

# **Non-Profit** **FOR INFORMATIONAL PURPOSES ONLY**

House Bill 283 (2014 Legislative General Session - <http://le.utah.gov/~2014/bills/static/HB0283.html>) requires certain information from entities receiving money from or through the Utah Division of Parks and Recreation before we issue a contract or MOU.

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1. Are you a non-profit entity as defined under Utah Code Annotated 51-2a-102, 204, & 63J-9-101 et seq. (the Nonprofit Entity Receipt of State Money Act).       Yes       No

*If no, this law does not apply in your case. If yes (you are a non-profit as defined above), please respond to questions #2 & #3 below.*

Links to the referenced code:

[http://le.utah.gov/code/TITLE51/htm/51\\_02a010200.htm](http://le.utah.gov/code/TITLE51/htm/51_02a010200.htm)

[http://le.utah.gov/code/TITLE51/htm/51\\_02a020400.htm](http://le.utah.gov/code/TITLE51/htm/51_02a020400.htm)

[http://le.utah.gov/code/TITLE63J/htm/63J09\\_010200.htm](http://le.utah.gov/code/TITLE63J/htm/63J09_010200.htm)

*Definition of a non-profit entity as defined in the code:*

*"Nonprofit entity" means an entity that:*

*(a) is operated primarily for a scientific purpose, educational purpose, religious purpose, charitable purpose, or similar purpose in the public interest;*

*(b) is not organized primarily for profit; and*

*(c) no part of the net earnings of which inures to the benefit of any private shareholder or individual holding an interest in the entity.*

2. Do you have bylaws that provide for: Check all that apply.

- Financial oversight of the state money?;
- Overall compliance with state laws related to the state money?;
- Procedures for the governing board of the nonprofit entity to designate an administrator who manages the state money?; and
- Procedures for the governing board to dismiss the administrator?

You must provide a copy of your bylaws highlighting where in your organization's bylaws these requirements are provided for.

If your bylaws do not specifically address and highlight the items in question 2, our office may not enter into a contract until a copy of amended bylaws is received in our office.

3. Please disclose whether: Check all that apply

- Your governing board gets at least 50% of its funds from federal, state, and local government entities through contracts OR
- Your revenues or expenditures of all funds is \$500,000 or more.

If either of the items in #3 applies, our office is required to notify the Utah State Auditor's office.