

STATE OF ARIZONA

Department of Revenue
Office of Economic Research and Analysis
Facsimile – (602) 716-7991



Janice K. Brewer
Governor

Gale Garriott
Director

Dear Officer of the Organization:

RE: Qualifying Charitable Organization – Certification Request

BACKGROUND

Arizona law provides for taxpayers to claim a tax credit for cash contributions made to Qualifying Charitable Organizations that provide help to the working poor. Governor Brewer signed House Bill 2286 into law on July 10, 2009. The new law requires that a charitable organization provide the Arizona Department of Revenue with a written certification stating that it meets all criteria in order to be considered as a Qualifying Charitable Organization and provide supporting documentation proving the same. The law went into effect on September 30, 2009.

WHAT YOU MUST DO

1. Complete the attached Qualifying Charitable Organization certification form stating that you meet all four requirements as listed on the form. **You must meet all four requirements to be considered as a Qualifying Charitable Organization under the new law.**
2. Sign the attached certification form under penalty of perjury by an officer of your organization.
3. Notarize the certification form.
4. Submit a copy of your financial statements for the prior operating year specifying the amount of that revenue spent on services¹ that provide a basic need to low income residents², TANF recipients³, or chronically ill or disabled children⁴.
5. Submit a copy of your federal 501(c) (3) letter or a copy of your status as a community action agency that receives community services block grant program monies.
6. In the context of the law:
 - Describe the services your organization provides
 - Describe in general terms the population you serve
 - Show in your financial statements that at least 50% of your operating budget is spent on the services the law identifies for families that receive TANF, or for Arizona resident low income households, or for chronically ill or disabled children.

¹ As defined in A.R.S. §43-1088.I.4 “Services” means cash assistance, medical care, child care, food, clothing, shelter, job placement and job training services or any other assistance that is reasonably necessary to meet immediate basic needs and that is provided and used in this state.

² As defined in A.R.S. §43-1088.I.2 “Low income residents” means persons whose household income is less than 150% of the federal poverty level.

³ “TANF” means Temporary Assistance for Needy Families benefits.

⁴ As defined in A.R.S. §43-1088.I.1 “Chronically ill or disabled children” means children who are under 21 years of age and whose primary diagnosis is a severe physical condition which may require ongoing medical or surgical intervention.

RETURN IT TO ME

By mail to Arizona Department of Revenue, OERA - 9th floor, 1600 W. Monroe, Phoenix, Az. 85007, Attention: Nick Buta

WHAT I WILL DO

Review your request to determine if your organization qualifies under the new law.

IF YOUR ORGANIZATION QUALIFIES

- I will notify you in writing that your organization meets the criteria to be considered as a Qualifying Charitable Organization.
- I will send a Notice of Certification to you in the mail.

IF YOUR ORGANIZATION DOES NOT QUALIFY

- I will notify you in writing that your organization does not meet the criteria to be considered a Qualifying Charitable Organization.
- I will provide you with information on how you can request an informal meeting to discuss the decision or how you can schedule a formal appeal.

YOU CAN REAPPLY AS A QUALIFYING CHARITABLE ORGANIZATION AT A LATER DATE

If you submit written certification that complies with the criteria of the law.

IF YOU NEED ANY HELP

Please call me at 602-716-6891 or write, send a fax or send e-mail to me. Your continued cooperation is greatly appreciated.

Sincerely,

Nick Buta
Deputy Quality Executive
Office of Economic Research & Analysis
Phone: (602) 716-6891
E-mail: nbuta@azdor.gov

Qualifying Charitable Organization

I, _____ hereby certify that
(Please print Officer's name and title here)

_____ meets each of
(Name of Charitable Organization – please print)

the following criteria to be considered as a Qualifying Charitable Organization:

ARS § 43-1088.I.3 states that a “qualifying charitable organization” means a charitable organization that is exempt from federal income taxation under section 501 (c) (3) of the Internal Revenue Code or is a designated community action agency that receives community block grant program monies pursuant to 42 United States Code, Section 9901. I have enclosed a copy of my organization’s 501 (c) (3) status or copy of verification that my organization is a designated community action agency.

My organization meets this criteria: _____
(initial here)

ARS § 43-1088.I.3 states that the organization spends “at least fifty percent of its budget on services to Arizona residents who receive Temporary Assistance for Needy Families (TANF) benefits or to Arizona resident low-income households (individuals living at or under 150% of the federal poverty level) or to chronically ill or physically disabled children (defined as children who are under 21 years of age and whose primary diagnosis is a severe physical condition which may require ongoing medical or surgical intervention) who are Arizona residents”. As defined in ARS § 43-1088.I.4, “Services means cash assistance, medical care, child care, food, clothing, shelter, job placement and job training services or any other assistance that is reasonably necessary to meet immediate basic needs and that is provided and used in this state”.

My organization meets this criteria: _____
(initial here)

I have enclosed a copy of my financial statements for the prior operating year specifying the amount of that revenue spent on services (as defined above) to residents of Arizona who either:

- (a) Receive Temporary Assistance of Needy Families (TANF) benefits,
- (b) Are low income residents of Arizona or
- (c) Are chronically ill or physically disabled children.

My organization meets this criteria: _____
(initial here)

My organization plans to continue spending at least fifty percent of our budget in the future on services (as defined above) to residents of Arizona who either:

- (a) Receive Temporary Assistance of Needy Families (TANF) benefits,
- (b) Are low income residents of Arizona or
- (c) Are chronically ill or physically disabled children.

My organization meets this criteria: _____
(initial here)

