

Nonprofit Corporation Request for Pre-Dissolution Tax Abatement

2020

3502

California corporation number/California Secretary of State file number	FEIN
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Name of organization as shown in the creating document

Street address (suite, room, or PMB no.)	Telephone
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City	State	ZIP code
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Name of representative to contact regarding additional requirements or information	Telephone
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Representative's mailing address (suite, room, or PMB no.)

City	State	ZIP code
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Questions

- 1 Are you currently doing business in California according to Revenue & Taxation Code Section 23101? 1 Yes No
- 2 Was the organization ever tax-exempt with the California Franchise Tax Board? 2 Yes No
- 3 Was the organization ever tax-exempt with the Internal Revenue Service? 3 Yes No
- 4 Did the organization ever operate in California? 4 Yes No
If yes, list the date the operations stopped in California (mm/dd/yyyy) _____
- 5 Will the organization continue to operate outside of California? If yes, **STOP** do not file this form 5 Yes No
- 6 Does the organization have any unusual circumstances? 6 Yes No
If yes, attach statement explaining circumstance. See instructions.
- 7 Does the organization have any undistributed assets? 7 Yes No
If yes, list description, distribution plan, and value of assets. See instructions.

Description and distribution plan	Value of asset

- 8 Did the organization distribute its assets? 8 Yes No
If yes, list the description and value of the asset and the FEIN/SSN, name, telephone, and address of the recipient. See instructions.

Description	Value	FEIN/SSN	Name	Telephone	Address

To learn about your privacy rights, how we may use your information, and the consequences for not providing the requested information, go to ftb.ca.gov/forms and search for 1131. To request this notice by mail, call 800.852.5711. Under penalties of perjury, I hereby declare that I have examined this form and to the best of my knowledge and belief, it is true, correct, and complete. I understand that the information in this form may be shared with other California state agencies.

Signature of officer or director	Printed name	Title	Date
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2020 Instructions for Form FTB 3502

Nonprofit Corporation Request for Pre-Dissolution Tax Abatement

General Information

Beginning January 1, 2016, qualified nonprofit corporations can be administratively or voluntarily dissolved. There are three ways a nonprofit corporation can be dissolved:

- **Administrative dissolution** – Allows the Franchise Tax Board (FTB) to administratively dissolve a qualified nonprofit corporation that is suspended or forfeited for a period of more than 48 continuous months and is no longer in business.
- **Short form dissolution** – The California Secretary of State (SOS) will allow a short form dissolution for qualified nonprofit corporations that file for dissolution within 24 months from the date the articles of incorporation were filed.
- **Voluntary dissolution** – An officer or director can submit to the FTB a written request to abate unpaid qualified taxes, interest, and penalties prior to the dissolution of a qualified nonprofit organization. (California Revenue & Taxation Code Section 23156). Use form FTB 3502, Nonprofit Corporation Request for Pre-Dissolution Tax Abatement, to initiate the voluntary dissolution process.

In general, the request for voluntary dissolution is for qualified nonprofit corporations that are not able to dissolve through the normal dissolution process with the California SOS or the Attorney General's Office.

A Purpose

Use form FTB 3502 to request abatement of unpaid qualified taxes, interest, and penalties for the taxable years of a qualified nonprofit corporation that certifies it is not doing business and is not able to dissolve through the California SOS normal dissolution process. Information in the form may be shared with other California state agencies.

B Who May File

A qualified nonprofit corporation is a nonprofit corporation that has qualified to transact intrastate business in this state and that satisfies any of the following conditions:

1. Was operating and previously obtained tax-exempt status with the FTB and the tax-exempt status was revoked for failure to file a tax return or pay a balance due.
2. Was operating and previously obtained tax-exempt status with the Internal Revenue Service and the tax-exempt status was revoked for failure to file a tax return or notice.
3. Was never doing business after the time of its incorporation in this state.

C Where to File

Send the completed and signed form to:

EXEMPT ORGANIZATIONS UNIT MS F120
FRANCHISE TAX BOARD
PO BOX 1286
RANCHO CORDOVA CA 95741-1286

D What Happens Next

The qualified nonprofit corporation has 12 months from the date of the filing of form FTB 3502 to complete the dissolution process.

Upon approval of the filed form FTB 3502, the FTB will provide a notice to the qualified nonprofit corporation that it may request dissolution with the California SOS.

The qualified nonprofit corporation is required to submit a copy of the FTB notice with the appropriate California SOS forms.

You can find the instructions for completing the required California SOS filings. Go to sos.ca.gov or call the California SOS at 916.657.5448.

Upon completion of the dissolution process with the California SOS, the FTB will abate unpaid qualified taxes, interest, and penalties.

If the qualified corporation is not dissolved within 12 months from the date of filing the request for abatement or restarts business operations, the FTB will not abate qualified taxes, interest, and penalties.

E Questions About Filing

If the nonprofit corporation has questions about filing the form, write to:

EXEMPT ORGANIZATIONS UNIT MS F120
FRANCHISE TAX BOARD
PO BOX 1286
RANCHO CORDOVA CA 95741-1286

If you write to us, be sure to include the California corporation number or federal employer identification number (FEIN), your daytime and evening telephone numbers.

We will respond to your letter within 10 weeks. In some cases, we may need to call you for additional information.

F Telephone Assistance

If you have questions regarding form FTB 3502, call 916.845.4171, 7 a.m. to 4:30 p.m. weekdays, except state holidays.

Specific Line Instructions

Entity Information

Provide the following:

- California corporation number or California SOS file number
- FEIN
- Corporation's legal name
- Corporation's address
- Representative's name
- Representative's address

Foreign Address – If the nonprofit corporation has a foreign address, follow the country's practice for entering the city, county, province, state, country, and postal code, as applicable, in the appropriate boxes. **Do not** abbreviate the country name.

Question 6 – Provide details for any unusual circumstances including but not limited to: corporation created in error, organization continuing to operate under another corporation, or previous officers and directors are no longer affiliated with the corporation.

Question 7 – List the description and value of each asset still being held and the intended plan to distribute the assets.

Question 8 – List the description and value of the asset and the FEIN/SSN, name, telephone, and address of the organization/individual the assets were distributed.

Signature – Only an officer or director may sign the form.