

To: Pennsylvanian Presbyteries and Congregations
within the bounds of The Synod of the Trinity

From: Chantal D. Atnip, Treasurer

Subject: Corporate Filing Requirements for the State of Pennsylvania

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Over the past month, the Synod has received many questions regarding the Decennial Filing and its associated \$70.00 fee. Here is synopsis of what I've determined:

Decennial Filing

WHAT IS A DECENNIAL FILING?

Decennial filings are made every ten years during the years ending with the numeral "1" (e.g. 2001, 2011, 2021). The legislative intent for requiring these filings is to identify business names that are no longer in use so that they may be reissued and placed back into the stream of commerce. By filing, the organization protects its name. For 2011, the fee for this filing is \$70.00. If you choose NOT to file, you take the chance that your name will be claimed by another organization.

DO I NEED TO FILE?

If you received a letter from the Pennsylvania Department of State dated December 15, 2010, you need to file. You should check the Decennial Database to make sure:

<http://www.corporationdecennial.state.pa.us/>

You can find this database by going to the PA Department of State website and select "**Corporations**" (on the left side of the screen) then "**2011 Decennial Report Entity Search**" (top middle of the screen).

WHY AM I EXEMPT FROM THE DECENNIAL FILING?

You may have not received the letter from the PA Department of State. This happens if a corporation has had officer information forwarded to the Department of State by the Department of Revenue during the preceding ten years under 15 Pa.C.S. §1110 (relating to annual report information), making the organization exempt. If you have made a new or amended filing with the Corporation Bureau from January 1, 2002 through December 31, 2011 *other than* a decennial filing, a name reservation, name search, consent to appropriation of name or fictitious name registration you are also exempt. In summary, if you have sent any update to the Department of State that confirms your organization's existence, you are exempt. You need to verify this by checking the 2011 Decennial Report Database.

HOW CAN I BE EXEMPT IN THE FUTURE?

The easiest way is to file an Annual Report, updating your organization's officers. This is free, and simple to complete. You can find this form by going to the PA Department of State website and select "**Corporations**" (on the left side of the screen) then "Forms" (on the left side of the screen). Scroll down to the section titled "**Domestic Nonprofit Corporation**" then select "**Annual Report**".