New York State Department of Taxation and Finance

CT-247 (7/92)

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

Name		Employer identification number	*For office use only*
Number and street	City or town	State / ZIP code	
Principal business activity		Date tax exemption claimed from	
Form of organization ☐ Corporation ☐ Association ☐ Trust ☐ Other		Business/officer telephone number ( )	*For audit use only*
Date of formation		State or country of incorporation	
Indicate exact name of the law under which the entity was formed *(general corporation, not-for-profit, membership, etc.)*. Cite statutory provisions.			☐ Taxable ☐ 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 instructions 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 filing 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. I certify that this return and any attachments are to the best of my knowledge and belief true, correct and complete.

Date	Signature of elected officer or authorized person	Official title
Date	Print or type name of paid individual or firm preparing this return	Signature of individual preparing this return
Paid preparer's ID number	Paid 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.

Refund of Franchise Taxes

If franchise taxes have been paid in error, request a refund by filing Form CT-8, *Claim for Credit or Refund of Corporation Tax Paid*. A Housing Development Fund company must submit proof that it was organized under Article 11 of the Private Housing Finance Law.

Mail this application to:

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