

# Forming a Nonprofit Corporation in Indiana

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You should also familiarize yourself with [Title 23, Article 17 of the Indiana Code](#) (abbreviated here as "Ind. Code"), and with the Indiana Secretary of State's [Business Services Division](#).

# 1. Choose a business name and check for availability

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- Your nonprofit's name may not be the same as, or deceptively similar to, other corporate names on file with the Secretary of State (limited exceptions apply).
- The name must contain either "corporation," "incorporated," "limited," "company," or their abbreviations
- See [Ind. Code § 23-17-5-1](#) for more information.

## 2. Recruit and/or appoint directors

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- You must have at least three directors for your nonprofit corporation.
- Directors do not have to reside within the state of Indiana, nor do they have to be of a certain age.
- See [Ind. Code § 23-17-12-1](#) for more information.

# 3. Incorporate your Nonprofit Organization

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You should read the [general section on forming a nonprofit corporation](#) in tandem with the steps outlined here.

## ***a. Prepare and file articles of incorporation with the Secretary of State***

- [Articles of Incorporation for Nonprofit Corporations](#) explains what to include in your articles in order to qualify for 501(c)(3) tax-exempt status.
- You must file articles of incorporation with the [Secretary of State](#).
- The filing fee is \$30.
- Click [here](#) for a sample articles of incorporation.
- Read [Ind. Code § 23-17-3-1](#) for more information on how to construct your articles. For example, the statute requires the following statement:

*This corporation is a public benefit corporation.*

- Note that you must file an annual [Business Entity Report](#) with the [Secretary of State](#). The filing fee is \$10, and the form can be filled out online at the Indiana [Secretary of State's](#) website. The information required on the report is basic business information, such as the names of all directors and officers and the business's principal location.

# 3. Incorporate your Nonprofit Organization

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## ***b. Create the bylaws***

- There are no set criteria for the content of bylaws, but they typically set forth internal rules and procedures.
- Refer to [Bylaws for Nonprofit Corporations](#) for general information; for specific information see [Ind. Code § 23-17-3-8](#) for more information.
- You are not required to file bylaws with the Secretary of State, but you must keep a copy at the nonprofit corporation's principal place of business.

# 3. Incorporate your Nonprofit Organization

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## ***c. Hold an organizational meeting***

- See [Forming a Nonprofit Corporation](#) for details.

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## ***d. Create a Records Book***

- You will need a [records book](#) to store important documents concerning your nonprofit corporation.
- See [Ind. Code § 23-17-27-1](#) for specific information about record-keeping requirements under Indiana law.



# 4. Get your Employer Identification Number

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Whenever you hire an employee in Indiana, you must inform both the IRS and the State of Indiana.

## ***a. Federal***

- Request an Employer Identification Number ("EIN") from the IRS. This can be done via an [online application](#).
- For more on the EIN, see [Forming a Nonprofit Corporation](#).
- The IRS details all of the necessary steps to complete, including verifying work eligibility and withholding allowances certificates, in [Hiring Employees](#).

## ***b. State***

- See [Indiana New Hire Reporting Center website](#) for more information.

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## ***b. State***

- See [Indiana New Hire Reporting Center website](#) for more information.

# 5. Register with state offices

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## ***a. Office of the Attorney General***

- Any consultant you hire for fundraising purposes or any professional solicitor you engage to get donations must [register with the attorney general's office](#) prior to beginning a fundraising campaign.
- However, you do not need to register your nonprofit corporation with the Indiana Attorney General's Office if your nonprofit corporation solicits on its own behalf.

## ***b. Department of Revenue***

- You must register with the [Indiana Department of Revenue](#) for tax purposes.

# 6. Apply for tax exemptions

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- Once you've incorporated as a nonprofit corporation, you can start applying for tax exemptions.
- **a. Federal**
  - The IRS lists a [series of questions](#) to help you determine whether your organization is eligible for federal tax exemption.
  - See [Applying for 501\(c\)\(3\) Tax Exemption](#) for more information on how to apply for tax-exempt status under section 501(c)(3) of the tax code.
- **b. State**
  - Once you have received your determination letter from the IRS, file [Form NP-20A](#) with the Indiana Department of Revenue to obtain state corporate income tax exemption.
  - You must submit [Form NP-20A](#) to the Indiana Department of Revenue to apply for sales tax exemption.
- **c. Local**
  - See [Forming a Nonprofit Corporation](#) for details.

What is Section 501(c)(3), and is it Right for Your Organization? <http://www.dmlp.org/irs/what-is-501c3>

OTHER RESOURCES:

[Guide to the IRS decision-making process for journalism non-profits](#)

[Introduction to the 501\(c\)\(3\) application process](#)

[Successful 501\(c\)\(3\) applications](#)

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# Resources

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Try the links, below, legal expert for a variety of sources for the range of questions you have.

<http://www.stayexempt.org/>

- New Organizations
- Existing Organizations
- In-Depth Topics
- Resource Library

<http://www.dmlp.org/legal-guide/indiana/forming-nonprofit-corporation-indiana>

## **Forming a Nonprofit Corporation in Indiana**

Here are the steps to form a nonprofit corporation in Indiana. You should read this page in conjunction with the [general section on forming a nonprofit corporation](#), which has additional steps listed that are applicable to all states. You should also familiarize yourself with [Title 23, Article 17 of the Indiana Code](#) (abbreviated here as "Ind. Code"), and with the Indiana Secretary of State's [Business Services Division](#).

<http://www.in.gov/ofbci/2336.htm>

**You're a 501(c)3... Now What? *The next steps for a non-profit organization***

# On April 24, 2020, the USA Swimming Board of Directors approved changes to the USA Swimming Corporate Bylaws. Please see below

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1) **Effective immediately, Bylaw 2.6.6 :**

Extends the requirement of non-athlete membership to individuals serving on the board of directors of a member club.

2) **Effective January 1, 2021, Bylaw 2.6.12 :**

All clubs must have either (i) at least one member coach, plus a board of directors or other governing body; or (ii) at least two member coaches to ensure that there are at least two adult authorities at each member club for communication and accountability purposes.

3) **Effective immediately, Bylaws 6.2.1; 6.2.5 :**

Explicitly provides for electronic meetings and voting by the House of Delegates.

4) **Effective September 26, 2020, Bylaws 5.1 (D); 5.2; 5.3; 5.4.1; 5.5.1; 5.6.1; 5.7.1 (A) :**

Aligns athlete representation on committees with USOPC Bylaws.

To see the meeting minutes from April 24, 2020, please visit our website by clicking [here](#) .

Thank you in advance for your attention and adherence to the above.

# Registration forms

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- [2021 Club Application](#)
- [2021 Athlete Registration form](#)- all types
- [2020 Seasonal Athlete Registration form](#) (5/20-9/30/20)
- [Registration Fee Summary Form \(2021\)](#)
- [Transfer Form](#)



# USA SWIMMING – 2021 CLUB APPLICATION

[https://www.teamunify.com/czinlsc/UserFiles/Image/QuickUpload/2021-application---club\\_065560.docx](https://www.teamunify.com/czinlsc/UserFiles/Image/QuickUpload/2021-application---club_065560.docx)

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- **CURRENT REGISTRATION FORMS:**
- [2021 Club Application](#)
- [2021 Athlete Registration form](#)- all types
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- [Transfer Form](#)
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# Checklist for Coaches

- [Indiana Swimming Membership Requirement \(8.31.20\)](#)
- [Non-Athlete Application \(2020\)](#) -  
*USE LINK ON HOME PAGE TO ON-LINE REGISTRATION: \$81 coach, \$81 official, \$781 "other" (meet director, chaperone, board member, etc.)*
- [Athlete Protection Training](#)
- [Background Screen - USA Swimming](#)
- [Safety Training for Swim Coaches 02.21.2017](#)
- [In-Water Checklist -Safety Training for Swim Coaches \(08.31.20\)](#)
- **Concussion Protocol Training (we will accept your High School Concussion Training Certificate)** you only need to take one of these two offered: [Center for Disease Control and Prevention \(CDC\)](#) or the [National Federation of State High School Associations \(NFHS\)](#), Must be completed by January 15, 2020. (send a copy of your certification to emily@inswimming.org)
- [Coaches Advantage Tutorial](#) **USADA** <https://www.usaswimming.org/utility/landing-pages/safe-sport/learn> (this will be automatically added to your file when complete)
- [Red Cross Chapters](#)