

NYS Department of State

Division of Corporations, State Records, and Uniform Commercial Code

NOT-FOR-PROFIT FINANCIAL REPORTING SYSTEM FILING GUIDE

Contents

I. WHAT REPORTS MUST BE FILED?	3
II. WHO CAN FILE?	4
III. WHERE DO I FILE?	4
IV. HOW DO I CREATE A NY.GOV ACCOUNT?	5
V. HOW DO I START?	8
VI. CREATING A COVERED ENTITY	9
VII. FILING A FUNDING DISCLOSURE REPORT	11
VIII. FILING A FINANCIAL DISCLOSURE REPORT	16
IX. HOW DO I USE MY ACCESS PIN?	25
X. WHAT HAPPENS AFTER I SUBMIT A REPORT?	32
XI. WHAT HAPPENS ONCE MY REPORT IS FILED?	32

I. WHAT REPORTS MUST BE FILED?

PLEASE NOTE: THE DEPARTMENT OF STATE IS NO LONGER REQUIRED TO COLLECT DUPLICATE ANNUAL FINANCIAL REPORTS. UNLESS YOU ARE REQUIRED TO FILE ONE OF THE REPORTS

OUTLINED BELOW, YOU DO NOT NEED TO FILE A COPY OF YOUR ANNUAL FINANCIAL REPORT WITH THE DEPARTMENT OF STATE

There are only **two types of financial reports** that must be filed:

1. <u>Executive Law 172-e – Funding Disclosure</u>

A 501(c)(3) that makes an "in-kind-donation" (defined as "donations of staff, staff time, personnel or any other human resources, offices or office supplies") to a 501(c)(4) in excess of \$10k during a reporting period must file a Funding Disclosure Report.

The report must include:

- a. The name and address of the 501(c)(3);
- b. The identity of anyone with control over the 501(c)(3);
- c. The name and address of the recipient 501(c)(4);
- d. The date of the donation or donations;
- e. A description of the donation or donations, including the charitable purpose advanced;
- f. A copy of the 501(c)(3)'s annual financial report that includes the reported activity, including but not limited to an IRS Form 990; and
- g. IRS Form 990 Schedule B (NOTE: this is required by the not-for-profit reporting laws; recent guidance relating to filings with the New York State Attorney General's Charities Bureau does not apply to reports filed with the Department of State).

2. <u>Executive Law 172-f – Financial Disclosure</u>

A 501(c)(4) that makes covered expenditures (defined as "a communication" that "refers to and advocates for or against a clearly identified elected official, executive or administrative body or legislative body relating to the sponsorship, legislation, rule, regulation, hearing or decision, or advocates for or against action by any elected official, executive or administrative body or legislative body") in an aggregate amount exceeding \$10k in a calendar year must file a Financial Disclosure Report.

The report must include:

a. The name of the 501(c)(4) entity;

- b. The identity of anyone with control over the 501(c)(4);
- c. A detailed description of the communication;
- d. The amount paid for the communication;
- e. A description of any restricted donations received for the communication;
- f. A copy of the 501(c)(4)'s annual report that includes the reported activity, including but not limited to an IRS Form 990; and
- g. IRS Form 990 Schedule B (NOTE: this is required by the not-for-profit reporting laws; recent guidance relating to filings with the New York State Attorney General's Charities Bureau does not apply to reports file with the Department of State).

II. WHO CAN FILE?

Funding and financial disclosures must be certified by a primary contact identified in the report and who must certify the accuracy of the information contained in the report under penalty of perjury. A primary contact may, however, designate others who are able to access an organization's information and create or amend reports in progress.

The system must be accessed through NY.gov. Instructions on how to obtain a NY.gov ID may be found in this guide. A dedicated NY.gov account linked to the user's business email is recommended.

The NY.gov ID that is identified by or for you in connection with an organization created in the Not-for-Profit Financial Reporting System is the only ID that may be used to access the organization's records. Please ensure you keep track of the NY.gov ID on file with the system.

The primary contact and the individuals designated as users by the primary contact will be responsible for maintaining the confidentiality of their records in the system.

III. WHERE DO I FILE?

The Department of State's information page on the Not-for-Profit Financial Reporting System may be found here:

https://dos.ny.gov/financial-reports-be-filed-certain-not-profit-organizations

Reports may be filed through the following links on the information page:



To File Online

- Link to create a new ny.gov account: https://my.ny.gov
- File a financial report for a charitable organization with an existing NY.Gov ID

IV. HOW DO I CREATE A NY.GOV ACCOUNT?

1. Once you have clicked the link to create a new ny.gov account, click on the button that says "Don't have an Account?"



2. Click on "Business"

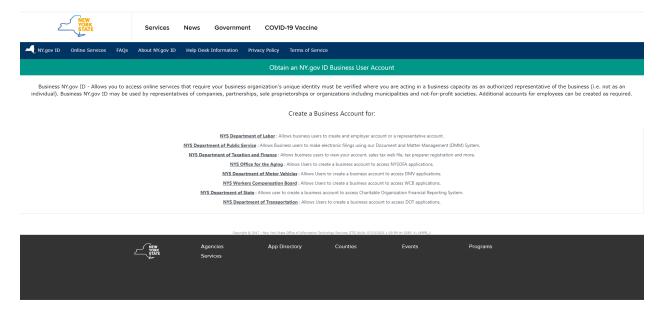
Please select one of the following three account types:



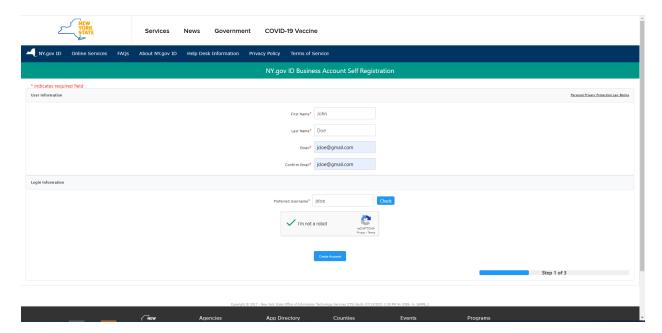




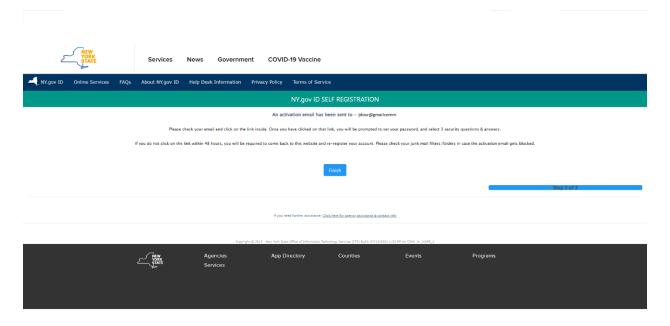
3. Click on the link for the NYS Department of State:



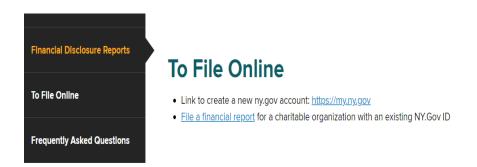
4. Fill out the NY.gov ID Business Account Self Registration page with your name and work email address. **Please note:** Any individual preparing or filing a report should have an account under their name. The report must be signed and certified under penalty of perjury by an individual who is an officer, director or person with operational or managerial control over the filing entity who is duly authorized to submit the report.



5. Once you have created your account, the confirmation page will display and provide instructions to activate the account.



6. Access your email inbox to activate your account. You will be asked to create three secret questions and a password. Please do not share access to your account with anyone else from your organization. Once your business account has been activated, return to the Not-for-Profit Financial Reports Information Page and click on the "File a financial report" link in the section titled "To File Online."



This will return you to the sign in page for the ny.gov site and, once signed in, to the NFP Financial Reporting System.

V. HOW DO I START?

When you first log in, this is what you will see on the introductory page:



If this is the first time you are signing on, you must create your organization. Click the button that says: "Create Covered Entity." You will go through this initial process for any organization you are associated with that must file a report.

Once I have created an organization, how do I find it?

The introductory page will display the following organizations to a user:

- 1. Organizations the user has entered a partial report for but has not yet submitted;
- 2. Organizations the user has submitted a report for as a primary contact, <u>once the access PIN</u> <u>has been entered</u>. You must enter the access PIN sent to your email to link the created organization to your account; and
- 3. Organizations for which the primary contact has entered you as a "designated user."

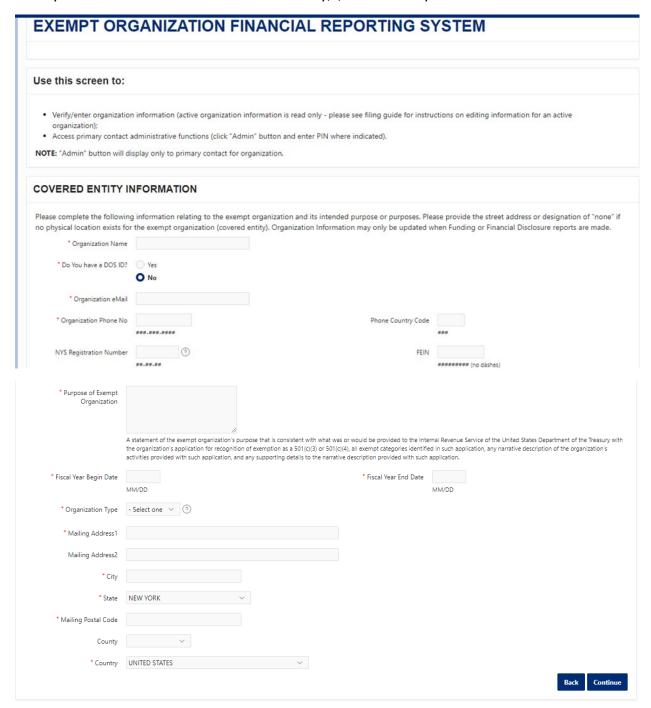
If you are associated with multiple organizations, click the search button on the left-hand side of the screen. If you have previously filed an Annual Financial Report only, your organization's information will not be in the system.

You may search using organization name, covered entity ID, NYS registration ID, email address and organization type. Please use several different search methods if you believe you have already filed a report in the system.

After filing your first report in the system, please see Section IX for instructions on how to enter your access PIN.

VI. CREATING A COVERED ENTITY

Once you have clicked: "Create a Covered Entity,", this is what you will see:



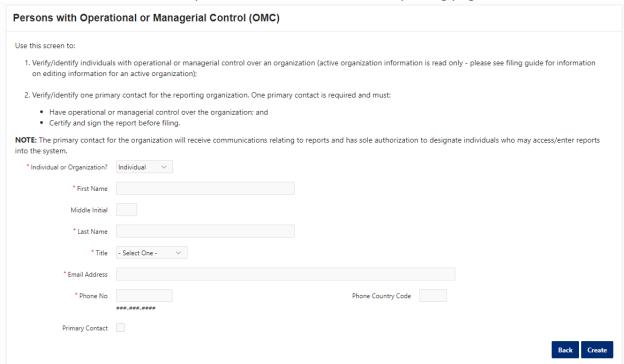
NOTE: Once you have entered your organization information, reporting will be tailored to your specific organization type:

If you are a 501(c)(3): You may file only a Funding Disclosure Report If you are a 501(c)(4): You may file only a Financial Disclosure Report

When you have finished entering your entity information, click continue. This will bring you to the page where individuals with operational or managerial control over the organization will be listed. You are required to enter the names of all individuals with operational or managerial control over your organization, along with one primary contact. Once you have entered this information, their names will appear on this page.



Click "Add OMC Person", and you will be taken to the OMC reporting page:

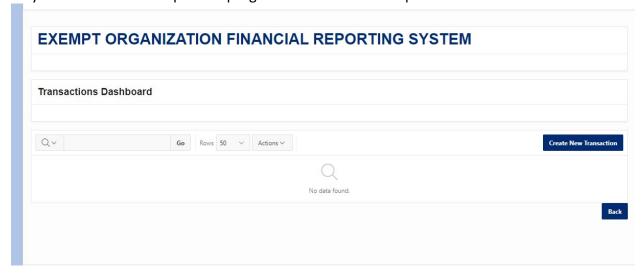


Please enter all information and click create. This will take you back to dashboard. When you are finished entering the names of all individuals with operational or managerial control over the organization, click "Finished" to move to the transaction dashboard.

Please note: A funding disclosure report or financial disclosure report must be filed to complete your organization's record in the system. Once you have filed one of these reports, please review Section IX ("HOW DO I USE MY ACCESS PIN?") for important information on how to access your organization and protect your confidentiality.

VII. FILING A FUNDING DISCLOSURE REPORT

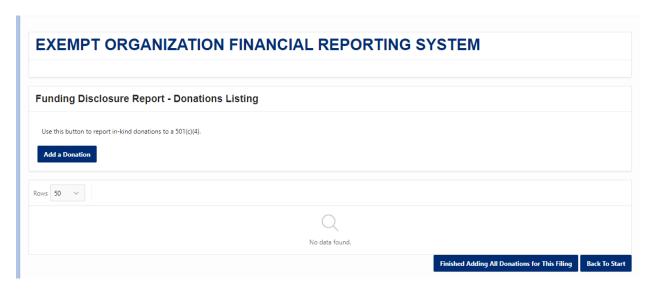
The transactions dashboard is the first screen you will see and will list any reports already submitted by your organization or reports that have been saved but not submitted. This screen may be used to access reports in progress or create a new report.



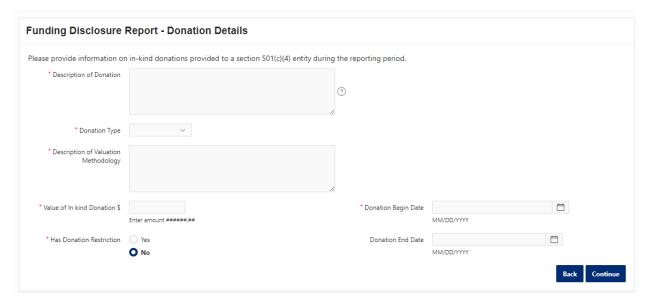
To create a new report, click "Create New Transaction."



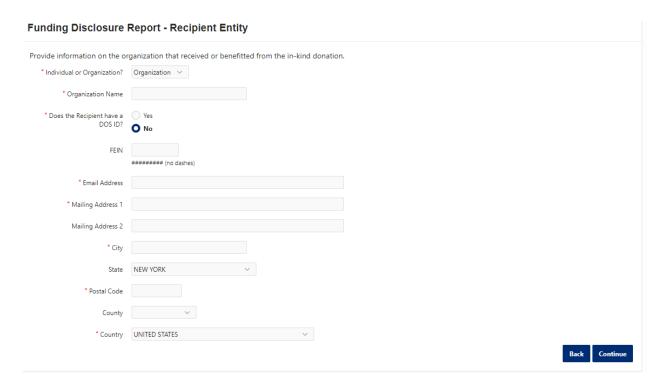
Enter the reporting period and click "continue."



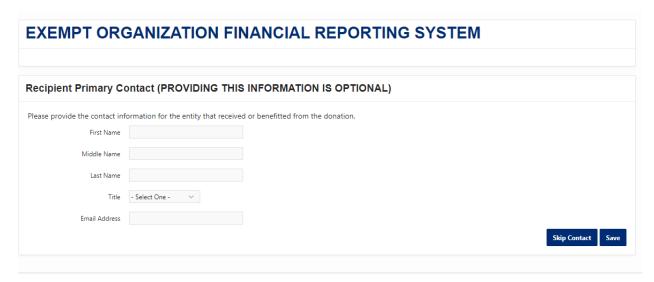
When you reach the "Donations Listing" page, donations that have been started for the reporting period will appear here. If you have not entered any donations or wish to add donations to a report, click "Add a Donation."



The first page that will appear will collect information on donations made during the reporting period. Enter the required information and click "Continue."



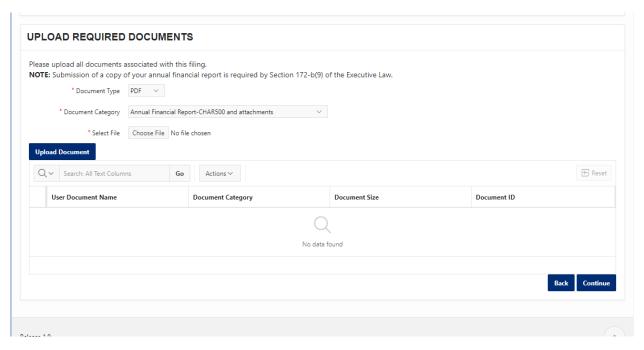
You will be directed to the "Recipient Entity" information page, where you must provide information about the organization that received the in-kind donation. Once all required information is entered, click "Continue."



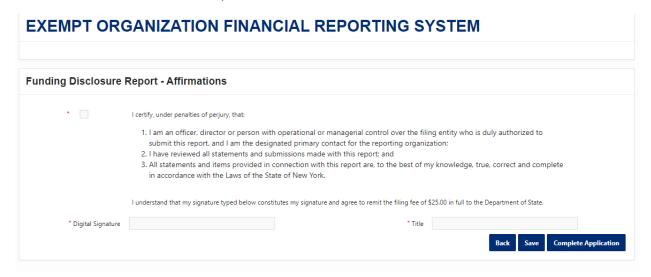
The next page permits entry of information for the primary contact associated with the recipient entity. This may be any individual to whom you would like inquiries directed. This page is optional. If you enter information on a primary contact, click "Save." If you do not wish to enter a primary contact, click "Skip Contact."

At this point, you will be returned to the "Donations Listing" dashboard. If you wish to hold off on submitting your report because there may be additional donations during the reporting

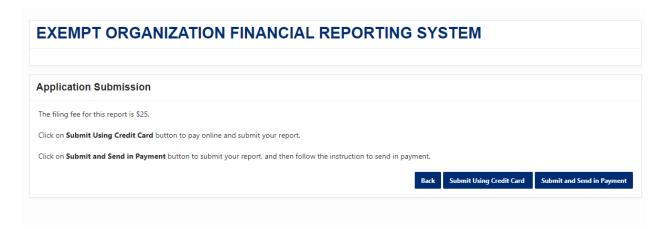
period, simply click "Back to Start" and the transaction will be saved until you are ready to complete submission. If you are finished with this report, click "Finished Adding All Donations for this Filing."



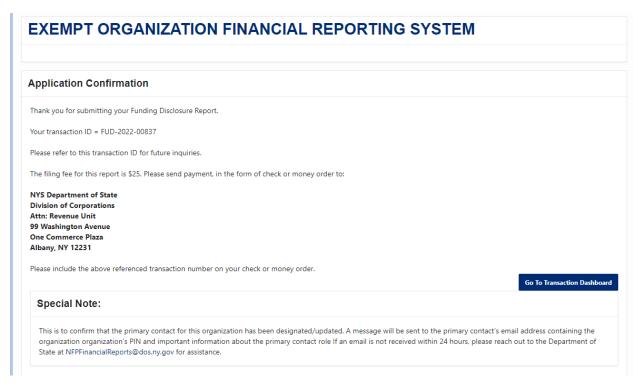
When you have finished adding donations, you will be directed to the "Upload" page. You must file an annual financial report — either the report that covers the reporting period or, if that is not available, the most recent — before you can move on. Once you have uploaded a document, you will have the option to view that document or delete it. When you are finished uploading documents, click "Continue" to proceed.



Once you have finished uploading documents, you must certify the information provided and sign the report. **NOTE: Only the designated primary contact for the organization, who must have operational or managerial control, is permitted to certify and sign the report.** After the



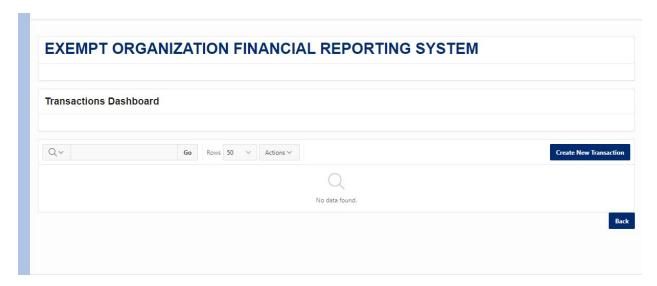
You will be directed to the payment page, which permits payment with a credit card or allows submission without payment for organizations that do not maintain a credit card. **Payment is required before the report is deemed to be filed in compliance with the statute.**



Once you have submitted your report, you will be directed to a confirmation page. You may print this page for your records. At this point, you will receive an email with your Transaction ID provided. You will receive a separate email with your access PIN.

VIII. FILING A FINANCIAL DISCLOSURE REPORT

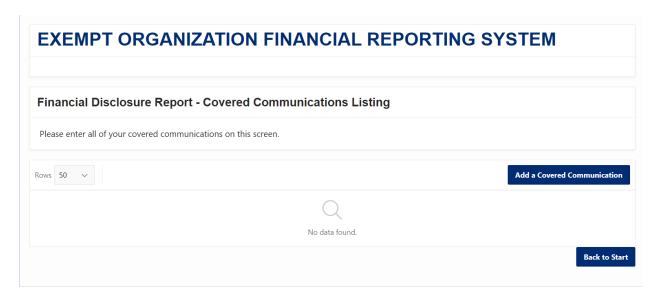
The transactions dashboard is the first screen you will see and will list any reports already submitted by your organization or reports that have been saved but not submitted. This screen may be used to access reports in progress or create a new report.



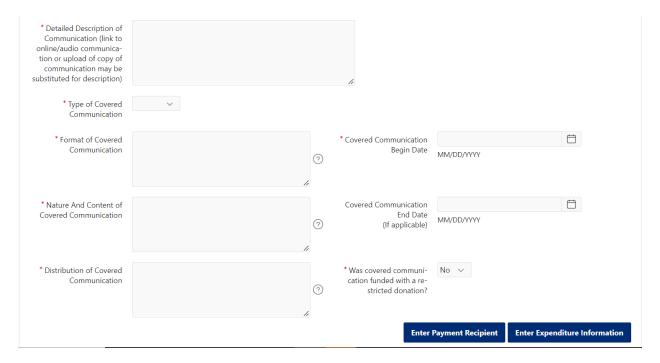
To create a new report, click "Create New Transaction."



Enter the reporting period and click "continue."



When you reach the "Covered Communications Listing" page, communications that have been started for the reporting period will appear here. If you have not entered any covered communications or wish to add covered communications to a report, click "Add a Covered Communication."

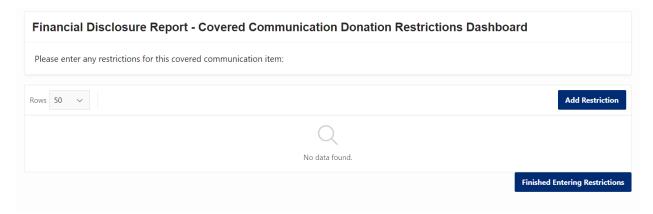


The first page that will appear will collect information on covered communications made during the reporting period. Note: there are two additional screens that must be accessed to complete the report through the buttons on the bottom right. If the covered communication was funded with a restricted donation, this will automatically open a third screen that must be completed.

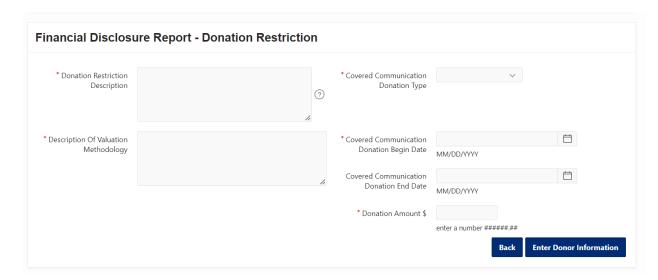


If you indicate that the covered communication was funded with a restricted donation, you will see a third button at the bottom of the screen that says "Enter Restriction(s). You must enter information on all screens for which a button appears.

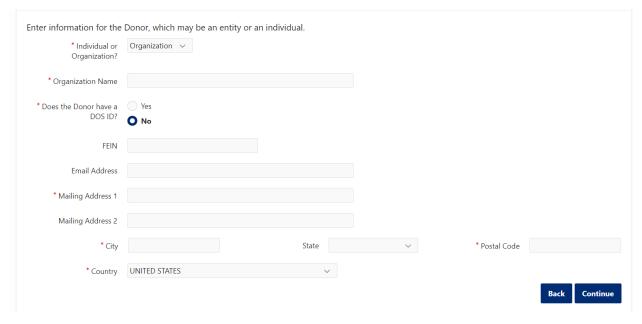
a. Restriction Information



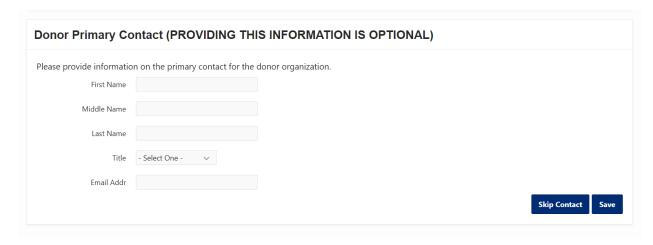
Once you have clicked "Enter Restriction(s)," the first page that will appear is the donation restrictions dashboard. The dashboard will display any restrictions entered for the current report, and more than one restriction may be entered. To begin, click "Add Restriction."



Add all requested information on this page and then click "Enter Donor Information."



Please fill out all requested information. The donor may be an entity or an individual. When you have completed all the required fields, click "Continue." If the donor information that was entered was for an organization, you will be directed to another optional screen.



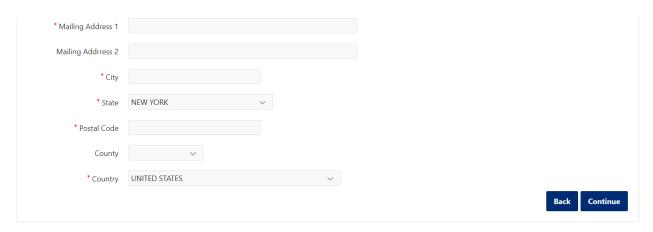
Provide all information for the donor organization's primary contact and click "Save" or, if you do not wish to provide this information, click "Skip Contact."

Once you have clicked "Continue" or "Save," depending on which type of donor has been entered, you will be returned to the Covered Communications Restrictions Dashboard, where you may enter additional restrictions by clicking "Add Restriction" or move to the next screens by clicking "Finished Entering Restrictions."

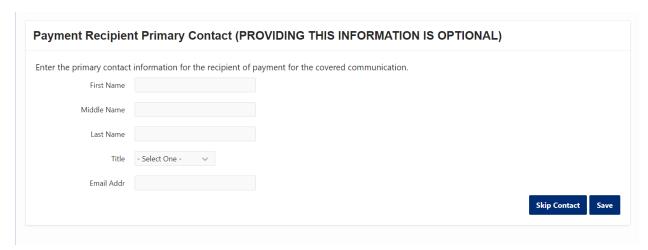
b. Enter Payment Recipient

From the covered communications information page, click "Enter Payment Recipient," and you will be taken to the "Payment Recipient Entity" page.





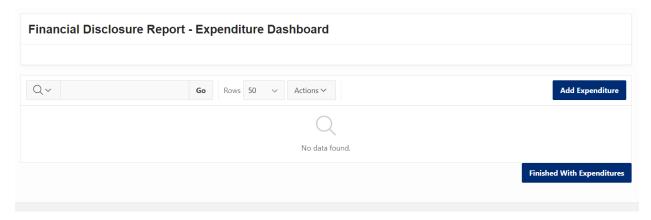
Enter all required information for the recipients of any payment made and click "Continue." If you enter an organization as the payment recipient you will be transferred to another optional "Primary Contact" screen.



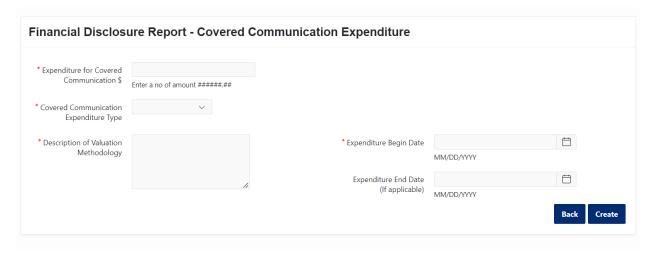
Click "Skip Contact" if you do not wish to enter this information. After you have clicked "Continue" or "Skip Contact," depending on the screen, you will be returned to the covered communications information page.

c. Enter Expenditure Information

From the covered communications information page, click "Enter Expenditure Information," and you will be taken to the "Expenditure Dashboard."

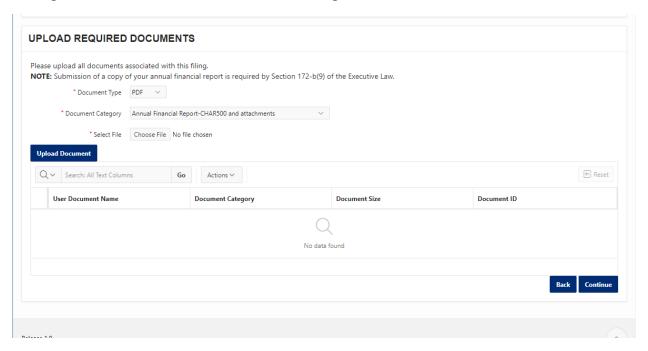


This page will list all expenditures entered relating to the current report, and more than one expenditure may be entered for each report. To begin entering expenditures, click "Add Expenditure."

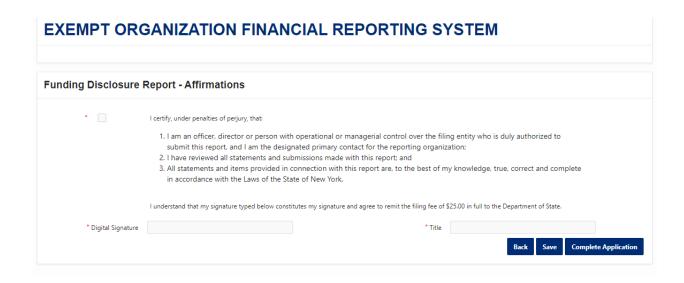


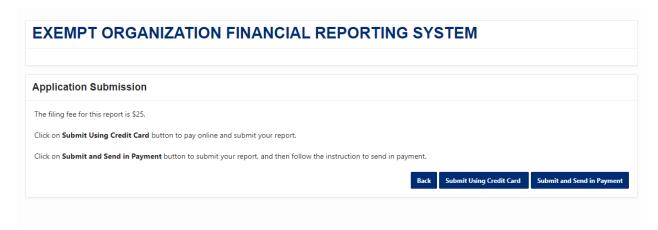
Add all information required for each expenditure, and then click "Create." This will take you back to the expenditure dashboard where you can enter additional expenditures or click "Finished with Expenditures." Once you have clicked "Finished with Expenditures," you will be returned to the covered communication information page, where you can add additional information related to the covered communication or click "Finished with this Covered Communication."

When you have clicked that you are finished, you will be returned to the covered communication dashboard where you can add additional covered communications or complete your report. If you have entered all covered communications for your report, click "Finished Adding All Covered Communications for This Filing."



When you have finished adding covered communications, you will be directed to the "Upload" page. You must file an annual financial report – either the report that covers the reporting period or, if that is not available, the most recent – before you can move on. Once you have uploaded a document, you will have the option to view that document or delete it. When you are finished uploading documents, click "Continue" to proceed.





You will be directed to the payment page, which permits payment with a credit card or allows submission without payment for organizations that do not maintain a credit card. **Payment is required before the report is deemed to be filed in compliance with the statute.**

Application Confirn	ation	
application Commi		
Thank you for submitting yo	r Funding Disclosure Report.	
our transaction ID = FUD-2	22-00837	
Please refer to this transaction	n ID for future inquiries.	
he filing fee for this report	\$25. Please send payment, in the form of check or money order to:	
NYS Department of State		
Division of Corporations Attn: Revenue Unit		
99 Washington Avenue		
One Commerce Plaza		
Albany, NY 12231		
Please include the above ref	renced transaction number on your check or money order.	
		Go To Transaction Dashbo
Special Note:		
•	primary contact for this organization has been designated/updated. A message will be	a cont to the primary contact's email address containing the
This is to commit that the	: PIN and important information about the primary contact role If an email is not rece	

Once you have submitted your report, you will be directed to a confirmation page. You may print this page for your records. At this point, you will receive an email with your Transaction ID provided. You will receive a separate email with your access PIN.

IX. HOW DO I USE MY ACCESS PIN?

When a primary contact has been designated and your organization has filed its first report, the primary contact will be sent an email from noreply@dos.ny.gov with the heading "NYS Financial Reporting Program PIN information."

New York State Department of State Division of Corporations, State Records and Uniform Commercial Code

Thank you for accessing the Department of State's Exempt Organization Financial Reporting System. You have been designated as the primary contact for the organization referenced in this email. **Please retain this communication**. This is the only communication you will receive that contains your PIN.

This PIN, and the NYS.gov ID used to create the account, should be retained in a secure location to protect the confidentiality of your organization's records.

This email will provide you with a 14-digit access PIN, and instructions on how it should be used. The primary contact will be the only individual who will receive this PIN and is responsible

for keeping the PIN secure. This is an important security measure for your organization's records.

Once this PIN is received, log back into the NFP Financial Reporting System using your NY.gov log in used to create the organization using the instructions above.



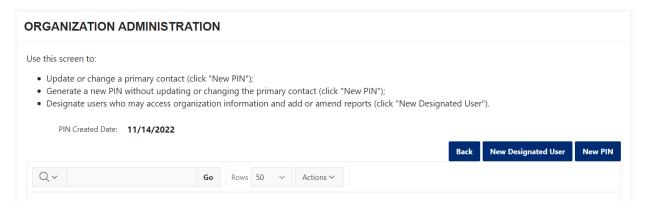
You will be directed to the introductory page, where you first started to create your covered entity. Once you have submitted your first report through the system, you will not see your organization listed on this page until you have entered your Access PIN in the designated location.

Copy and paste your Access PIN where indicated, and then click "Submit."

You will remain on the Reporting Dashboard, but you should now see your organization's name listed on the dashboard. Click on the pencil next to your organization's name, and you will be directed to the "Covered Entity Information" page where you will be able to see your organization's information.

Use this screen to: • Verify/enter organization information (active organization information is read only - please see filing guide for instructions on editing information for an active organization); • Access primary contact administrative functions (click "Admin" button and enter PIN where indicated). NOTE: "Admin" button will display only to primary contact for organization. ADMIN COVERED ENTITY INFORMATION

Because you are the primary contact, and because you have entered your Access PIN, you will now see an "ADMIN" button on this page. Click that button. You will need to re-enter your Access PIN any time you are signing into the system to access the administrative functions.

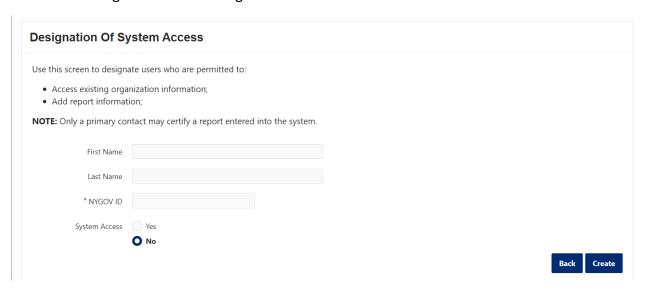


As the primary contact you are the administrator for your organization and able to update the primary contact as needed, generate a new pin for security purposes, and designate users who are permitted to access your organization's information and add or amend reports.

Because of the confidentiality associated with reports filed in the NFP Financial Reporting System, no one (including individuals listed as those with operational or managerial control over the organization) will be able to see your organization or its reports unless you list them as a designated user.

a. New Designated User

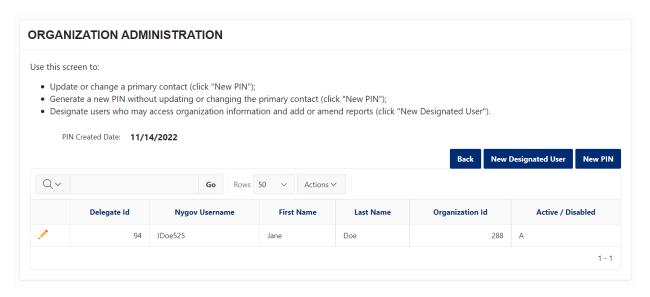
Click "New Designated User" to begin.



You will be directed to the "Designation of System Access" page. Anyone you list here will be permitted to access your organization's information and add or amend information on any pending (unsubmitted) report.

Enter the first and last name for the individual, as well as the NY.gov ID they will be using to enter the system. **NOTE: You must ensure you have input the correct NY.gov ID – any discrepancy between the NY.gov ID entered and the one used will prohibit your designated user from gaining entry into the system.**

Once you have entered the information, click "Create."



You will now see your designated user listed. To make changes to the information submitted for a user or to disable individual access, click on the pencil to the left of their name. You will be returned to the "Designation of System Access" page for that individual.

b. New PIN

A new PIN may need to be generated for security reasons, either because the primary contact has left the organization or been changed, or because of a concern that the confidentiality of the PIN has been breached in some way. To request a new PIN, click "New PIN."

i. New PIN with no changes in primary contact



You will be directed to the "New PIN Administration" page.



At the bottom of this page, you will see two buttons: "Back" and "Generate New PIN." If you are not making any changes to the primary contact, simply click "Generate New PIN." You will receive your new access PIN by email.

ii. New PIN with an update in the primary contact's information

EXEMPT ORGANIZATION FINANCIAL REPORTING SYSTEM NEW PIN ADMINISTRATION Use this screen to: • Request a new PIN without user changes (click "Generate New PIN"); • Change a primary contact (click "New Primary Contact"); • Update information for an existing primary contact (click Yes to "Update" to amend last name, title, email address or phone number); and • Disable all designated users (click "Yes" to "Update" and click "Yes" to "Disable Designated Users" NOTE: If a primary contact is changed or a NY.Gov ID is updated, the existing NY.Gov ID will be disabled and can not be used to access this system as a primary contact. Update No Yes

You will be directed to the New PIN Administration page. On this page, you will see a read-only outline of information relating to the current primary contact. If you wish to amend the information for the current primary contact, click "Yes" next to "Update."

You will then be able to amend all Primary Contact information, except the primary contact's first name. Please note that if you amend the NY.gov ID of the primary contact, the existing NY.gov ID will be disabled and no longer able to be used to access the organization as a primary contact.



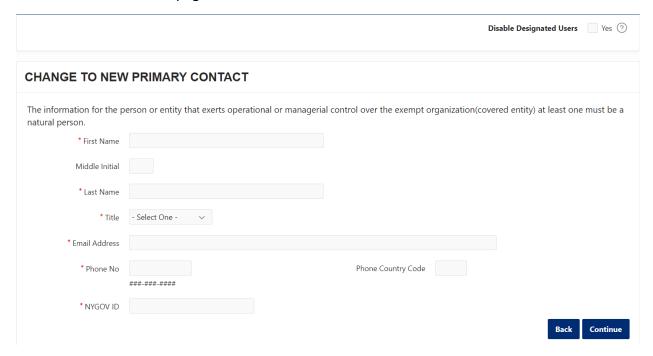
In the upper right-hand corner of the screen, you will be able to click "Yes" next to "Disable Designated Users." If you click "Yes" you will disable all designated users that were previously identified. If you don't want to disable all users, do not use this function. Instead, amend the access for the user individually on the Designated Users page.

Make any changes to the primary contact information as needed and, when finished, click "Continue." This will updated the system and generate a new PIN, which will be sent to the primary contact by email.

iii. New Primary Contact



If you wish to designate an entirely new Primary Contact, click "New Primary Contact" on the New PIN Administration page.



You will be directed to the new primary contact entry page. Enter all required information and click "Continue." The new primary contact will receive notification of the change and an access PIN by email.

X. WHAT HAPPENS AFTER I SUBMIT A REPORT?

Once you have submitted your report, you will receive an email confirming submission and providing a transaction ID for the submission. You may also receive other administrative emails as applicable.

The Department of State will review your submission to ensure that the report is complete and meets all statutory requirements. If any deficiencies in the report are found, you will receive an email referencing the transaction ID and alerting you that there were deficiencies found in the report.

Please note that submission of a report does not mean the report has been filed. The filing fee must be paid and all deficiencies corrected before your report will be considered filed.

If you have received notification of any deficiencies in your report, you must log back into the system and access your report using the transaction ID that was provided.

Once your report is complete and the fee is paid, you will receive an email confirming that the report has been filed.

XI. WHAT HAPPENS ONCE MY REPORT IS FILED?

Once you have received notification that your report is filed, you are not required to take any further steps. The Department of State will review the report and, if a determination is made that your organization has acted inconsistently with its exempt purposes, will send you notification of an intent to publish. Information relating to your rights and obligations will be forwarded to your organization with the notification of intent to publish.