

**Effective 5/6/2026**

**13-22-110 Financial reports required -- Rulemaking.**

- (1)
- (a) Subject to Subsection (2), a charitable organization that is a nonprofit corporation, or that is a foreign nonprofit corporation, shall annually file with the Division of Corporations and Commercial Code an unredacted copy of the charitable organization's most recently filed IRS Form 990, 990-EZ, 990-N, or 990-PF.
  - (b) Subsection (1)(a) does not apply to a nonprofit corporation or a foreign nonprofit corporation that is not required to file a Form 990, 990-EZ, 990-N, or 990-PF with the IRS.
  - (c) An IRS Form 990, 990-EZ, or 990-PF for a tax year from more than three years before the day on which the charitable organization makes the filing with the Division of Corporations and Commercial Code does not satisfy the requirement of Subsection (1)(a).
- (2)
- (a)
    - (i) The division may not require a charitable organization to file Schedule B of a form described in Subsection (1).
    - (ii) An IRS Form 990-T is not required to be filed under this section.
  - (b) A charitable organization that has not yet filed an IRS Form 990, 990-EZ, 990-N, or 990-PF may file a tax exempt determination letter that the charitable organization receives from the IRS if the tax exempt determination letter is dated no more than two years before the day on which the charitable organization files the tax exempt determination letter with the Division of Corporations and Commercial Code.
  - (c) If a charitable organization files a tax exempt determination letter in accordance with Subsection (2)(b), that filing satisfies the filing requirement described in Subsection (1).
  - (d) The division shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish:
    - (i) the manner in which a charitable organization shall file the forms described in Subsection (1); and
    - (ii) the process by which a charitable organization shall file the forms described in Subsection (1).

Renumbered and Amended by Chapter 95, 2026 General Session