



CT-247

(6/90)

Application for Exemption from Corporate Franchise Taxes By a Not-for-Profit Organization

Name		Employer identification number	<i>For office use only</i>
Number and street	City or town	State ZIP code	
Principal business activity		Date tax exemption claimed from	
Form of organization <input type="checkbox"/> Corporation <input type="checkbox"/> Association <input type="checkbox"/> Trust <input type="checkbox"/> Other		Business telephone number ()	<i>For audit use only</i>
Date of formation		State or country of incorporation	
Indicate exact name of the law under which the entity was formed (<i>general corporation, not-for-profit, membership, etc.</i>). Cite statutory provisions.		<input type="checkbox"/> Taxable <input type="checkbox"/> Exempt	

Federal return filed on 990 990T 1120 Other _____

1 Is the entity organized and operated as a not-for-profit organization? Yes No

2 Is the entity authorized to issue capital stock? If "Yes", check box below. (*see instruction on back*) Yes No

Title holding company Collective investment Other: _____

List shareholder: _____

3 Does any part of the net earnings of the organization benefit any officer, director, or member? Yes No

4 Is the entity exempt from federal income tax? (*see instructions on back*) Yes No

If yes, indicate date of exemption. _____ **Submit a copy of the federal exemption letter when filling this form.**

If no, indicate reason why exemption disallowed. _____

5 Is the entity engaged in an unrelated business activity at a location in New York State? Yes No

6 List location and type of activity for each office and other places of business (*attach separate sheet if necessary*).

Location	Nature of activity

7 List officers, employees, agents and representatives in New York State and briefly describe their duties (*attach separate sheet if necessary*).

Name	Title	Duties

8 List type and use of real property owned in New York State (*attach separate sheet if necessary*).

Type	How used

9 Describe any New York State activities not shown above (*attach separate sheet if necessary*).

Certification by an Elected Officer. I certify that this application and any attachments are to the best of my knowledge and belief true, correct and complete.		
Date	Signature of officer	Official title
Date	Signature of individual or name of firm preparing this form	Preparer's address

Instructions

Certain not-for-profit and religious corporations are exempt from the New York State corporation franchise tax imposed by Article 9-A of the tax law (section 1-3.4(b)(6) of the Article 9-A regulations).

File Form CT-247 to apply for exemption.

Generally, a corporation or an organization treated as a corporation must meet **all** of the following requirements to be tax exempt:

- it must be organized and operated as a not-for-profit organization;
- it must not have stock, shares, or certificates for stock or for shares. Not-for-profit corporations that issue stock are taxable under Article 9-A. However, for tax years beginning on or after January 1, 1987, title holding companies as described in IRC section 501(c)(2) and collective investment entities as described in IRC section 501(c)(25) will be exempt from tax under Article 9-A. For additional information, see Technical Service Bureau Memorandum TSB-M-87(9)C.
- no part of the net earnings may benefit any officer, director, or member; and
- it must be exempt from federal income taxation pursuant to subsection (a) of section 501 of the Internal Revenue Code (IRC).

If the organization meets all of the above requirements, it will be presumed to be exempt from tax under Article 9-A of the Tax Law. An organization denied exemption from taxation under the IRC will be presumed to be subject to tax under Article 9-A of the Tax Law.

Not-for-profit, nonstock organizations that are subject to the federal tax on unrelated business income are taxable under Article 13 of the New York State Tax Law if they pursue those unrelated business activities in New York State. File Form CT-13 to report those activities.

Organizations required to file federal Form 1120 may be taxable under Article 9-A of the Tax Law and may be required to file Form CT-3 or Form CT-4.

Submit **all** documents granting or denying exemption from tax by the Internal Revenue Service when filing Form CT-247. Any changes in federal tax status must be reported promptly to the Department of Taxation and Finance.

Any exemption granted by the filing of Form CT-247 is strictly for New York State corporation franchise tax.

Any inquiry on the taxable status of an organization must be in writing, signed by an officer of the organization and mailed to the address below.

Mail to:

NYS Tax Department
Corporation Tax
Building 9, Room 408
W. A. Harriman Campus
Albany, NY 12227