

# NEW HAMPSHIRE NONPROFIT CHECKLIST

## Legal Requirements for NH Nonprofit Organizations

(defined as all IRS 501(c)(3) entities, except religious organizations)

### For All Nonprofits

#### Annually

- Filing of Annual Report with NH Director of Charitable Trusts\*
- Filing of Form 990 with NH Director of Charitable Trusts and with the IRS\*  
(If annual budget is under \$25,000 a 990 is NOT required. Form NHCT-2A should be substituted.)
- Conflict of Interest Policy and filing of annual conflict of interest statement with the NH Director of Charitable Trusts

### When nonprofit is established

- Registration with NH Secretary of State\* (must be renewed every five years)
- Minimum of five independent directors (see RSA 292:6-a)
- IRS 501(c)(3) tax exempt status confirmed by IRS Exemption Letter  
501(c)(3) # \_\_\_\_\_ Date \_\_\_\_\_
- Employer Identification Number (EIN) received from IRS  
EIN \_\_\_\_\_

\*Some NH nonprofit organizations are affiliates of regional or national organizations and are not required to be registered with the State of NH, provided the national organization has registered. In such cases a letter of explanation should be supplied.

### For Nonprofits with revenues over \$500,000 - to be filed with the NH Director of Charitable Trusts

- Nonprofits with annual revenues of \$500,000-\$1,000,000 must file financial statements prepared in accordance with Generally Accepted Accounting Principals
- Nonprofits with annual revenues over \$1,000,000 must file an audited financial statement
- Note: Nonprofits with endowment funds have additional requirements  
( See reverse side for resources)

This organization (print name of org.) \_\_\_\_\_  
is in compliance with all of the requirements of the NH Director of Charitable Trusts, the IRS and the NH Secretary of State, as listed above.

\_\_\_\_\_  
Board President/Chair - Print Name

\_\_\_\_\_  
Executive Director/CEO - Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**This form needs to be originally signed on an annual basis. Photocopies of the original are perfectly acceptable.  
DO NOT submit copies of all the documents listed here.**

## RESOURCES

The Director of Charitable Trusts has a very helpful website: [www.doj.nh.gov/charitable](http://www.doj.nh.gov/charitable). And has also created a helpful guidebook. This guidebook may be downloaded from the above website under publications.

### References for requirements for all nonprofits

*Copies of statutes and forms may be found at [www.doj.nh.gov/charitable](http://www.doj.nh.gov/charitable)*

- Registration with NH Director of Charitable Trusts - RSA 7:19 through 7:32-1
- Conflict of Interest Policy that complies with 1997 Statute - RSA 7:19-a
- Annual Report filed with Director of Charitable Trust - RSA 7:19-a

*Copies of statutes and forms may be found at [www.sos.nh.gov/corporate/forms](http://www.sos.nh.gov/corporate/forms)*

- Registration with NH Secretary of State – RSA 292:25
- Minimum of five independent directors - RSA 292: 6-a

### References for additional requirements for nonprofits, where applicable (Copies of statutes may be found at [www.state.nh.us](http://www.state.nh.us))

- Annual spending policy in compliance with Uniform Management of Institutional Funds Act - RSA 292-B
- Investment Policy that complies with Uniform Prudent Investor Act - RSA 564-A
- Uniform Trust Code - RSA 564-B

### *Other useful websites:*

[www.state.nh.us](http://www.state.nh.us) – click on Laws and NH Statutes for full text of New Hampshire laws

[www.guidestar.org](http://www.guidestar.org) – all IRS Form 990's in searchable format

[www.irs.gov](http://www.irs.gov) – additional information on Federal tax laws relating to charities

[www.nhnonprofits.org](http://www.nhnonprofits.org) – information on workshops, upcoming events, and other issues of interest to New Hampshire nonprofits

[www.independentsector.org](http://www.independentsector.org) – a national coalition of leading nonprofits, foundations and corporations strengthening not-for-profit initiatives, philanthropy and citizen action

[www.boardsource.org](http://www.boardsource.org) – a national organization dedicated to building effective nonprofit boards