

Proposal: To amend Section 7. Finances as follows:

- Leave 7.1, 7.2 and 7.3 as they are.
- Delete current 7.4 as it will be included in the NEW 7.5
- Rename CURRENT “7.5 Finance Committee” to “7.4 Finance Committee (F.C.)”
- Amend RELABLED 7.4.B Duties (of the Finance Committee) to include the following “The F.C. is responsible for maintaining the legal responsibilities of Hawaii Area Committee as a nonprofit corporation as outlined in Section 7.5.”
- Leave the rest of RELABLED 7.4 Finance Committee as is.
- Insert NEW Section 7.5 Legal Responsibilities as follows:

7.5 Legal Responsibilities

7.5.A. **Legal Information:** The legal name of this nonprofit corporation is **Hawaii Area Committee**, and all legal business shall be done under this name. Hawaii Area Committee’s Articles of Incorporation are filed with the State of Hawaii Department of Commerce and Consumer Affairs Business Registration Division (DCCA). Hawaii Area Committee’s 501c3 nonprofit status is granted by the IRS.

The Area carries a Trade Name/DBA appended to the Articles of Incorporation, which is Hawaii Area 17. This DBA was obtained solely for banking purposes, so that the Area may accept 7th Tradition Contributions remitted to its colloquial name.

7.5.B. Maintenance of legal responsibilities,

1. File Form 990 with the IRS annually by May 15th.
2. File and pay DCCA compliance filing every year.
3. Maintain the current roster of officers* with the DCCA, submitting changes to the DCCA upon Panel rotation, as follows:
 - a. Designated Agent = Treasurer
 - b. Chairperson = Chair
 - c. Vice Chairperson = Alternate Chair
 - d. Treasurer = Treasurer
 - e. Secretary = Secretary

*The Delegate, Alternate Delegate, and Registrar are not responsible for Area business in a legal sense and ought not be listed on the DCCA filing.
4. Trade Name/DBA must be renewed every 5 years, prior to expiration with the DCCA. Trade Name/DBA was first granted October 5, 2020.
5. Legal documents of the corporation must be retained in compliance with federal and state guidelines.
 - a. Original DCCA filings – permanently
 - b. Original 501c3 determination letter from the IRS – permanently
 - c. Original EIN letter from the IRS – permanently
 - d. Tax records - current year + 3 most recent past years
 - i. Tax forms
 - ii. Receipts
 - iii. Bank statements
 - iv. Check ledgers

- Leave Section 7.6 as is (It is required by law.)

Background Information:

Background:

In 2020, it was discovered that the Area was doing business under several variations of the legal name of the nonprofit corporation. All of those business situations have been amended and corrected to the Area's proper legal name, requiring a significant amount of time and energy.

These problems were caused by the ambiguity of "passing on" legal information and responsibilities via oral tradition rather than having these items written in our bylaws. This proposal directly addresses a solution to prevent any future legal mistakes and/or omissions by the Area's trusted servants.

Since the Structures & Guidelines function as the bylaws of the Hawaii Area Committee's nonprofit corporation, it has been suggested by legal counsel that inclusion of our legal information and responsibilities is necessary not only to amend for our past behaviors but also to prevent future errors and possible legal or financial consequences.

Submitted In Love & Service,

Rachel S

Hawaii Area 17, Panel 69 Treasurer