



CT-247

(7/97)

New York State Department of Taxation and Finance

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

Mailing Name and Address	Taxpayer's business name	Employer identification number	<i>For office use only</i>	
	Business name at location below (if different from business name above)			
	c/o			
	Street or PO Box	City	State	ZIP code
Principal business activity		Date tax exemption claimed from		<i>For audit use only</i>
Form of organization <input type="checkbox"/> Corporation <input type="checkbox"/> Association <input type="checkbox"/> Trust <input type="checkbox"/> Other		Business/officer telephone number ()		
Date of formation		State or country of incorporation		
<input type="checkbox"/> Taxable <input type="checkbox"/> Exempt				
Indicate exact name of the law under which the entity was formed (general corporation, not-for-profit, membership, etc.). Cite statutory provisions.				

Federal return filed on Form: 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 the appropriate box below Yes No

Title holding company Collective investment Other: _____

List shareholders: _____

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? 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 Is the entity operating as a trust under section 401(a) and exempt from Federal Income Tax under section 501(a) of the Internal Revenue Code? Yes No

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

Location	Nature of activity

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

Name	Title	Duties

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

Type	How used

10 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.

Signature of elected officer or authorized person		Official title	Date
Firm's name (or yours if self-employed)		ID number	Date
Address		Signature of individual preparing this return	

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.
- 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.

When filing Form CT-247, submit all documents granting or denying exemption from tax by the Internal Revenue Service, the corporation's articles of incorporation and its by-laws. Any changes in the corporation's federal tax status must be reported promptly to the New York State 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

Need Help?

Telephone Assistance is available from 8:30 a.m. to 4:25 p.m., Monday through Friday. **For business tax information and forms**, call the Business Tax Information Center at 1 800 972-1233. **For general information**, call toll free 1 800 225-5829. **To order forms and publications**, call toll free 1 800 462-8100. **From areas outside the U.S. and Canada**, call (518) 485-6800.

Fax-on-Demand Forms Ordering System - Most forms are available by fax 24 hours a day, 7 days a week. Call toll free from the U.S. and Canada 1 800 748-3676. You must use a Touch Tone phone to order by fax. A fax code is used to identify each form.

Internet Access - <http://www.tax.state.ny.us> Access our website for forms, publications and information.

Hotline for the Hearing and Speech Impaired - If you have access to a telecommunications device for the deaf (TDD), you can get answers to your New York State tax questions by calling toll free from the U.S. and Canada 1 800 634-2110. Assistance is available from 8:30 a.m. to 4:15 p.m., Monday through Friday. If you do not own a TDD, check with independent living centers or community action programs to find out where machines are available for public use.

Persons with Disabilities - In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call the information numbers listed above.

Mailing Address - If you need to write, address your letter to: NYS Tax Department, Taxpayer Assistance Bureau, W A Harriman Campus, Albany NY 12227.