

Texas Application for Exemption – Educational Organizations

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TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

Nonprofit educational organizations should use this application to request exemption from Texas sales tax, hotel occupancy tax and franchise tax, if applicable.

To receive a state tax exemption as an educational organization, a nonprofit educational organization must be devoted solely to systematic instruction (particularly in the commonly accepted arts, sciences and vocations) with a regularly scheduled curriculum, faculty and an enrolled student body or students in attendance at a place where the educational activities are regularly conducted. An educational organization can also qualify if its activities consist solely of public groups, forums, panels, lectures or other similar programs, and the presentations provide instruction in the commonly accepted arts, sciences and vocations. Exemption from federal tax as a 501(c) organization is not required to qualify for exemption from state tax as an educational organization.

Public and private colleges, universities, junior colleges and community colleges from other states and nations do not qualify as educational organizations exempt from Texas hotel occupancy tax.

The exemption for educational organizations is provided for in Sections 151.310, 156.102 and 171.061 of the Texas Tax Code; more detailed information can be found in Comptroller Rules 3.322, 3.161, 3.541 and 3.583.

Some organizations will not qualify for an exemption as an educational organization as that term is defined in Texas' law and rules, even through their activities may be educational in nature. Such an organization might still qualify for exemption from Texas sales tax and franchise tax, if applicable, under certain sections of the Internal Revenue Code (IRC).

Texas tax law provides an exemption from sales tax on goods and services purchased for use by organizations exempt under IRC Section 501(c)(3), (4), (8), (10) or (19). However, exempt organizations are required to collect tax on most of their sales of taxable items. See *Exempt Organizations - Sales and Purchases*, Publication 96-122.

Texas law also provides an exemption from franchise taxes for corporations exempted from the federal income tax under IRC Section 501(c)(2), (3), (4), (5), (6), (7), (8), (10), (16), (19) or (25).

If your organization has been granted federal tax exemption under one of the qualifying sections listed above, your organization will be granted an exemption from Texas sales tax, or sales and franchise tax, on the basis of the Internal Revenue Service (IRS) exemption, as required by state law.

Organizations that qualify for exemption based on the federal tax exemption are not exempt from hotel occupancy tax because the hotel occupancy tax law does not recognize any federal exemptions.

The laws, rules and other information about exemptions are online at www.Comptroller.Texas.Gov/taxes/exempt/.

You can submit your completed application along with required documentation by mail, fax, or email

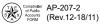
Mail: Texas Comptroller of Public Accounts

Exempt Organizations Section FAX: (512) 475-5862
P.O. Box 13528 Email: exempt.orgs@cpa.texas.gov
Austin, Texas 78711

We process applications in the order they are received. To establish claimed exemptions, we may require additional information. After review of the material, we will inform the organization in writing if it qualifies for exemption. The Comptroller, or an authorized representative of the Comptroller, may audit the records of an exempt organization at any time during regular business hours to verify the validity of the organization's exempt status.

If you have questions or need more information, contact us at 800-252-5555.

You have certain rights under Chapters 552 and 559, Government Code, to review, request and correct information we have on file about you. Contact us at the address or phone number listed on this form.



SECTION A

Texas Application for Exemption – Education Organizations



• Remove All Staples • TYPE OR PRINT • Do NOT write in shaded areas.

ORGANIZATION NAME (Legal name as provided in the formation document, or if unincompared to the compared to the compar	corporated, the governing document.)		
C ODGANIZATION MAII ING ADDDESS			
ORGANIZATION MAILING ADDRESS Street number, P.O. Box or rural route and box number			
City	State/Province	ZIP code	County (or country, if outside the U.S.)
Earliest date organization conducted classes			Month Day Year
Number and age of students			per of Students Age of Students
5. Number of instructors			
Texas taxpayer number (if applicable)			
7. Federal Employer Identification Number (FEIN) (Required if applying for exemption on the basis of a fe	ederal exemption)		
a) Enter filing information issued by the Texas Secretal OR	ry of State File number		Month Day Year File date
b) Check this box if this organization is not registe	red with the Texas Secretary of S	tate.	
Contact information of the person submitting this applic Name		address	
Firm as company page		Douting shape (Area (and and number) Futancian
Firm or company name		Daytime phone (Area o	
Address	City	State	ZIP code
We will notify you by email when the exemption has be provided, indicate where our response should be maile			fied online. If an email address is not ddress of the submitter.
SECTION B Please revision of an IRS exemption, complete Item 10. If you know and rules, complete Item 11.	riew the information below. our organization is applying	If your organization in for exemption as an	is applying for exemption on the educational organization under
Item 10. Check here to apply for an exemption o	n the basis of a federal exem	ption.	
Return the completed application with a copy of the determination letter must match the organization's determination letter was issued more than four year a current letter, contact the IRS at 1-877-829-550	s legal name as listed in the A ears prior to the current date, i	rticles of Incorporation	or governing document. If the IRS
Item 11. Check here to apply for exemption as a	n educational organization.		
The following documents must be included with y	our application. Information m	nay be in the form of a	bulletin, brochure, written statemen

- A copy of the curriculum and a written statement or any brochures, pamphlets or website addresses that describe all of the activities of the organization.
- A statement including the physical address (street number and name, or rural route and box number, not a P.O. Box), and indicating the type of facility (office building, school, private home, etc.) where classes are held.
- A copy of the IRS determination letter, if your organization is exempt under a qualifying section of the IRC, or, if the organization is affiliated with a parent entity that has a federal group exemption under one of the qualifying IRC sections, attach a letter of verification from the parent entity that confirms the organization is a recognized subordinate under its federal group exemption. If the parent organization has not yet obtained exemption from Texas franchise tax and/or sales tax, provide a copy of the parent organization's entire IRS group exemption ruling letter along with the letter of affiliation.
 - Special note to unincorporated entities: Include your organization's governing documents, such as bylaws or constitution.
 - Special note to non-Texas corporations: Include a file-stamped copy of your organization's formation documents AND a current Certificate of Existence from the Secretary of State or equivalent officer in your home state.