



LEAGUE OF UNITED LATIN AMERICAN CITIZENS EFFECTIVE IMMEDIATELY

The LULAC Constitution and Bylaws (12th Edition, as amended in 2024) established the legal requirements for LULAC Councils to operate within our communities in the state of their establishment, as well as with the Internal Revenue Service as a civic and non-profit organization. Article I, Section 2 of the Constitution and Bylaws states:

“Section 2 – Legal Status: The League of United Latin American Citizens shall be incorporated and chartered under the laws of each of the states in which it operates as a civic and non-profit organization and under the Federal laws of the United States of America.” (See page 1 of the Constitution)

To accomplish this, Councils must (1) register with their state and (2) obtain an Employer Identification Number (EIN) from the IRS website. For information on state registration, see the internet link below:

State Filing Requirements for Nonprofits | National Council of Nonprofits

For information ON IRS EIN Requirements, see the internet link below:

Get an employer identification number | Internal Revenue Service

State requirements vary, including a one-time registration fee. Please carefully complete the registration requirements for both your state and the IRS, so your Council is included under the umbrella of LULAC National, with Council status reporting recognized by LULAC as the parent organization. Your LULAC state Director or Regional VP can guide you through the process. Every LULAC Council, whether new or operating for years, **must have** a valid state registration and a valid IRS EIN. The IRS also requires each Council to file an annual Form 990. For most councils raising less than \$50,000 per year, this is the appropriate form to complete. It must be completed online. For more information on filing an annual IRS Form 990. For questions or assistance relating to the IRS, please contact Asia Claremont, at 954-625-9568, asia1098@gmail.com.

Annual electronic notice (Form 990-N) for small organizations FAQs: How to file | Internal Revenue Service

If a Council fails to submit an annual IRS Form 990, its status with the IRS and state could be jeopardized. If a Council fails to submit an annual IRS Form 990 for 3 years, the IRS may revoke its status.

The LULAC Constitution requires that Councils establish and maintain their state and federal non-profit status, active and in compliance. A Council that fails to maintain its legal status, as described above, may jeopardize its overall standing in LULAC. To ensure that the National Office is kept abreast of each Council's state and IRS compliance, the following requirements apply to each Council:

All LULAC Councils must provide their correct EIN to the National Membership Office once obtained from the IRS and registered with their state. Please review compliance with state and IRS requirements on an annual basis.

All LULAC Councils are required to show proof that they have filed a 990-N (e-Postcard) with the IRS. Provide a copy of the receipt from the IRS once submitted on their website. Every council must electronically submit Form 990-N or the e-Postcard unless it opts to file a full Form 990 or Form 990-EZ instead. The IRS will then regard each chartered LULAC Council as a 501(c) 4 nonprofit organization under **LULAC National's group exemption**.

For help with state and IRS compliance requirements, training, or navigating state and IRS websites, please get in touch with the LULAC Compliance point of contact, Ms. Asia Claremont, Florida State Director, at asia1098@gmail.com.

Effective immediately, no contact details will be posted on the LULAC National webpage. All information will be kept confidential by the National Membership Office. Contact information is still required for every LULAC member and officer to be submitted to the LULAC National Membership Office on the membership roster



LEAGUE OF UNITED LATIN AMERICAN CITIZENS

TAX COMPLIANCE CHECKLIST

For all new and chartering LULAC Councils that wish to be covered by LULAC's group exemption under §501(c)4, this checklist must be completed in full and returned to Lupe Morales, Director of Membership Services, at 9206 McCombs Street, Room 5, El Paso, Texas 79924.

Group Exemption

I Understand

The Council will obtain an EIN (see www.lulac.org/ein)

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The Council will submit an annual report to the IRS

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The Council will report any changes in the purpose, character, or method of operation of the Council to LULAC

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The Council will report a termination or dissolution of the organization to LULAC

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Tax Filings:

The Council will have an annual tax filing requirement with the IRS.

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If gross receipts normally* less than or equal to \$50,000, file a [Form 990-N](#)

If gross receipts greater than \$50,000 but less than \$200,000 and total assets less than \$500,000, file a [Form 990-EZ](#)

If gross receipts greater than or equal to \$200,000 or total assets greater than or equal to \$500,000, file a [Form 990](#)

**Please note this amount is calculated by taking gross proceeds from the last three years, including the current year, and taking an average of that amount. Gross proceeds include revenue from all sources, including sales of investments.*

Your council will be classified as a §501(c) 4 organization. As such:

The Council should be operated exclusively for the promotion of social welfare, the net earnings of which be devoted to exclusively furthering the exempt mission of the organization

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The net earnings of the Council should not inure to the benefit of any private member or individual

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Donations are not tax deductible for the donor as a charitable contribution

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The Council will be exempt from federal income tax but may still need to register with the state

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Lobbying may be conducted, although registration requirements may apply ([Lobby Disclosure Act](#))

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LULAC Councils are forbidden from participating in political activities

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Please sign to affirm that you understand the above information and agree to operate the Council in full compliance with applicable rules and regulations.

Council President

Date



ANNUAL IRS FILING REQUIREMENTS

All new and existing LULAC Councils in good standing are considered tax-exempt organizations and therefore must file an annual return with the IRS. A council whose annual gross receipts are \$50,000 or less are required to file a Form 990-N (e-Postcard) or a complete Form 990 or Form 990-EZ.

Failure to file will cause your Council's nonprofit status to be revoked by IRS and may result in tax liability for your council. Please read below the IRS filing requirements:

Annual Electronic Filing Requirement for Small Exempt Organizations Form 990-N (e-Postcard)

Most small tax-exempt organizations whose annual [gross receipts](#) are [normally \\$50,000 or less](#) must electronically submit Form 990-N, also known as the *e-Postcard*, unless they choose to file a complete Form 990 or Form 990-EZ instead.

If you do not file your *e-Postcard* on time, the IRS will notify you. There is no penalty assessment for late filing the *e-Postcard*. Still, an organization that fails to file required *e-Postcards* (or information returns – Forms 990 or 990-EZ) for three consecutive years will [automatically lose its tax-exempt status](#). The revocation of the organization's tax-exempt status will not occur until the filing due date of the third year. Watch the IRS YouTube [presentation](#).

Due Date of the e-Postcard

The *e-Postcard* is due every year by the 15th day of the 5th month after the close of your [tax year](#). For example, if your tax year ended on December 31, the *e-Postcard* is due May 15 of the following year. If the due date falls on a Saturday, Sunday, or legal holiday, the due date is the next business day. **You cannot file the *e-Postcard* until after your tax year ends.**

How to File

Use [this link](#) to file the *e-Postcard*. If you have trouble accessing the system using that link, you may be able to access the filing site directly by typing or pasting the following address into your Internet browser: <http://epostcard.form990.org>. When you access the system, you will leave the IRS site and file the *e-Postcard* with the IRS through our trusted partner, Urban Institute. The form must be completed and filed electronically. There is no paper form.

Information You Will Need to File the e-Postcard

The *e-Postcard* is easy to complete. All you need is [eight items of basic information](#) about your organization.

Who Must File

Most small tax-exempt organizations with gross receipts normally \$50,000 or less (\$25,000 for tax years ending on or after December 31, 2007 and before December 31, 2010) must file the *e-Postcard*. Exceptions to this requirement include:

- Organizations that are included in a [group return](#),
- [Churches](#), their integrated auxiliaries, and conventions or associations of churches, and
- [Organizations required to file a different return](#)