

Required additions to Constitution/Bylaws

501(c)(3) ORGANIZATIONAL TEST

Amendment Attachment

In order to meet the requirements of section 501(c)(3) of the Code, you must meet the organizational test prescribed by the Regulations. Your organization must be both **"organized and operated exclusively"** for one or more of the purposes specified in section 501(c)(3), and your assets in operation and upon dissolution **must be permanently dedicated to a 501(c)(3) purpose**. A review of your organizing document indicates that an amendment is necessary. The paragraph(s) checked below should be adopted, **verbatim**, by your organization and formally placed by amendment in your organizing document.

- Said (corporation/association/trust) is organized exclusively for charitable, educational, religious or scientific purposes within the meaning of section 501(c)(3) of the Internal Revenue Code of 1986 (or corresponding section of any future Federal tax code).
- No part of the net earnings of the (corporation/association/trust) shall inure to the benefit of, or be distributable to, its members, trustees, directors, officers, or other private persons, except that the (corporation/association/trust) shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of section 501(c)(3) purposes.
- No substantial part of the activities of the (corporation/association/trust) shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the (corporation/association/trust) shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of, or in opposition to, any candidate for public office.
- Notwithstanding any other provision of these articles, the (corporation/association/trust) shall not carry on any other activities not permitted to be carried on by a (corporation/association/trust) exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code of 1986 (or corresponding section of any future Federal tax code).
- Upon dissolution of this (corporation/association/trust), assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code (or corresponding section of any future Federal tax code) or shall be distributed to the Federal, State or Local Government for a public purpose.
- NOTE: The following language is required only if the distributee upon dissolution is named in the organizing document** - However, if the named recipient is not then in existence or is no longer a qualified distributee, or is unwilling or unable to accept the distribution, then the assets of this (corporation/association/trust) shall be distributed to a fund, foundation or corporation organized and operated exclusively for the purposes specified in section 501(c)(3) of the Internal Revenue Code (or corresponding section of any future Federal tax code).

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- Since you are incorporated, your amendment **must be submitted to the appropriate State Official** for approval. You must provide us with a complete copy of the amendment to your Articles of Incorporation which reflects the seal and signature of the appropriate State Official. We recommend that you first contact the applicable State agency regarding corporations for instructions on filing an amendment. If you are unable to obtain the necessary State approval by the response due date, you must have an officer or designated Power of Attorney (as evidenced by Form 2848) sign and date the enclosed "Agreement to Amend" form. The signed agreement must be accompanied by this document ["501(c)(3) Organizational Test Amendment Attachment"], and returned to our office by the response due date.
 - Since you are not incorporated, a complete copy of the amendment to your Articles of Association/ Constitution/Trust which **states the date of adoption and contains the dated signatures of at least two officers/directors/trustees** must be submitted by the response due date. If you are unable to obtain the necessary approval of the governing body by the response due date, you must have an officer or designated Power of Attorney (as evidenced by Form 2848) sign and date the enclosed "Agreement to Amend" form. The signed agreement must be accompanied by this document ["501(c)(3) Organizational Test Amendment Attachment"], and returned to our office by the response due date.



SOUTHWEST CHAPTER

February 17, 2002

To whom it may concern:

As President of the Southwest Chapter of the American Medical Writers Association, I declare:

- ◆ That the attached copy of the constitution and bylaws of the above mentioned organization is a complete and accurate copy of the original signed and dated document, and
- ◆ That the organization was formed by the adoption of the document by two or more persons.

Lorraine M. Cherry, Ph.D.

President

Southwest Chapter

American Medical Writers Association