

STATE OF MONTANA



Prepare, sign, submit with an original signature and filing fee.

This is the minimum information required.

(This space for use by the Secretary of State only)

ARTICLES of INCORPORATION
for DOMESTIC NONPROFIT CORPORATION

MAIL: LINDA McCULLOCH
Secretary of State
P.O. Box 202801
Helena, MT 59620-2801
PHONE: (406) 444-3665
FAX: (406) 444-3976
WEB SITE: sos.mt.gov

Empty box for Secretary of State use with Filing Fee: \$20.00

- 24 Hour Priority Filing Add \$20.00
1 Hour Expedite Filing Add \$100.00

Executed by the undersigned person for the purpose of forming a Montana nonprofit corporation.

1. The name of the Nonprofit Corporation is:

2. The name and address of the registered office/agent in Montana:

Name: _____

Street Address: _____

Mailing Address: _____

City: _____, MT Zip Code: _____

Signature of Agent (Required): _____

3. The name and address of the incorporator is as follows:

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

4. The Nonprofit Corporation [] WILL have members [] WILL NOT have members.

5. This Nonprofit Corporation is a (check one):

- [] Public Benefit Corporation
[] Mutual Benefit Corporation
[] Religious Corporation

6. Upon dissolution, the assets shall be distributed in the following manner:

7. _____ Date (Mo/Day/Year)
Signature of Incorporator

HELP SHEET: Articles of Incorporation for Domestic Nonprofit Corporation

This form provides the minimal information necessary to file a nonprofit corporation. It is advised that you contact an attorney for assistance and guidance in consideration of additional provisions that may be necessary for your organization.

The Internal Revenue Service (IRS) requires specific language to be included in Articles of Incorporation in order to qualify for nonprofit tax status. It is advised that you contact the IRS for their language requirements.

Unless a delayed effective date is specified, the existence date for the corporation will be the date the Articles of Incorporation were filed with the Secretary of State. ([35-2-214, MCA](#))

ITEM 4:

Members are those individuals who can vote to elect the board of directors or elect delegates who in turn elect the board of directors.

ITEM 5:

- a.) Public Benefit Corporations are those corporations operating for public or charitable purposes. As such, members may not sell their interest or receive distributions from the organizations. Written notice of intent to dissolve must be given to the Attorney General.
- b.) Mutual Benefit Corporations are organizations such as trade associations, social clubs, and fraternal organizations designed to benefit their members. Members, as such, are given broader voting rights. Members, while not entitled to receive distributions while the organization is operating, will be entitled to sell their memberships and receive distributions when the organization dissolves.
- c.) Religious Corporations are treated in a way similar to public benefit corporations. Written notice of intent to dissolve must be given to the Attorney General.

Annual reports must be filed with the Secretary of State prior to April 15 each year beginning the year following the incorporation and each year thereafter. Each year the Secretary of State will mail a notice that the Annual Report is due to the corporation's registered agent. ([35-2-904, MCA](#))

GENERAL INSTRUCTIONS

Please type or print clearly when filling out this form.

ALL INFORMATION PUBLIC

All information provided, including names and addresses of officers and directors, will be made available on the Secretary of State's web site or upon request.

LEGAL AND ACCOUNTING IMPLICATIONS

There are important legal and accounting implications with respect to this corporation action. Suitable legal and accounting advice should be secured before submission. The Secretary of State's office suggests that such advice be sought prior to filling out forms to be sure that you understand the terms and procedures.

FORM PROCESSING TIME

Please be advised that the Business Services Bureau of the Montana Secretary of State will process your business documents within 10 working days of initial receipt.

- During this period if it is determined that your document does not meet statutory requirements, a letter outlining the deficiencies will be returned to the original submitter.
- If the document is complete and correct, the document will be filed and an acknowledgment copy showing completion returned to the original submitter.

PRIORITY FILING

- You may request 24 hour priority filing of your document by simply marking the "24 hour priority filing" box and include an additional \$20.00 with your filing fee.
- You may request 1 hour expedite filing of your document by marking the "1 hour priority filing" box and including an additional \$100.00 with your filing fee.

SUBMISSION

Make checks payable to the Secretary of State. Upon completion, mail with ORIGINAL SIGNATURE to:

Secretary of State
PO Box 202801
Helena, MT 59620-2801

CONTACT US

If you have any questions regarding this form, please contact the Secretary of State Business Services at (406) 444-3665.