

Andrea Gyger

From: Dianne Hitchingham <Dianne.Hitchingham@ddrcco.com>
Sent: Thursday, November 01, 2012 1:01 PM
To: SoS Rulemaking
Subject: Proposed rules for nonprofits

October 31, 2012

Scott Gessler
Secretary of State
State of Colorado
1700 Broadway) Suite 200
Denver, CO 80290

RE: Notice of Proposed Rulemaking
Rules for the Administration of the Colorado Charitable Solicitations Act

Dear Sir:

I am the Registered Agent for two small nonprofits in Colorado. Please consider my comments from the standpoint of the small nonprofit which operates with volunteer staff but still do a lot of good work, however, these issues can trip us up.

After reviewing proposed changes and several comments, I understand why in 2012 the Secretary of State wants submissions done electronically but I want you to be aware of problems I and I'm sure others have encountered. I am still communicating with the IRS because their website had problems early this year and never recorded a submission of the 990 that we made in a timely manner and have documentation that it was submitted successfully. Five months later I got a notice that the 990 was late. I replied promptly but last week got another notice that we owed \$3400 in late fees. **Electronic submission is not always transmitted or received successfully** and months of drawn out communications take the focus of nonprofits away from the work we are charged to do.

Following up on that concern, a colleague had repeated problems submitting a proposal electronically for Colorado's first Aging and Disability Summit. The Ethernet seems to have holes that are not easily addressed.

Finally, I ask that you consider making the two annual reports for nonprofits—the Annual Report and Charitable Registration—due at the same time. The SOS office sent emails for three of the four reports that have been due in the last year but not the fourth. I carefully rechecked my Inbox, Junk Mail and other possible locations but no email. You fined Developmental Disabilities Foundation \$100 and later in the summer lowered the fine for others but not for my organization. If the two reports were due at the same time we would have one reminder to alert us, not multiple times.

Thank you for your consideration of these issues.

Sincerely,

Dianne Hitchingham
Developmental Disabilities Foundation and the HERO Alliance

The information contained in or accompanying this email is for the use of the stated recipient only, and may contain information that is confidential and/or privileged. It is intended only for the person or entity to which it is addressed or the agent thereof. Anyone else is prohibited from disclosing, copying, or disseminating the contents or attachments. If you have received this email in error, please destroy this message and inform the sender immediately by telephone, fax or email.