



*International MOMS Club®*  
*Fact Sheet*

## **To Continue as a MOMS Club Chapter...**

All that is required for a MOMS Club to continue is for one member to desire to continue as a MOMS Club. There are several reasons for this:

First, every local chapter was started by just one mother – therefore, International shall recognize as a MOMS Club any chapter in which one individual wishes to have the chapter continue.

Second, your chapter is a “voluntary association,” just like every other local MOMS Club chapter across the country. That means that mothers join your chapter of their own free will. Any member who does not wish to be a part of the MOMS Club chapter may also leave of her own free will. No member may force any other member to leave or to stay in the MOMS Club. Therefore, no “vote” by some mothers can force any other mothers to disband a MOMS Club that they wish to continue.

Third, the IRS requires that all local MOMS Club chapters must use the same Bylaws. The purpose of the Bylaws is to organize your chapter legally and to protect the rights of all members of the chapter. All members should have their own copy of the Bylaws so they know how their chapter is operated and what rules they have agreed to follow. You may find a copy of the Bylaws at [www.momsclub.org](http://www.momsclub.org).

The International MOMS Club shall recognize as a local chapter any members who wish to be a part of the MOMS Club and who are willing to use the Bylaws for their chapter, as required by the IRS. Those recognized as the MOMS Club chapter shall retain the group’s entire treasury and any other assets, as required by law. Any money or assets raised under the MOMS Club name must remain with the MOMS Club, either in an official registered local chapter or with the International MOMS Club.

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*(“MOMS Club,” the “Mother-To-Mother Fund” and the Mother/Children logo are registered service marks of the International MOMS Club. Updated: 1-19)*

## **To Disband a MOMS Club Chapter...**

***This procedure is required by state laws, the IRS and your chapter's charter:***

1) A poll of ALL local members must be taken to legally disband the club. If ANY local members express a desire to remain as a MOMS Club, either during the chapter's poll or to an International MOMS Club representative, then those members will continue as the MOMS Club chapter and any members expressing the desire to disband will be considered to have left the chapter, effective with their decision as expressed on the poll. Members who wish to disband the chapter may not force any members who wish to continue the MOMS Club chapter to disband the club, even if those wishing to disband are in the majority. (See previous page, "To Continue as a MOMS Club Chapter...")

2) If – and only if – the poll and expression of the members is unanimous to disband the chapter, then this MOMS Club chapter shall cease to exist and the following procedure must be followed:

a) All debts of the chapter must be paid before the final resolution of the chapter's treasury. That means that (1) the chapter's re-registration fee must be paid for the previous year (\$5 per member or \$50, whichever is greater), and (2) any money collected from the public – say for a charity fundraiser – must be used for the purposes for which it was collected.

After the chapter has paid its re-registration fee and properly donated any money raised for charity to that charity, ALL of the remaining funds in the previous MOMS Club chapter treasury must be donated to a registered IRS-approved 501(C)(3) nonprofit fund, foundation or corporation organized under Section 214 of the California Revenue and Taxation Code.

The chapter may donate their treasury to the International MOMS Club. If they do so, 100% of the money donated will be used to help start and support local chapters across the country and around the world. The International MOMS Club mailing address for dues and donations is: 1464 Madera Rd, #N191, Simi Valley, CA 93065. Please indicate "disband" as well as the full chapter name on the payment.

If the former chapter donates its treasury to any other organization, the recipient organization must have had its tax-exempt status established by the IRS before the proposal to disband was first considered. No funds may be retained or returned to any members or given to any organization which has not already established its tax-exempt status under those sections of the IRS and California revenue codes. No funds may be given to any organization to which any member -- or former member of the disbanding chapter -- is, has been or is going to be, a member.

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b) The local MOMS Club manual must be returned, postage-paid, to the MOMS Club Regional Coordinator for that area. Also, any other materials, inventory or equipment accumulated by the previous MOMS Club chapter must be sent to the International MOMS Club-designated recipient, unless permission has been granted, in advance and in writing, by the International MOMS Club for the chapter to donate those other materials to another nonprofit charity.

c) Any chapter that has disbanded may or may not be covered by the International MOMS Club's nonprofit status for the past or current fiscal years. A decision on the chapter's nonprofit status will be made by the International MOMS Club. If the chapter is not recognized as nonprofit by the International MOMS Club, then donations made to the chapter may not be considered tax-deductible by the IRS and shall not be acknowledged by the International MOMS Club.

If the remains of the chapter's treasury are donated to the International MOMS Club or the Mother-To-Mother Fund, then the International MOMS Club will vouch that those funds were donated to a certified nonprofit organization, as required by law.

d) If the MOMS Club chapter is disbanded, the IRS form 990N must be completed on behalf of the former chapter, indicating that the chapter is no longer operating. This form is available online at the end of the fiscal year (after June 30).

e) If the MOMS Club chapter is disbanded, the names "MOMS Club" and "MOMS Offering Moms Support," and the mother/children logo may not be used in any publication or verbal response in conjunction with any other organization or individual to represent themselves as having any association, past or present, with the International MOMS Club or the previous local MOMS Club chapter.

f) If the MOMS Club chapter is disbanded, all internet presence must immediately be dismantled and removed: any websites created by the former chapter, any social media accounts, listserv or email groups or email addresses that reference the MOMS Club.

g) If the MOMS Club chapter is disbanded, any mother or mothers will have the right to contact the International MOMS Club to register a local MOMS Club or MOMS Clubs in the previous MOMS Club chapter's area and no previous member will have the right to interfere with the activities of any new MOMS Club chapters in any way.

*If you have any questions  
about the proper way to continue or disband  
a local MOMS Club chapter,  
contact your Regional Coordinator.*

