

# Resources for Nonprofits

## *Resource 3 of 8: Incorporating with the State and obtaining an EIN*

Incorporating in the State of Missouri as a nonprofit corporation is done through the Missouri Secretary of State's office. The filing requires that the organization's purpose meets Missouri statutes, that appropriate officers are named, and that annual reports are filed on a timely basis. Incorporating and obtaining an Employer Identification Number (EIN) must be completed before applying for 501(c)(3) status.

### Obtaining a federal Employer Identification Number (EIN)

EINs are issued by the Internal Revenue Service.

**There is no charge** to obtain an EIN.

Please see [the IRS](#) for additional instructions.

**Once you have obtained your EIN, you should open an organizational bank account using that EIN.**

### Incorporating your organization in Missouri

Once your bylaws have been created and your vision for your organization's structure and procedures is clear, you should incorporate in the state of Missouri. Please note, this is the first step of a multi-step process to obtaining 501(c)(3) designation for your organization. The form *CORP 52 – Articles of Incorporation of a Nonprofit Corporation* will need to be filed online or by mail with the Secretary of State's office. At this stage, your organization may wish to obtain legal counsel to ensure alignment with Missouri statutes. Additional information can be found on the [Missouri Secretary of State's website](#).

MU Extension Specialists are available to assist you in locating the resources that you need to make decisions for your organization. This series of resource sheets is designed to provide information to connect you to the knowledge you'll need to make decisions about your entity.

**We do not, however, offer services to build, manage, or file nonprofit entities.**

**Services are intended for educational purposes only and do not constitute legal advice.**

**For legal guidance on nonprofit matters, individuals should consult an attorney.**



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Extension Specialists  
can help!  
Use the QR Code to find  
a specialist near you.



## Resource 3 of 8: Incorporating with the State and Obtaining an EIN

### Some topics to consider before applying to incorporate your nonprofit organization:

- Is our organization dedicated to operating for charitable purposes?
- How will our organization ensure that it does NOT benefit our directors or officers?
- How will we defend against conflicts of interest among our board members?
- Will we attempt to lobby or to engage in political activities as part of our mission?
- Is formalizing our structure important to what we want to accomplish?
- Does this organizational structure allow for completion of our objectives?
- Do our organizers/officers have the time to devote to our purpose?
- Will we be able to complete annual, required federal and state filings?

Typically, there are no reminders from state or federal entities about annual filings, so be sure successive leaders and organizational representatives know to do it?

### Nonprofit Incorporating Essentials

- IRS rules prohibit private inurement, which means no insider (officer, director, board member, or anyone with substantial influence) may receive a benefit from the organization's earnings beyond what is reasonable compensation for work performed.
- Conflict of Interest Policies may help protect against private inurement or excess benefit transactions which can jeopardize tax-exempt status.
- If your organization intends to engage in political or legislative activities (lobbying, campaigning, or other political activities) it will NOT qualify as a 501(c)(3) but may qualify as a 501(c)(4) organization

Please investigate other [training resources about incorporating a nonprofit entity](#).

#### Make use of your local connections:

- Before committing to the rigors of incorporating, obtaining an EIN, and applying for federal tax exemption, seek out other nonprofit entities in your area for advice or guidance. Research other 501(c)(3) through resources like [Candid](#).
- Investigate the [Missouri Dept. of Economic Development nonprofit grants program](#)
- **Always consult state and federal regulations or additional legal or professional guidance to explore legal or tax consequences to incorporating your organization.**



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