Voluntary dissolution of not-for-profit corporations with no assets



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Office of the New York State Attorney General Charities Bureau

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Voluntary dissolution of not-for-profit corporations with no assets

Getting started: Checklist for petitions

The following checklist may help you prepare your documents for submission to the Attorney General or to the supreme court of the county, on notice to the Attorney General.

Checklist of documents for a no-asset dissolution

The ne	cessary forms	and documents are:
	Plan of dissolu	ution (as an attachment to the petition)
		Certificate of dissolution
		Petition to the Attorney General for approval of certificate of dissolution
	Attachments to	o petition for approval of certificate of dissolution
		Copy of the certificate of incorporation, together with all amendments, and the current bylaws
		Other than an approval by the Attorney General, all required governmental body and officer approvals
		Plan of dissolution
		Resolutions of the board and if appropriate, the membership
	Final financial	report (and any other required final reports)
		at includes contact information, including phone number and for attorney or other individual submitting the petition

Introduction

We at the Charities Bureau drafted this document to provide guidance to charitable not-for-profit corporations that are seeking to dissolve, and the lawyers who represent them. **This document does not contain legal advice.** If you do not have legal representation, consult the lawyer-referral service of the New York State Bar Association at https://nysba.org/new-york-state-bar-association-lawyer-referral-service/ You may also be able to find an organization that provides legal services at low or no cost to nonprofit organizations.

To see this guidance and other information for not-for-profit corporations, visit the Attorney General's website: https://www.ag.ny.gov/resources.

For corporations located in the following counties, submit petitions via email to Filing. Transactions@ag.ny.gov:

- Albany
- Bronx
- Columbia
- Fulton
- Greene
- Hamilton
- Kings
- Montgomery
- New York
- Queens
- Rensselaer
- Richmond
- Saratoga
- Schenectady
- Schoharie
- Warren
- Washington

For corporations in other counties, submit your petition directly to the regional offices of the Attorney General that serves your county. Appendix D and the following webpage lists those offices, their contact information, and the counties they serve: https://www.ag.ny.gov/regional-office-contact-information

If you have questions, email us at Questions. Transactions@ag.ny.gov.

Who should use this guidance?

This guidance is for dissolving charitable not-for-profit corporations that have no assets or liabilities at the time of dissolution. We have prepared it to assist these corporations

fulfill the requirements for dissolution pursuant to Article 10 of the Not-for-Profit Corporation Law (N-PCL).

If your corporation has assets to distribute or liabilities at the time of dissolution, use "Voluntary dissolution of not-for-profit corporations with assets," which is available on the Attorney General's website at https://ag.ny.gov/sites/default/files/regulatory-documents/dissolution-with-assets.pdf.

If your corporation is insolvent, or if its assets are insufficient to pay its debts and liabilities in full, bring a judicial dissolution proceeding in the supreme court of your corporation's county pursuant to N-PCL Article 11. The statute requires notice to creditors and the Attorney General (see N-PCL §§ 1102(a)(1)(A), 1103(b), and 1104(c)).

This guidance is for nonjudicial dissolution under Article 10 of N-PCL.

Notes:

Dissolving corporations that are required to be registered with the Charities Bureau must update their registration and annual filings prior to dissolution.¹

Corporations that have never been funded and have not conducted any activities are not required to register.

Non-charitable not-for-profit corporations do not require court or Attorney General approval unless they hold charitable assets at the time of dissolution (N-PCL § 1002(d)(1)).

Summary of procedures for a no-asset dissolution

Step 1: The board of directors adopts a plan of dissolution (a plan) See Appendix B for a sample plan.

A quorum must be present and at least a majority of the directors present must vote for dissolution. As the alternative, if not prohibited by the certificate of incorporation or the bylaws, the board can adopt the plan by unanimous written consent. If the board has fewer than three directors, the affirmative vote of all remaining directors is required to adopt the plan. If only one director remains, identify that person as the "sole remaining director."

¹ The officers and directors of charitable organizations are obligated to administer the organizations' assets responsibly, and comply with the duties of care, loyalty, and obedience. If the assets are not being used for their intended purposes, they must be distributed to another charitable organization with similar purposes (N-PCL §§ 720(a)(1)(A); 1001(d)(3)).

Quick statutory reference guide	
Board of directors' adoption and authorization of plan of dissolution	N-PCL §§ 1001(a), 1002(a), & 1002(b)
Quorum and required vote for board approval of plan Requirement for unanimous vote if there are fewer than the number of directors required for a quorum	N-PCL §§ 1002(a)(1)(i), 707, 708, and 709 N-PCL § 1002(a)(1)(ii)
the number of directors required for a quorum	.,,,,,

Step 2: The members vote on the plan, if they have voting rights

If the corporation has members entitled to vote, after the board of directors has authorized the plan, the plan is submitted to the membership for approval. Approval constitutes a vote of at least two-thirds of the members with a quorum present at a meeting. If the corporation's documents permit, the plan can be approved without a meeting by unanimous written consent of all the members entitled to vote.

Note: A corporation has members entitled to vote on the plan if the corporation's certificate of incorporation or bylaws include membership rights, such as the right to elect the board of directors.

If the organization has no members, the plan is deemed authorized upon adoption by the board.

Quick statutory reference guide		
Membership rights	N-PCL § 103(a)(9)	
Submission of plan to members for approval	N-PCL § 1002(a)(2)	
Quorum and required vote for membership approval	N-PCL §§ 1002(a)(2), 612, 613(c), and 614	
Authorization requirements if there are no members	N-PCL § 1002(b)	

Step 3: The corporation obtains required approval from governing entity that created it

If the approval of any governmental body or officer was required for the formation of the corporation, the corporation must get written approval of the dissolution from the same governmental entity. To determine whether any approvals are necessary, see N-PCL §§ 404(b)-(v) and 1002(c) and the corporation's certificate of incorporation. Please refer to Appendix E for list of required government approvals.

Note: Attach a copy of the required approvals to the certificate of dissolution.

Quick statutory reference guide	
Government approvals of plan of dissolution	N-PCL §§ 404(b)-(v) and 1002(c)

Step 4: The corporation fills out a certificate of dissolution

Prepare a certificate of dissolution. You can download a blank form for the certificate of dissolution at the Department of State website:

https://dos.ny.gov/system/files/documents/2018/12/1561-f.pdf

Tips for filling out the certificate of dissolution	
Name of corporation	Use exact name, including punctuation
Date of incorporation	https://apps.dos.ny.gov/publicInquiry/
Paragraph Eighth	Choose #3 (Plan filed with Attorney General)
Filer	Person filing the certificate of dissolution

The certificate of dissolution confirms that, at the time of dissolution, your corporation had no assets and no liabilities. The certificate of dissolution must be signed by an officer, director, attorney-in-fact, or other duly authorized person and must identify the name of that person and the capacity in which the person signs. Attach all required approvals to the certificate of dissolution (N-PCL §§ 1003(b)(1) and 404(b)-(v)).

Quick statutory reference guide	
Preparation of certificate of dissolution	N-PCL §§ 104(d) and 1003(a)
Attachment of approvals to certificate of dissolution	N-PCL §§ 1003(b)(1) and 404(b)-(v)

Step 5: The corporation petitions the Attorney General for approval of the certificate of dissolution

Prepare a petition to the Attorney General for approval of the certificate of dissolution (see Appendix B). File the petition with the appropriate office of the Attorney General (see Appendix D for Attorney General offices).

Quick statutory reference guide	
Preparation of petition for approval of the certificate of dissolution	N-PCL § 1003(c)

Checklist of what to submit to the Attorney General

\Box T	he petition with all required attachments:
	☐ a copy of the certificate of incorporation, together with any amendments, and
	the current bylaws
	☐ the plan of dissolution
	☐ copies of any required government approvals (attached to the
	certificate of dissolution)
	☐ either the unanimous written consent of the board, or
	certified copies of resolutions adopted at a meeting and, if
	applicable, the same for the corporation's membership
	ll required financial reports, including a final report (see Appendix C and
th	e sample verified petition for a list of final reports)
eaistrati	ion requirements and final reports

Registration requirements and final reports

Here are some important considerations.

- A not-for-profit corporation seeking to dissolve must be in compliance with the registration and reporting requirements of section 8-1.4 of the Estates, Powers and Trusts Law or Article 7-A of the Executive Law. Read the full text of both statutes as well as a summary of the registration and reporting requirements on the Attorney General's website at: https://ag.ny.gov/resources/organizations/charitiesnonprofits-fundraisers/regulations-statutes
- If the corporation is subject to the registration and reporting requirements of section 8-1.4 of the Estates, Powers and Trusts Law or Article 7-A of the Executive Law, but has failed to comply, it must register, file annual financial reports (e.g., Attorney General's Form CHAR500 with federal form 990) for the last three years. It must also pay all required filing fees.
- If the corporation is subject to the registration and reporting requirements of section 8-1.4 of the Estates, Powers and Trusts Law or Article 7-A of the Executive Law, but has been exempt from filing annual financial reports, it must submit a summary annual report for the last six years. No filing fees are required to accompany such reports.
- If the corporation is not subject to the registration and reporting requirements of section 8-1.4 of the Estates, Powers and Trusts Law or Article 7-A of the Executive Law, it must submit a summary annual report for the last six years. No filing fees are required to accompany

such reports.

If your petition is acceptable, the Attorney General will provide an endorsement of the certificate of dissolution and return it to your corporation or its attorney, if submitted by an attorney, who must then file it with the Department of State.

Quick statutory reference guide	
Verified petition to the Attorney General	N-PCL § 1003(c)

Step 6: Request a consent to dissolution of a corporation

The organization must request a "consent to dissolution of a corporation" from the New York State Department of Taxation and Finance (tax department). The process and the documentation you will need depend on whether your organization has been granted tax-exempt status (not all charitable organizations have tax-exempt status in New York). Instructions and forms for securing the tax department's consent are at: https://www.tax.ny.gov/bus/doingbus/vol_dissolution.htm. To avoid processing delays, you can make this request at the time you submit the petition to the Attorney General.

Note: If your organization has done business in New York City and has incurred tax or other liabilities under the New York City Administrative Code, it will also need the consent of the Commissioner of Finance of New York City. Download a "request for consent to dissolution" form at:

http://www1.nyc.gov/assets/finance//downloads/pdf/collections/request_dissolution.pdf

Quick statutory reference guide		
Consent of the NYS Department of Taxation	N-PCL § 1004(a)	
Consent of New York City Commissioner of Finance	N-PCL § 1004(b)	

For corporations filing outside New York City: Check the requirements of your local commissioner of finance.

Step 7: The corporation sends documents and payment to Department of State

The corporation (or its attorney) sends copies of the certificate of dissolution, with clearance from the tax department and the required governmental body or officer consents, along with a check for the required filing fee² payable to the NYS Department of State to:

NYS Department of State Division of Corporations One Commerce Plaza 99 Washington Avenue

² Check N-PCL § 104-A(1) to determine the amount of the required filing fee.

Albany NY 12231

Step 8: New York state confirms receipt

The Department of State sends the filer a receipt indicating that the certificate of dissolution has been filed.

Step 9: The corporation sends the receipt to Attorney General

Your corporation sends a copy of the Department of State's receipt to the Attorney General. Once the corporation files its final annual financial report with the Charities Bureau (as requested by the petition to the Attorney General), your corporation will no longer be required to file with the Charities Bureau. Its registration will be closed.

Note: If your corporation's final filing year ends after the certificate of dissolution is signed, file your final annual financial report electronically via the Attorney General's website (see instructions at https://ag.ny.gov/resources/organizations/charities-nonprofits-fundraisers/charities-annual-filing-char500). If your organization is not required to register with the Charities Bureau, send your final report to the assigned Assistant Attorney General.

Step 10: The corporation checks for Internal Revenue Service (IRS) requirements

Determine whether your corporation is required to file certain documents with the IRS. If so, upon dissolution, submit those documents to the IRS (see "Termination of an exempt organization" posted by the IRS at https://www.irs.gov/charities-non-profits/termination-of-an-exempt-organization).

Appendix A: Sample form for a plan of dissolution with no assets

Plan of Dissolution of

The Board of Directors of [name of corporation] has considered the advisability of voluntarily dissolving the corporation and has determined that dissolution is in the best interest of the corporation.

1. The Corporation has no assets or liabilities.

Oı

The corporation has no assets to distribute, other than a reserve not to exceed twenty-five thousand dollars for the purpose of paying ordinary and necessary expenses of winding up its affairs including attorney and accountant fees, and liabilities not in excess of ten thousand dollars at the time of adoption of the plan of dissolution N-PCL 1001(c).

- 2. If applicable: Since the date of its incorporation on (date), (name of corporation) has never been funded and has never had any assets. (NOTE: This statement applies only to corporations that have never received any funds or other assets from any source.)
- 3. (A.) In addition to Attorney General approval, the following governmental approvals of the Plan are required, and copies of the approvals will be attached to the Verified Petition submitted to the Attorney General.

[list governmental approvals]

or

(B.) Other than the approval of the Attorney General, no approval of

the dissolution of the corporation by any governmental body or officer is required.

A Certificate of Dissolution shall be signed by an authorized director or officer and all required approvals shall be attached thereto.	
	(Name of Officer and Title)
	(Date)

<u>Appendix B:</u> Sample verified petition to the Attorney General for approval of certificate of dissolution with no assets

	M-44	X	
In the	Matter of the Application of		
	e of Corporation)	:	VERIFIED PETITION
For A	approval of Certificate of		
	lution pursuant to	:	
Section	on 1002 of the Not-for -		
Profit	Corporation Law.	: X	
OFFI	THE ATTORNEY GENERAL OF CE OF THE ATTORNEY GENEI et Address)		YORK
`	Town), New York	(Zip Code)	
corpo	oner, (Name of Corporation) by (Noration, for its Verified Petition alle (Name of Corporation), whose proceedings (Date of Incorporation). A copy of and the complete and current By-	eges: incipal address is locate ant to New York's Not- of the Certificate of Inco	ed in the county of (Name of for-Profit Corporation Law on rporation (and all amendments)
2.	The names, addresses and titles o Name	f the corporation's direc Title	etors and officers are as follows Address
3.	The purposes for which the corporation [or relevant amends follows: [insert a description of the corporation of the corporatio	_	thereof and are as
4.	The corporation is a charitable co	orporation.	
5.	The corporation plans to dissolve hereto as Exhibit(the "Plan"		Plan of Dissolution attached
6.	The corporation is dissolving bec dissolution.] [Please also note her	-	

³ Please check the Department of State website to confirm that the name of your organization and the stated date of incorporation is consistent with their records.

	years or if the corporation paid any excise taxes or disclosed an excess benefit transaction or diversion of assets on its information returns to the IRS.]
7.	(A.) The Board of Directors met at a duly called meeting on proper notice on [date] at which a quorum of directors out of total directors, each of whom in was present in person or electronically in accordance with the requirements of the Not-for-Profit Corporation Law, and [unanimously approved] [approved by votes in favor votes against] resolutions adopting the Plan and authorizing the filing of a Certificate of Dissolution. Such resolution, certified by the Secretary or other duly authorized officer is attached hereto as Exhibit
	(B.) [The Board of Directors by unanimous written consent] [The sole remaining director by written consent] datedapproved resolutions adopting the Plan and authorizing the filing of a Certificate of Dissolution. Such written consent is attached hereto as Exhibit
8.	(A)(i). [Include one of these paragraphs only if the corporation has members with voting rights.] After the Board of Directors approved the Plan, the members received and reviewed the Plan and adopted a resolution approving the Plan at a duly called meeting on proper notice on [state date] at which a quorum ofmembers was present [by at least a two-thirds majority consisting ofmembers out of a total ofvotes, in favor or unanimous vote.] Such resolution, certified by the Secretary or other duly authorized officer, is attached hereto as Exhibit
	(ii). After the Board of Directors approved the Plan, the members received and reviewed it and by unanimous written consent voted in favor of adoption of the Plan. Such unanimous written consent is attached hereto as Exhibit
	or
	(B.) The corporation does not have any members.
9.	The corporation has no assets or liabilities as of the date hereof.
	or
	The corporation has no assets to distribute, other than a reserve not to exceed twenty-five thousand dollars for the purpose of paying ordinary and necessary expenses of winding up its affairs including attorney and accountant fees, and liabilities not in excess of ten thousand dollars at the time of adoption of the plan of dissolution, N-PCL 1001(c).

completed audit or inquiry by the Internal Revenue Service ("IRS") in the past three

The corporation has filed a final financial report with form CHAR500, with all required attachments, with the Charities Bureau showing no assets or liabilities and attaching the appropriate registration fee, if required, a copy of which is attached hereto as Exhibit			
or			
The corporation acknowledges its obligation to file electronically a final financial with form CHAR500, with all required attachments, with the Charities Bureau sho no assets or liabilities and is submitting such draft herewith as Exhibit The corporation gives its assurance that (i) the final financial report shall be the same i material respects to that which is attached hereto and, (ii) if registered with the Ch Bureau, the corporation shall duly file timely its final CHAR500 report with all re attachments with the Charities Bureau, pursuant to the Estates, Powers & Trusts L and/or Article 7-A of the Executive Law.	owing n all arities quired		
or			
Because the organization is exempt from registration with the Charities Bureau, the corporation is submitting a summary annual report for the last six years in accordate with Appendix C.			
11. (A.) Other than the approval of the Attorney General, no approval of the dissolution of the corporation is required by any governmental body or officer.			
or			
(B.) Copies of any governmental approvals to the Plan are set forth in the Plan and attached to the Certificate of Dissolution.	1		
12. With this Petition, the Certificate of Dissolution is being submitted to the Attorney General for approval pursuant to Not-for-Profit Corporation Law Section 1003.	7		
WHEREFORE, petitioner requests that the Attorney General approve the Certificate of Dissolution of (Name of Corporation), a not-for-profit corporation, pursuant to Not-for-Corporation Law Section 1003.			
IN WITNESS WHEREOF, the corporation has caused this Petition to be executed This			
Signature			
(Name of Signatory and Title) Note: The signature must be verified (see next page).			

Verification and Certification

Email Address

STATE OF NEW YORK)
:SS.: COUNTY OF)
(Name) , being duly sworn, deposes and says:
I am the <u>(Title)</u> of <u>(Name of Corporation)</u> , the corporation named in the above Petition, and make this verification and certification at the direction of its Board of Directors. I have read the foregoing Petition and (i) I know the contents thereof to be true of my own knowledge, except those matters that are stated on information and belief, and as to those matters, I believe them to be true and (ii) I hereby certify under penalties of perjury that the Plan was duly authorized and adopted by the Board of Directors [and by the corporation's members.]
Signature
Sworn to before me thisday of, 20
Notary Public
Name of Attorney or Other Filer Mailing Address Telephone Number

Appendix C: Sample financial report for dissolving entities not otherwise required to file annual reports

Note: This schedule is for informational purposes only and illustrates the type of information the Office of the Attorney General reviews regarding dissolving entities otherwise exempt from filing annual financial reports. Such entities may also submit financial reports maintained in the ordinary course of their operations that contain similar information.

	Year ended	//	//	//	//	//	//
	Statement of revenues and expenses						
1	Beginning cash balance						
2 3 4 5 6 7 8	Contributions received Investment income (interest, dividends) Rental income Gains/(losses) from sale of securities Net proceeds from sale of assets Other income (itemize) Total income (add lines 1-7)						
9 10 11 12 13 14 15 16	Salaries Legal fees Accounting fees Other expenses of dissolution Occupancy/Rent Contributions paid (itemize) Other expenses: (itemize) Total expenses (add lines 9-15)						
17	Ending cash balance (Line 1 + Line 8 - Line 16) Balance sheets						
18 19 20 21 22	Cash, savings, investments Other assets (itemize) Total assets (Line 18 + Line 19) Total liabilities (itemize) Net assets or fund balances (Line 20 - 21)						

Appendix D: Offices of the New York State Attorney General and the counties covered by each

Albany

Charities Bureau The Capitol Albany NY 12224-0341 518-776-2160

Counties: Albany, Columbia, Fulton, Greene, Hamilton, Montgomery, Rensselaer, Saratoga, Schenectady, Schoharie, Warren, and Washington (Note: Sullivan and Ulster for trusts and estates matters only)

Binghamton regional office

44 Hawley Street, 17th Floor Binghamton NY 13901-4433 607-251-2770

Counties: Broome, Chemung, Chenango,

Delaware, Otsego, Schuyler, Tioga, and Tompkins

Buffalo regional office

Main Place Tower, Suite 300A Buffalo NY 14202 716-853-8400 Counties: Allegheny, Cattaraugus, Chautauqua,

Nassau regional office

200 Old Country Road, Suite 240 Mineola NY 11501-4241 516-248-3302 Counties: Nassau (Note: Trusts and esta

Counties: Nassau (Note: Trusts and estates matters are handled by NYC)

Erie, Genesee, Niagara, Orleans, and Wyoming

New York City

Charities Bureau Transactions Section 28 Liberty Street New York NY 10005 212-416-8401

Counties: Bronx, Kings, New York, Queens, and Richmond (Note: NYC also handles Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, and Westchester – trusts and estates matters only)

Plattsburgh regional office

43 Durkee Street, Suite 700 Plattsburgh NY 12901-2958 518-562-3288

Counties: Clinton, Essex, and Franklin

Poughkeepsie regional office

One Civic Center Plaza, Suite 401 Poughkeepsie NY 12601-3157 845-485-3900

Counties: Dutchess, Orange, Sullivan, and Ulster (Note: Dutchess and Orange County trusts and estates matters are handled by NYC; Sullivan and Ulster County trusts and estates matters are handled by Albany)

Rochester regional office

144 Exchange Boulevard Rochester NY 14614-2176 716-546-7430

Counties: Livingston, Monroe, Ontario, Seneca, Steuben, Wayne, and Yates

Suffolk regional office

300 Motor Parkway Hauppauge NY 11788-5127 631-231-2424

Counties: Suffolk (Note: Trusts and estates matters are handled by NYC)

Syracuse regional office

615 Erie Blvd. West, Suite 102 Syracuse NY 13204 315-448-4800 Counties: Cayuga, Cortland, Madison, Onondaga, and Oswego

Utica regional office

207 Genesee Street, Room 508 Utica NY 13501-2812 315-864-2000 Counties: Herkimer and Oneida

Watertown regional office

Dulles State Office Building 317 Washington Street Watertown NY 13601-3744 315-523-6080

Counties: Jefferson, Lewis, and St. Lawrence

Westchester regional office

44 South Broadway White Plains NY 10601 914-422-8755

Counties: Putnam, Rockland, and Westchester (Note: Trusts and estates matters are handled by NYC)

Appendix E: List of governmental and organizational approvals

Section of N-PCL	Organizational purpose	When is consent required?	Which state agency is involved?		
404(b)(1)	Destitute children, adult care facility, residential program for youth, unmarried mothers	Before filing	NYS Department of Health (DOH)		
404(b)(2)	Child day care center	After filing	Office of Children and Family Services		
404(c)	Hospital Service, health service of medical or dental expense indemnity plan	Before filing	NYS DOH		
404(d) ⁴	Operation of a school, college or university, museum, or library	Before filing	NYS Education Department		
404(d)	Any other corporation whose purposes might be chartered by the Regents	After filing	NYS Education Department		
404I	Cemetery Corporation	Before filing	NYS Cemetery Board		
404(f)	Fire Corporations	Before filing	Village, Town or City Board		
404(g)	Prevention of cruelty to animals	Before filing unless dispensed with	American Society for the Prevention of Cruelty to Animals		
404(h)	YMCAs	Before filing	National YMCA		
404(i)	Support of armed forces in US or foreign country	Before filing	Adjutant General and the Department of State Post lists of approved organizations		
404(j)	Labor Unions	Before filing	Industrial Board of Appeals		
404(k)	Savings bank or life insurance	Before filing	NYS Department of Financial Services (DFS), superintendent of banks		
404(1)	Licensed insurance agents or brokers or underwriters	Before filing	NYS DFS, superintendent of Financial services		
404(m)	Political parties	Before filing	County committee of appropriate party		
404(n)	American Legions	Before filing	American Legion Department of NY		
404(o)	Hospital corporations	Before filing	Public Health and Health Planning Council		
404(p)	Medical corporation	Before filing	NYS DOH and Public Health and Health Planning Council		
404(q)	Mental health facility	Before filing	Commissioner of Mental Health		
404(r)	Health maintenance organization	Before filing	NYS DOH		
404(t)	Facility providing health-related services	Before filing	Public Health and Health Planning Council		
404(u)	Substance-abuse programs	Before filing	U.S. Office of Alcoholism and Substance Abuse Services		
404(v)	Non-profit Property or casualty insurance	Before filing	DFS, superintendent of insurance		

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⁴ N-PCL 404(d) has two parts as noted: actual educational organization such as school, library, museum, or college that require "pre-filing consent, and all others require post-filing consent. All post-filing consent is done within 30 days.