information required by section 6033.)

All forms, except for IRS forms, are available on the Texas Charitable Bingo Operations Division website at: [www.txbingo.org](http://www.txbingo.org).

Once the website is open, click on “Forms.”



You can search for forms by using Search function or Type of license.

## Charitable Bingo Forms

A screenshot of the 'Charitable Bingo Forms' search interface. The page has a light gray background. At the top left, there is a search bar with the text 'Search:' inside it, highlighted with a red box. Below the search bar, there is a 'Type' dropdown menu, also highlighted with a red box. To the right of the 'Type' dropdown is a 'Reset' button. Further right, there is a 'Form ID' dropdown menu. The word 'Form' is visible between the 'Type' and 'Form ID' dropdowns.

Please note that application processing time depends upon several variables, including the completeness and accuracy of the application and whether required supplemental documentation is provided or not.

## A FINAL-QUICK CHECKLIST

Ensure that all forms, fees, and documentation are submitted with the application package.

### Submit Now:

1. **Application for an Original License to Conduct Bingo FORMID 1.** Do not leave any item blank. If an item does not apply, enter “N/A.”
2. **Add Individuals to a License to Conduct Bingo FORMID 2.**
3. **Application for Registry of Bingo Workers FORMID 46.**
4. **Copy of the Bingo Training Certificate.**
5. **All applicable Organizational documents (Charter, members list, bylaws, etc.)**

### May submit now or when notified:

1. **Application for an Original License to Conduct Bingo Supplement FORMID 7.**
2. **Bond** – Submit a check made payable to “Texas State Comptroller” or **Assignment of Security for a License to Conduct Bingo FORMID 3 or Surety Bond for a License to Conduct Bingo FORMID 4** for the amount calculated. The original surety bond must be mailed to our office signed by two officers of the organization.
3. **Add Individuals to a License to Conduct Bingo FORMID 2** to designate a bookkeeper and operators if they have not been submitted previously. These positions require a worker registry badge.

Please see Texas Administrative Code Rule 141.420 for additional reference aide.  
[https://texas-sos.appianportalsgov.com/rules-and-meetings?interface=LANDING\\_PAGE](https://texas-sos.appianportalsgov.com/rules-and-meetings?interface=LANDING_PAGE)

**Ensure all required documentation is submitted.**

# APPENDIX

*The documents included below are presented as examples only and may not represent a complete list of acceptable documentation. Please check the appropriate agency website or contact the appropriate individuals for the latest version of any form and/or any potential equivalent, acceptable documentation not represented here.*

## EXAMPLE 1 – Articles of Incorporation and Bylaws

*Bylaws are your organization’s internal affairs guidebook. Bylaws establish procedures for holding elections, organizing meetings, quorum requirements, membership structure (if needed) and other essential operations of your nonprofit. Bylaws serve as your organizational manual and will help guide the orderly operation of your organization.*

### Article I. Name of Organization

*The name of the organization is YOUR NONPROFIT NAME HERE.*

### Article II. Corporate Purpose

#### Section 1. Nonprofit Purpose

*This is the language that is required in your Articles of Incorporation by the IRS. It is not necessary to include this in your Bylaws, but it is a good idea to restate it as a reference.*

#### Section 2. Specific Purpose

*Here you put the purpose of your organization as well as the specific activities you will be involved in. It is a good idea to list the major activities of your nonprofit without being too specific about the details. You want to have a focused scope of work without limiting the ability to grow the organization in the future.*

### Article III. Membership

*Membership in your nonprofit can be limited to your board of directors or it can also include members of the public. This is a decision you should make at your first meeting when you adopt your Bylaws.*

*If you do not intend to have public membership, then the following wording is all that is necessary:*

*“The membership of the corporation shall consist of the members of the Board of Directors.”*

#### Section 1. Eligibility for Membership

#### Section 2. Annual Dues

#### Section 3. Rights of Members

#### Section 4. Resignation and Termination

#### Section 5. Non-voting Membership

## **EXAMPLE 1 – Articles of Incorporation and Bylaws (cont'd)**

### **Article IV. Meetings of Members**

*If you do not have public membership, you can skip this Article.*

#### **Section 1. Regular Meetings**

*A membership nonprofit should hold at least one (1) member meeting each year. Check with the Secretary of State to see if any state statutes apply to member meetings.*

#### **Section 2. Annual Meetings**

#### **Section 3. Special Meetings**

#### **Section 4. Notice of Meetings**

#### **Section 5. Quorum**

*Check with the Secretary of State office to see if quorum requirements may apply to your member meetings.*

#### **Section 6. Voting**

### **Article V. Board of Directors**

*Your board of directors are members of your organization, but they are given special responsibilities and authority. If there is one section of your Bylaws that you will be referencing frequently, this is it.*

#### **Section 1. General Powers**

#### **Section 2. Number, Tenure, Requirements, and Qualifications**

*Check with the Secretary of State to see the minimum number of board members required in Texas. As with many things in the Bylaws, it is your choice on what to include as criteria for your board members. Requiring a cash donation to be on the board is not uncommon and many granting organizations require it.*

#### **Section 3. Regular and Annual Meetings**

#### **Section 4. Special Meetings**

#### **Section 5. Notice**

#### **Section 6. Quorum**

#### **Section 7. Forfeiture**

#### **Section 8. Vacancies**

#### **Section 9. Compensation**

#### **Section 10. Informal Action by Directors**

## **EXAMPLE 1 – Articles of Incorporation and Bylaws (cont'd)**

### **Section 11. Confidentiality**

*This is not a requirement in most states and its inclusion is optional.*

### **Section 12. Advisory Council**

### **Section 13. Parliamentary Procedure**

### **Section 14. Removal**

## **Article VI. Officers**

*Every Board of Directors needs officers. The Texas Business Organizations Code requires a nonprofit corporation to have at least three directors, one president, and one secretary. The same person cannot be both the president and secretary. Officers and directors must be natural persons, but may be known by other titles.*

### **Section 1. President**

### **Section 2. Vice-President**

### **Section 3. Secretary**

### **Section 4. Treasurer**

### **Section 5. Election of Officers**

### **Section 6. Removal of Officer**

### **Section 7. Vacancies**

## **Article VII. Committees**

### **Section 1. Committee Formation**

### **Section 2. Executive Committee**

### **Section 3. Finance Committee**

## **Article VIII. Corporate Staff**

*Even if you do not have any paid staff members for your organization, it is good to prepare for this eventuality.*

### **Section 1: Executive Director**

## **Article IX. Conflict of Interest and Compensation**

*From Appendix A of IRS Form 1023 (the form you will fill out when applying for 501(c) 3 status). This is not mandatory but is recommended.*

### **Section 1: Purpose**

## **EXAMPLE 1 – Articles of Incorporation and Bylaws (cont'd)**

### **Section 2: Definitions**

### **Section 3. Procedures**

### **Section 4. Records of Proceedings**

### **Section 5. Compensation**

### **Section 6. Annual Statements**

### **Section 7. Periodic Reviews**

### **Section 8. Use of Outside Experts**

### **Article X. Indemnification**

*An indemnity clause is authored to help prevent board members and employees from being sued if someone were to file a lawsuit against your organization.*

#### **Section 1. General**

#### **Section 2. Expenses**

#### **Section 3. Insurance**

### **Article XI. Books and Records**

### **Article XII. Amendments**

#### **Section 1. Articles of Incorporation**

#### **Section 2. Bylaws**

### **Adoption of Bylaws**

*It's good practice to record the date the Bylaws are passed (or amended) and have the board president sign the final document with the secretary attesting to the signature. Some organizations will have all board members sign this document.*

*We, the undersigned, are all the initial directors or incorporators of this corporation, and we consent to, and hereby do, adopt the foregoing Bylaws, consisting of the ## preceding pages, as the Bylaws of this corporation.*

*ADOPTED AND APPROVED by the Board of Directors on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ .*

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*M. Jones, President - Nonprofit, Inc.*

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*ATTEST: R. Browning, Secretary - Nonprofit, Inc.*

## EXAMPLE 2 - Acceptable Letter from IRS

<p>Internal Revenue Service P.O. Box 2508 Cincinnati, OH 45201</p> <p>Date: December 2, 2011</p> <p>Building a Better Community %John Doe 1234 Town Street Town, USA 12345</p> <p>Dear Sir or Madam:</p> <p>This is in response to your request of December 1, 2011, regarding your tax-exempt status.</p> <p>Our records indicate that in December 1968 the Building a Better Community was recognized as exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code and was classified as a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(a)(vi) of the Code.</p> <p>Even though the Building a Better Community was issued an individual ruling, this ruling covers its chapters, branches and auxiliaries.</p> <p>Donor may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to them or for their use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.</p> <p>If you have any questions, please call us at the telephone number shown in the heading of this letter.</p> <p>Sincerely, <i>Cindy Thomas</i> Cindy Thomas Manager, Exempt Organizations Determinations</p>	<p>Department of the Treasury</p> <p>Person to Contact: Ms. Harris #0123456 Toll Free Telephone Number: 877-829-5500 Federal Identification Number: 12-3456789</p> <p><b>ACCEPTABLE GROUP LETTER</b></p> <p>Letters are from the IRS and must include:</p> <ol style="list-style-type: none"><li>1) Group's EIN</li><li>2) Group's name and address.</li><li>3) The IRS considers your organization a 501(c)(3) organization.</li><li>4) Letter must be dated at least 3 years prior to date of application.</li></ol> <p>Must provide a letter from the CEO or CEO equivalent stating that your organization is covered under the national IRS letter.</p>
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### EXAMPLE 3 - IRS Letter of Determination

INTERNAL REVENUE SERVICE DISTRICT DIRECTOR P. O. BOX 2508 CINCINNATI, OH 45201	DEPARTMENT OF THE TREASURY
Date: <b>OCT 08 1998</b>	Employer Identification Number: 01-
GREAT SOCIETY	DLN: 17
PO BOX CR Y ISLES, 4 2	Contact Person:  Contact Telephone Number:  Our Letter Dated: February 1994 Addendum Applies: No

Dear Applicant:

This modifies our letter of the above date in which we stated that you would be treated as an organization that is not a private foundation until the expiration of your advance ruling period.

Your exempt status under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) is still in effect. Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Code because you are an organization of the type described in section 509(a)(1) and 170(b)(1)(A)(vi).

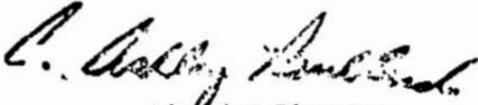
Grantors and contributors may rely on this determination unless the Internal Revenue Service publishes notice to the contrary. However, if you lose your section 509(a)(1) status, a grantor or contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act, or the substantial or material change on the part of the organization that resulted in your loss of such status, or if he or she acquired knowledge that the Internal Revenue Service had given notice that you would no longer be classified as a section 509(a)(1) organization.

If we have indicated in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown above.

Sincerely yours,

  
District Director

## EXAMPLE 4 - Letter from Government Agency



OGDEN UT 84201-0038

In reply refer to: 0443289478  
Mar. 17, 2014 LTR 147C 0  
2 8 000000 00  
00003163  
BODC: SB



AVE  
SAN ANTONIO TX 78

032283

Employer Identification Number: 2 8

Dear Taxpayer:

Thank you for your inquiry of Mar. 06, 2014.

Your Employer Identification Number (EIN) is 2 8. Please keep this letter in your permanent records. Enter your name and EIN on all federal business tax returns and on related correspondence.

If you need forms, schedules, or publications, you can obtain them by visiting the IRS web site at [www.irs.gov](http://www.irs.gov) or by calling toll free at 1-800-TAX-FORM (1-800-829-3676).

Please call our toll-free telephone number at 1-800-829-4933 with any questions you may have.

You also can write to us at the address shown at the top of this letter's first page.

When you write to us, please attach this letter and, in the spaces below, give us your telephone number with the hours we can reach you in case we need more information. You also may want to keep a copy of this letter for your records.

Telephone Number ( ) \_\_\_\_\_ Hours \_\_\_\_\_

We apologize for any inconvenience we may have caused you, and thank you for your cooperation.

# EXAMPLE 5 - IRS Form 990

Click on the question-mark icons to display help windows.  
The information provided will enable you to file a more complete return and reduce the chances the IRS will need to contact you.

Form <b>990-EZ</b>  Department of the Treasury Internal Revenue Service	<b>Short Form</b> <b>Return of Organization Exempt From Income Tax</b> Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations) Do not enter social security numbers on this form, as it may be made public. Go to <a href="http://www.irs.gov/Form990EZ">www.irs.gov/Form990EZ</a> for instructions and the latest information.	OMB No. 1545-0047 <div style="font-size: 2em; font-weight: bold; margin-bottom: 5px;">2023</div> <div style="background-color: black; color: white; padding: 5px; font-weight: bold;">Open to Public Inspection</div>
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**A** For the 2023 calendar year, or tax year beginning \_\_\_\_\_, 2023, and ending \_\_\_\_\_, 20

<b>B</b> Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Final return/terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	<b>C</b> Name of organization <span style="float: right;">?</span> <hr/> Number and street (or P.O. box if mail is not delivered to street address) <span style="float: right;">?</span> Room/suite <hr/> City or town, state or province, country, and ZIP or foreign postal code	<b>D</b> Employer identification number <span style="float: right;">?</span> <hr/> <b>E</b> Telephone number <hr/> <b>F</b> Group Exemption Number <span style="float: right;">?</span> <hr/> <b>G</b> Accounting Method: <input type="checkbox"/> Cash <input type="checkbox"/> Accrual Other (specify): _____ <b>H</b> Check <input type="checkbox"/> if the organization is not required to attach Schedule B (Form 990). <span style="float: right;">?</span> <b>I</b> Website: _____ <b>J</b> Tax-exempt status (check only one) — <input type="checkbox"/> 501(c)(3) <input type="checkbox"/> 501(c) ( ) (insert no.) <input type="checkbox"/> 4947(a)(1) or <input type="checkbox"/> 527 <b>K</b> Form of organization: <input type="checkbox"/> Corporation <input type="checkbox"/> Trust <input type="checkbox"/> Association <input type="checkbox"/> Other: _____ <b>L</b> Add lines 5b, 6c, and 7b to line 9 to determine gross receipts. If gross receipts are \$200,000 or more, or if total assets (Part II, column (B)) are \$500,000 or more, file Form 990 instead of Form 990-EZ. _____ \$
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**Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances** (see the instructions for Part I) ?  
 Check if the organization used Schedule O to respond to any question in this Part I \_\_\_\_\_

<b>Revenue</b>	<b>1</b> Contributions, gifts, grants, and similar amounts received . . . . .	<b>1</b>	
	<b>2</b> Program service revenue including government fees and contracts . . . . .	<b>2</b>	
	<b>3</b> Membership dues and assessments . . . . .	<b>3</b>	
	<b>4</b> Investment income . . . . .	<b>4</b>	
	<b>5a</b> Gross amount from sale of assets other than inventory . . . . .	<b>5a</b>	
	<b>b</b> Less: cost or other basis and sales expenses . . . . .	<b>5b</b>	
	<b>c</b> Gain or (loss) from sale of assets other than inventory (subtract line 5b from line 5a) . . . . .	<b>5c</b>	
	<b>6</b> Gaming and fundraising events:		
	<b>a</b> Gross income from gaming (attach Schedule G if greater than \$15,000) . . . . .	<b>6a</b>	
	<b>b</b> Gross income from fundraising events (not including \$ _____ of contributions from fundraising events reported on line 1) (attach Schedule G if the sum of such gross income and contributions exceeds \$15,000) . . . . .	<b>6b</b>	
<b>c</b> Less: direct expenses from gaming and fundraising events . . . . .	<b>6c</b>		
<b>d</b> Net income or (loss) from gaming and fundraising events (add lines 6a and 6b and subtract line 6c) . . . . .	<b>6d</b>		
<b>7a</b> Gross sales of inventory, less returns and allowances . . . . .	<b>7a</b>		
<b>b</b> Less: cost of goods sold . . . . .	<b>7b</b>		
<b>c</b> Gross profit or (loss) from sales of inventory (subtract line 7b from line 7a) . . . . .	<b>7c</b>		
<b>8</b> Other revenue (describe in Schedule O) . . . . .	<b>8</b>		
<b>9</b> <b>Total revenue.</b> Add lines 1, 2, 3, 4, 5c, 6d, 7c, and 8 . . . . .	<b>9</b>		
<b>Expenses</b>	<b>10</b> Grants and similar amounts paid (list in Schedule O) . . . . .	<b>10</b>	
	<b>11</b> Benefits paid to or for members . . . . .	<b>11</b>	
	<b>12</b> Salaries, other compensation, and employee benefits <span style="float: right;">?</span> . . . . .	<b>12</b>	
	<b>13</b> Professional fees and other payments to independent contractors <span style="float: right;">?</span> . . . . .	<b>13</b>	
	<b>14</b> Occupancy, rent, utilities, and maintenance . . . . .	<b>14</b>	
	<b>15</b> Printing, publications, postage, and shipping . . . . .	<b>15</b>	
	<b>16</b> Other expenses (describe in Schedule O) <span style="float: right;">?</span> . . . . .	<b>16</b>	
<b>17</b> <b>Total expenses.</b> Add lines 10 through 16 . . . . .	<b>17</b>		
<b>Net Assets</b>	<b>18</b> Excess or (deficit) for the year (subtract line 17 from line 9) . . . . .	<b>18</b>	
	<b>19</b> Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return) . . . . .	<b>19</b>	
	<b>20</b> Other changes in net assets or fund balances (explain in Schedule O) . . . . .	<b>20</b>	
	<b>21</b> Net assets or fund balances at end of year. Combine lines 18 through 20 . . . . .	<b>21</b>	



# EXAMPLE 5 – IRS Form 990 (cont'd)

**Part V** **Other Information** (Note the Schedule A and personal benefit contract statement requirements in the instructions for Part V.) Check if the organization used Schedule O to respond to any question in this Part V

		Yes	No
<b>33</b> Did the organization engage in any significant activity not previously reported to the IRS? If "Yes," provide a detailed description of each activity in Schedule O . . . . .	<b>33</b>		
<b>34</b> Were any significant changes made to the organizing or governing documents? If "Yes," attach a conformed copy of the amended documents if they reflect a change to the organization's name. Otherwise, explain the change on Schedule O. See instructions . . . . .	<b>34</b>		
<b>35a</b> Did the organization have unrelated business gross income of \$1,000 or more during the year from business activities (such as those reported on lines 2, 6a, and 7a, among others)? . . . . .	<b>35a</b>		
<b>b</b> If "Yes" to line 35a, has the organization filed a Form 990-T for the year? If "No," provide an explanation in Schedule O . . . . .	<b>35b</b>		
<b>c</b> Was the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization subject to section 6033(e) notice, reporting, and proxy tax requirements during the year? If "Yes," complete Schedule C, Part III . . . . .	<b>35c</b>		
<b>36</b> Did the organization undergo a liquidation, dissolution, termination, or significant disposition of net assets during the year? If "Yes," complete applicable parts of Schedule N . . . . .	<b>36</b>		
<b>37a</b> Enter amount of political expenditures, direct or indirect, as described in the instructions <b>37a</b> . . . . .	<b>37a</b>		
<b>b</b> Did the organization file <b>Form 1120-POL</b> for this year? . . . . .	<b>37b</b>		
<b>38a</b> Did the organization borrow from, or make any loans to, any officer, director, trustee, or key employee; or were any such loans made in a prior year and still outstanding at the end of the tax year covered by this return? . . . . .	<b>38a</b>		
<b>b</b> If "Yes," complete Schedule L, Part II, and enter the total amount involved . . . . .	<b>38b</b>		
<b>39</b> Section 501(c)(7) organizations. Enter: . . . . .			
<b>a</b> Initiation fees and capital contributions included on line 9 . . . . .	<b>39a</b>		
<b>b</b> Gross receipts, included on line 9, for public use of club facilities . . . . .	<b>39b</b>		
<b>40a</b> Section 501(c)(3) organizations. Enter amount of tax imposed on the organization during the year under: section 4911: . . . . .; section 4912: . . . . .; section 4955: . . . . .			
<b>b</b> Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in any section 4958 excess benefit transaction during the year, or did it engage in an excess benefit transaction in a prior year that has not been reported on any of its prior Forms 990 or 990-EZ? If "Yes," complete Schedule L, Part I . . . . .	<b>40b</b>		
<b>c</b> Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Enter amount of tax imposed on organization managers or disqualified persons during the year under sections 4912, 4955, and 4958 . . . . .			
<b>d</b> Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Enter amount of tax on line 40c reimbursed by the organization . . . . .			
<b>e</b> All organizations. At any time during the tax year, was the organization a party to a prohibited tax shelter transaction? If "Yes," complete Form 8886-T . . . . .	<b>40e</b>		
<b>41</b> List the states with which a copy of this return is filed: . . . . .			
<b>42a</b> The organization's books are in care of: . . . . . Telephone no. . . . .			
Located at: . . . . . ZIP + 4 . . . . .			
<b>b</b> At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)? If "Yes," enter the name of the foreign country: . . . . .	<b>42b</b>	Yes	No
See the instructions for exceptions and filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR). . . . .			
<b>c</b> At any time during the calendar year, did the organization maintain an office outside the United States? If "Yes," enter the name of the foreign country: . . . . .	<b>42c</b>		
<b>43</b> Section 4947(a)(1) nonexempt charitable trusts filing Form 990-EZ in lieu of <b>Form 1041</b> – Check here . . . . . and enter the amount of tax-exempt interest received or accrued during the tax year . . . . .	<b>43</b>		
		Yes	No
<b>44a</b> Did the organization maintain any donor advised funds during the year? If "Yes," Form 990 must be completed instead of Form 990-EZ . . . . .	<b>44a</b>		
<b>b</b> Did the organization operate one or more hospital facilities during the year? If "Yes," Form 990 must be completed instead of Form 990-EZ . . . . .	<b>44b</b>		
<b>c</b> Did the organization receive any payments for indoor tanning services during the year? . . . . .	<b>44c</b>		
<b>d</b> If "Yes" to line 44c, has the organization filed a Form 720 to report these payments? If "No," provide an explanation in Schedule O . . . . .	<b>44d</b>		
<b>45a</b> Did the organization have a controlled entity within the meaning of section 512(b)(13)? . . . . .	<b>45a</b>		
<b>b</b> Did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? If "Yes," Form 990 and Schedule R may need to be completed instead of Form 990-EZ. See instructions . . . . .	<b>45b</b>		

## EXAMPLE 5 - IRS Form 990 (cont'd)

		<b>Yes</b>	<b>No</b>
<b>46</b>	Did the organization engage, directly or indirectly, in political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I . . . . .	<b>46</b>	

**Part VI Section 501(c)(3) Organizations Only**

All section 501(c)(3) organizations must answer questions 47–49b and 52, and complete the tables for lines 50 and 51.

Check if the organization used Schedule O to respond to any question in this Part VI . . . . .

		<b>Yes</b>	<b>No</b>
<b>47</b>	Did the organization engage in lobbying activities or have a section 501(h) election in effect during the tax year? If "Yes," complete Schedule C, Part II . . . . .	<b>47</b>	
<b>48</b>	Is the organization a school as described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E . . . . .	<b>48</b>	
<b>49a</b>	Did the organization make any transfers to an exempt non-charitable related organization? . . . . .	<b>49a</b>	
<b>b</b>	If "Yes," was the related organization a section 527 organization? . . . . .	<b>49b</b>	

**50** Complete this table for the organization's five highest compensated employees (other than officers, directors, trustees, and key employees) who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and title of each employee	(b) Average hours per week devoted to position	(c) Reportable compensation (Forms W-2/1099-MISC/1099-NEC)	(d) Health benefits, contributions to employee benefit plans, and deferred compensation	(e) Estimated amount of other compensation

**f** Total number of other employees paid over \$100,000 . . . . .

**51** Complete this table for the organization's five highest compensated independent contractors who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and business address of each independent contractor	(b) Type of service	(c) Compensation

**d** Total number of other independent contractors each receiving over \$100,000 . . . . .

**52** Did the organization complete Schedule A? **Note:** All section 501(c)(3) organizations must attach a completed Schedule A . . . . .  **Yes**  **No**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

<b>Sign Here</b> ?	Signature of officer	Date			
	Type or print name and title				
<b>Paid Preparer Use Only</b>	Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name	Firm's EIN			
	Firm's address	Phone no.			

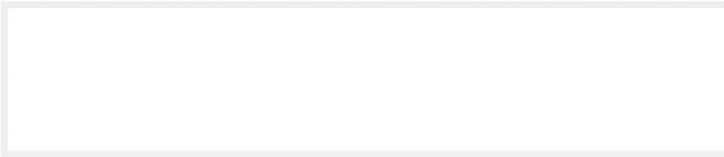
May the IRS discuss this return with the preparer shown above? See instructions . . . . .  **Yes**  **No**

## EXAMPLE 6 - Tax Clearance Letter for Reinstatement



### TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O. Box 13528 • Austin, TX 78711-3528



#### **Tax Clearance Letter for Reinstatement\***

To: Texas Secretary of State  
Corporations Section

Re: \_\_\_\_\_  
Taxpayer number: \_\_\_\_\_  
File number: \_\_\_\_\_

The referenced entity has met all franchise tax requirements and is eligible for reinstatement through \_\_\_\_\_



*\* The reinstatement must be filed with the Texas Secretary of State on or before the expiration date of this letter. After this date, additional franchise tax filing requirements must be met, and a new request for tax clearance must be submitted.*

*You can file for reinstatement online at [www.sos.state.tx.us/corp/sosda/index.shtml](http://www.sos.state.tx.us/corp/sosda/index.shtml). Forms and instructions for reinstatement are available at [www.sos.state.tx.us/corp/forms\\_option.shtml](http://www.sos.state.tx.us/corp/forms_option.shtml) or by calling 512-463-5555. This tax clearance letter must be attached to the reinstatement forms.*

## EXAMPLE 7 - Application for Reinstatement

**Form 801**  
**(Revised 12/23)**

Submit in duplicate to:  
Secretary of State  
P.O. Box 13697  
Austin, TX 78711-3697  
512 463-5555  
FAX: 512 463-5709  
Filing Fee: [See instructions](#)



This space reserved for office use.

### Application for Reinstatement And Request to Set Aside Tax Forfeiture

1. The name of the entity is: \_\_\_\_\_

The entity is a foreign entity that was required to obtain its registration under a name that differs from the legal name stated above. The fictitious name under which the entity is registered is:

2. The file number issued to the filing entity by the secretary of state is: \_\_\_\_\_

3. The entity was forfeited or revoked under the provisions of the Texas Tax Code on: \_\_\_\_\_  
mm/dd/yyyy

4. The undersigned requests that the forfeiture or revocation of the entity be set aside, and certifies that:
- The entity has filed each delinquent report that is required by chapter 171 of the Tax Code and has made payment for the tax, penalty, and interest imposed and that is due at the time of this application as evidenced by the attached tax clearance letter; and
  - On the date of forfeiture or revocation, the undersigned person was:
    - an officer, director, or shareholder of the above-named for-profit or professional corporation; or
    - an officer, director, or member of the above-named professional association; or
    - an officer, director, or member of the above-named nonprofit corporation; or
    - a member or manager of the above-named limited liability company; or
    - a partner of the above-named limited partnership; or
    - a trustee or beneficial owner of the above-named statutory or business trust.

#### Additional Required Documentation or Filings

- Comptroller of Public Accounts Tax Clearance Letter
- Letter of Consent or Amendment to Certificate of Formation or Application for Registration  
(Required when entity name is no longer available.)

#### Execution

The undersigned declares under penalty of perjury, and the penalties imposed by law for the submission of a materially false or fraudulent instrument, that the undersigned is authorized to make this request; that the statements contained herein are true and correct; and that tax clearance was not obtained by providing false or fraudulent information.

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name of entity (see instructions)

\_\_\_\_\_  
Signature of authorized person (see instructions)

\_\_\_\_\_  
Printed or typed name of authorized person

**For assistance:  
1-800-BINGO77  
(1-800-246-4677)**

**[txbingo.org](http://txbingo.org)**

**[bingo.services@lottery.state.tx.us](mailto:bingo.services@lottery.state.tx.us)**