PROPOSED CHANGES TO
ARTICLES II AND VI OF THE LWVCC BYLAWS
FOR 501(c)(3) FILING

ARTICLE II – PURPOSES AND POLICY

All changes to this Article II are to conform to what our lawyers advise is required in order to obtain approval from the IRS to become a Section 501(c)(3) organization.

Section 1. Purposes. The purposes of the LWVCC are to promote political responsibility through informed and active participation in government and to act on selected Cook County governmental issues in a manner consistent with Section 4 of this Article II.

Section 2. Political Policy. The League shall not support or oppose any political party or any candidate.

Section 3. Nondiscrimination. LWVCC shall not discriminate against any person or group of persons on the basis of race, ethnicity, culture, language, national origin, age, disability, gender, sexual orientation, gender expression, education, religion, faith, socio-economic status or lived experience.

Section 4. Tax-Exempt Status. LWVCC is organized and operated exclusively for charitable or educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, as amended from time to time (the “Code”). In the course of LWVCC’s operations:

(a) no part of the net earnings of LWVCC shall inure to the benefit of, or be distributable to, any individual, including the Directors or officers; provided, that LWVCC shall be empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth herein;

(b) no substantial part of the activities of LWVCC shall be the carrying on of propaganda, or otherwise attempting to influence legislation;

(c) notwithstanding any other provisions contained herein, LWVCC shall not carry on any other activities not permitted to be carried on:

    (i) by a corporation exempt from federal tax under Section 501(a) of the Code as an organization described in Section 501(c)(3) of the Code, or
(ii) by a corporation, contributions to which are deductible under Section 170(c) (2) of the Code.

The following in red will replace in its entirety the current Section 6 of Article VI – FINANCIAL ADMINISTRATION. This replacement is also required for the LWVCC to file to become a Section 501(c)(3) entity.

If the LWVCC becomes a Section 501(c)(3) entity, upon dissolution, its assets may only be distributed to other Section 501(c)(3) entities. Under the current provision, the assets are distributed among the local Leagues. Under this provision, the assets will go to the local Leagues if they are also Section 501(c)(3) entities; if any of the local Leagues are still Section 501(c)(4) entities, their shares will go to the LWVL Education Fund, which is a Section 501(c)(3) entity. There are other contingent beneficiaries after that only in the event that the assets are not able to go to the local Leagues or the LWVL Ed Fund.

Article 6. In the event of the dissolution or liquidation of the corporation, and after paying or providing for payment of all then outstanding or contingent corporate debts and liabilities, all remaining assets shall be distributed to:

(a) First, pro rata among all of the local leagues whose members belong to the League of Women Voters of Cook County so long as each local league is exempt from federal income tax pursuant to Section 501(a) of the Code as an organization described in Section 501(c)(3) of the Code, provided, however that for any such local league exempt from federal income tax pursuant to Section 501(a) of the Code as an organization described in Section 501(c)(4) of the Code, any remaining assets shall be distributed to the League of Women Voters of Illinois Education Fund;

(b) second, the League of Women Voters of Illinois so long as the League of Women Voters of Illinois exists and is exempt from federal income tax pursuant to Section 501(a) of the Code as an organization described in Section 501(c)(3) of the Code; and

(c) third, the League of Women Voters United States Education Fund so long as the League of Women Voters United States Education Fund exists and is exempt from federal income tax pursuant to Section 501(a) of the Code as an organization described in Section 501(c)(3) of the Code.

Otherwise, pursuant to a plan of distribution, such organization(s) organized and operated exclusively for charitable, educational or scientific purposes as shall at the time qualify as an exempt organization under Section 501(c)(3) of the Code.
Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction, in the county in which the principal office of the corporation is then located; provided, however, that all assets shall be distributed to such organization or organizations exempt from federal income tax pursuant to Section 501(a) of the Code as an organization described in Section 501(c)(3) of the Code, as said court shall determine.

Prepared 4-10-2020