

# STATE OF MONTANA

ARTICLES *of* INCORPORATION  
for DOMESTIC NONPROFIT  
CORPORATION  
(35-2-213, MCA)



Prepare, sign and submit an ORIGINAL AND COPY with fee.

**This is the minimum information required.**

(This space for use by the Secretary of State only)

**MAIL:** **BOB BROWN**  
Secretary of State  
P.O. Box 202801  
Helena, MT 59620-2801  
**PHONE:** ☎(406)444-3665  
**FAX:** (406)444-3976  
**WEB SITE:** [www.state.mt.us/sos](http://www.state.mt.us/sos)

Form: **DN-1**  
Filing Fee: \$20.00

☐ **Priority Filing Add \$20.00**

► *Executed by the undersigned person for the purpose of forming a Montana nonprofit corporation.*

► **FIRST:** The name of the Nonprofit Corporation is \_\_\_\_\_

► **SECOND:** The name and address of the registered office/agent in Montana:

Name \_\_\_\_\_

Street Address \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_, MONTANA Zip Code \_\_\_\_\_

Signature of Agent (**Required**) \_\_\_\_\_

► **THIRD:** The name and address of the incorporator is as follows:

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_, \_\_\_\_\_ Zip Code \_\_\_\_\_

► **FOURTH:** The Nonprofit Corporation ☐ **WILL** ☐ **WILL NOT** have members.

► **FIFTH:** This Nonprofit Corporation is a (check one):

- ☐ Public Benefit Corporation
- ☐ Mutual Benefit Corporation
- ☐ Religious Corporation

► **SIXTH:** Upon dissolution, the assets shall be distributed in the following manner:

\_\_\_\_\_

\_\_\_\_\_  
Signature of Incorporator

\_\_\_\_\_  
Date

# Articles of Incorporation for Domestic Nonprofit Corporation

## HELP SHEET

- ☞ Use this form to file Articles of Incorporation for a Montana nonprofit corporation.
- ☞ You may request priority filing of your document. Simply mark the “priority filing” box and include an additional \$20.00 with your filing fee for a total of \$40.00. Priority filing ensures that your application will be handled within 24 hours of receipt of the document by our office.
- ☞ Please type or clearly print the requested information.
- ☞ This form provides the minimal information necessary to file a nonprofit corporation. It is advised that you contact an attorney for assistance and guidance in consideration of additional provisions that may be necessary for your organization.
- ☞ The Internal Revenue Service (IRS) requires specific language to be included in Articles of Incorporation in order to qualify for nonprofit tax status. It is advised that you contact the IRS for their language requirements.
- ☞ Unless otherwise specified, the existence date for the corporation will be the date the Articles of Incorporation were filed with the Secretary of State. (35-2-214, MCA)
- ☞ **Article Fourth:**  
Members are those individuals who can vote to elect the board of directors or elect delegates who in turn elect the board of directors.
- ☞ **Article Fifth:**
  - a.) *Public Benefit Corporations* are those corporations operating for public or charitable purposes. As such, members may not sell their interest or receive distributions from the organizations. Written notice of intent to dissolve must be given to the Attorney General.
  - b.) *Mutual Benefit Corporations* are organizations such as trade associations, social clubs, and fraternal organizations designed to benefit their members. Members, as such, are given broader voting rights. Members, while not entitled to receive distributions while the organization is operating, will be entitled to sell their memberships and receive distributions when the organization dissolves.
  - c.) *Religious Corporations* are treated in a way similar to public benefit corporations. Written notice of intent to dissolve must be given to the Attorney General.
- ☞ Upon completion, mail the original, one **copy**, and the correct filing fee to the Secretary of State, PO Box 202801, Helena, MT 59620-2801. **Make checks payable to the Secretary of State.**
- ☞ The Secretary of State will send a letter of acknowledgment to you once your document has been filed with our office.
- ☞ Annual reports must be filed with the Secretary of State prior to April 15 each year. The Secretary of State will mail the report to the corporation’s registered agent during the month of January, beginning the year following incorporation. (35-2-904, MCA)
- ☞ If you have any questions regarding this form, please contact the Secretary of State, Business Services Bureau at (406) 444-3665.

Please be advised that the Business Services Bureau of the Montana Secretary of State will process your business documents within 10 working days of initial receipt. During this period if it is determined that your document does not meet statutory requirements, a letter outlining the deficiencies will be returned to the original submitter. If the document is complete and correct, the document will be filed and an acknowledgment copy showing completion returned to the original submitter.