



POLICIES AND PROCEDURES

Revised July 6, 2023

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History and Resources

The Asheville Quilt Guild (AQG) was founded in 1988 as a non-profit organization open to anyone interested in quilting. The purpose of the Guild is to promote and preserve the art and history of quilts through education of its members, and to inspire community involvement. Beginning with 60 charter members, AQG is now the largest quilt guild in Western North Carolina. AQG resources and activities include but are not limited to:

- Monthly meetings (except in November) with informative and entertaining speakers, as well as "Show and Tell" to spotlight Guild members' work;
- Workshops presented by regional, national and international teachers featuring a variety of quilting techniques;
- Monthly newsletter, the disPatch;
- Website (www.ashevillequiltguild.org) with up-to-date information about Guild activities;
- Extensive lending library;
- Community service and Guild projects;
- Annual Quilt Show; and
- Ways and Means

Membership

General:

- The Membership Chair's term is January through December.
- Annual dues are \$35, due March 1. Dues for new members are pro-rated after September 1 to \$30.
- An AQG pin may be purchased for \$5.
- Service awards in the form of workshop fees or books may be made to members who volunteer for Guild activities.
- New members will be assigned a mentor, if desired.
- Membership scholarships may be granted to members in good standing on a basis of need.
 - Scholarships will be limited to a period of one membership year (March 1st – February 28th).
 - Members who wish to apply for a scholarship may submit a request for consideration to the Membership Chair or the President. A member who wishes to nominate another member for a scholarship may also present a written request. A maximum of ten scholarships will be available each fiscal year.
 - A review committee consisting of the Membership Chair, Treasurer and President shall review the request. The President shall notify the applicant of the committee's decision and, if approved, shall notify the Board that a scholarship has been granted but not the name of the recipient.

Junior:

- AQG junior membership category is open to persons 18 years or younger.
- A junior member must be sponsored by a Guild member in good standing.
- Annual junior membership dues are \$10; annual renewal by March 1.
- Junior members will be so designated in the AQG Directory.

Duties and Responsibilities of Members:

The success of the Guild depends on the participation of each member. Membership responsibilities include the following:

- Payment of dues;
- Payment of a small fee, set by the Board, if a member chooses to receive the newsletter through the mail rather than the Guild website;
- Participation in at least one Guild activity or Guild service project;
- Participation in an activity supporting the Asheville Quilt Show; and
- Participation in other Guild fund-raising activities.

Meetings

General Membership:

- General meetings are normally held at Mission Health/A-B Tech Conference Center the third Tuesday of the month, January through October. Unless otherwise announced and EXCEPT for FEBRUARY, in the EVEN-numbered months (April, June, August, and October) the meetings are held in the EVENing at 7:00 p.m. In the odd- numbered months (January, March, May, July, and September) and FEBRUARY, meetings are held in the morning at 10:00 a.m.
- General meetings include a business meeting to transfer information, to vote on Guild business brought before the membership, to share the joy of quilting, and to learn through an informational program.
- In the event of snow or inclement weather, we will follow the A-B Tech schedule regarding cancellations, late openings, etc. in determining whether or not we will meet. If AB Tech is closed during our scheduled meeting time, we will not meet.
- The November and December meetings are combined in a holiday meal.
- Retail businesses (shops and/or internet) may not advertise or sell products at Guild meetings, unless they are the guest speaker.
- Meeting schedules and a listing of speakers' names may be found on the website.

Board of Directors:

Business of the Guild is conducted at Board meetings. All Board meetings are open to members, and members may add an item to the agenda by contacting the President prior to the meeting.

Guild-Sponsored Bees:

Member bees meet regularly; see the Guild website for details.

Workshops

Registration:

- Members may sign up for workshops beginning three months prior to the workshop by one of the following methods:
 - Use a credit card to register online from a link on the AQG website, or
 - Mail the registration form found on the AQG website with payment of the workshop fee to the Workshop Chair, or
 - Register at a Guild meeting, either online or by presenting the registration form and payment of the workshop fee to the Workshop Chair.
- When the registration fee has been paid, the participant will receive confirmation of the workshop location and other pertinent information. The supply list for each workshop is available on the Guild's website under "Workshops."
- If a workshop is not filled by the end of the first month of registration, the Workshop Chair may advertise and accept registrations from non-members. There is an additional charge of \$15 per day for non-Guild members.
- Registrations will be accepted on a "first-received" basis, whether they have been received online or via US Mail. Anyone who registers after a workshop is full will be placed on a wait list in the order that their registration was received. Any registrant who is not admitted to the workshop for lack of space will have their registration fees fully refunded.

Cancellation options: When a workshop participant is unable to attend the class:

- If the Workshop Chair is notified at least 14 days prior to the class, the workshop fee will be refunded.
- If notice is given to the Workshop Chair within 14 days of the class, the workshop fee is not refunded unless a replacement can be found, using the following priority-
 - From the wait list that the Workshop Chair maintains, or
 - If there is no wait list, from a referral by the participant who is cancelling.

Workshop scholarships may be granted to members in good standing on a basis of need.

- Scholarships will be limited to one per member per year.
- A review committee consisting of three Board members will be appointed by the President, as needed.
- Members who wish to apply for a scholarship may submit a request for consideration to the President. A member who wishes to nominate another member for a scholarship may also present a written request to the President. The President will forward the request to the committee chair. Requests should be presented well in advance of the desired workshop to ensure that the committee has adequate time for consideration. A maximum of ten scholarships will be available each fiscal year.

Newsletter

The Guild's newsletter, *disPatch*, provides members with news of local and regional quilting activities and a record of Guild business. It is available online. The newsletter may not be used to advertise commercial enterprises. If a member wishes to have a hard copy mailed by the Guild, that member will pay an annual mailing fee as set by the Board each year.

Website

The Guild's website, www.ashevillequiltguild.org, provides a wealth of information about the Guild. Included on the website are:

- A list of officers and committee chairs;
- Membership information and forms;
- Listings of all Guild activities, including workshop, meetings, members bees, and Guild projects;
- By-Laws;
- Guidelines;
- Contact information;
- Nonmember names and/or links, which are limited to quilt show sponsors contributing a minimum dollar amount to be set by the Quilt Show chair;
- A list of all library books;
- Quilt Show information and volunteer opportunities; and
- Archived copies of the *disPatch*, for the previous 12 months at a minimum.

The designated At-Large Board member will be the liaison to the Board for any new web pages and for most major changes. Updates and editing changes to existing pages will go directly to the webmaster.

Community Service and Guild Projects

The Guild (either as a whole or as individual members) participates in a number of projects. These projects provide quilts to members of the community, educate the community about quilting and provide special exhibits of members' quilts. Quilts for the community have included Habitat for Humanity, multiple programs at Mission Hospital, Project Linus, Asheville Humane Society, Care Partners, Interlace, Meals on Wheels, Helpmate. Education about quilting has included "Quilt in a Shoe Box," Camp Blue Bird, Black Mountain Elementary School Quilting, "Let's Talk Quilts" at the Folk Art Center, Quilt Alliance "Save Our Stories," Moda challenge for older students. Exhibits have included Other Lifelong Learning Center, Deerpark Gallery at Biltmore Estate, North Carolina Arboretum 2nd floor exhibition space.

- The Guild will not make quilts for organizations other than the Guild for fund-raising purposes; donated quilts are to be used only by clients of other non-profit organizations.
- Monies and/or materials are available to individuals and bees to make community quilts under the auspices of the Guild pending approval by the Community Quilts committee chair.
- Any supplies donated to the Guild are to be used for Guild projects only and not retained for personal or other use.
- Any outside organization desiring to solicit our membership for help must make that request to the Board one month in advance of the request to the membership.

Quilt Show

The Asheville Quilt Show is a judged, non-juried show held annually to exhibit quilts and to educate and inspire attendees with the tradition, art and beauty of quilts. The competition is open to any quilt maker. More information about entering a quilt is available on the Guild's website, www.ashevillequiltguild.org.

Selection of the Quilt Show Chair:

- The Quilt Show Chair is a three-year commitment: first year as co-Chair, second year as Chair and third year as advisor.
- The Chair is to be selected by October 1, approximately two years prior to becoming Quilt Show Chair, by a committee chaired by the President-Elect. It is recommended that the committee members include the current co-Chair and a previous Quilt Show Chair.
- A list of potential candidates to be the Quilt Show Chair shall be compiled by the committee beginning in April. *For example, during the program year that begins in March 2016: The Board, in April 2016, will begin compiling a list of potential candidates for the 2018 Quilt Show Chair. By October 1, 2016, the 2018 Quilt Show Chair will be selected and will serve as the co-Chair of the 2017 Quilt Show.*
- The Quilt Show Chair's term is November through October.
- The Quilt Show Chair is responsible for establishing and following the time line in the production of the annual Quilt Show.

General:

- The Quilt Show committee will include the immediate past Quilt Show Chair. The Quilt Show Chair is strongly encouraged to call on former chairs for advice and information to maintain consistency in standards.
- The Quilt Show budget is included in the Annual AQG Budget as a separate line item. The Quilt Show budget shall show an income that is greater than expenses.
- The dates of the Quilt Show are normally targeted to be on or around the fourth weekend after Labor Day. The Quilt Show Chair for the applicable Quilt show year should negotiate and sign a contract establishing these dates and pay the deposit by the end of April of the fiscal year PRIOR to the Quilt Show dates (e.g., if the Quilt Show is in the fall of 2024, then the contract should be signed and the deposit should be paid by the end of April 2023). If it becomes necessary to change the date of the Quilt Show significantly (i.e., shift the quilt show out of the months of September/October), the Quilt Show Committee should bring the recommendation for the new Quilt Show dates to the Board of Directors for its review and approval given the potential impact of the change on other guild activities.
- The goal amount for Sponsorship donations should approximate the advertised amount of prize money plus an additional 10% to cover administrative expenses, such as: advertising in the show program, banners and signage, Sponsor badges, mailing expenses, etc. Monetary prizes will not be altered in the event of a shortfall or excess of Sponsorship donations.
- Any changes in fees - quilt entry fees, Quilt Show admission fees, commission fees - require approval by the Board of Directors.
- AQG members do not pay admission to the Quilt Show or a quilt entry fee. Non-members entering quilts do not pay admission to the show.
- Fundraising efforts by outside groups are not allowed at the Quilt Show.

Sales Taxes: (see Appendix A)

- Sales taxes must be charged on admission fees but may be included in the gross admission fee charged so long as a statement to that effect is displayed on sign(s) at Admissions, on the website, and/or on any printed admission tickets. Otherwise, the sales taxes must be added to the sales price of the admission ticket.
- Sales taxes must be charged on all "marketplace facilitator" sales at the Quilt Show (e.g., all sales processed via the Gift Shop) where the only revenue ultimately retained by AQG is a commission.
- Any other sales at the show are not subject to sales tax PROVIDED that the first offering of the item for sales occurs at the show OR no more than 60 days PRIOR to the LAST day of the show. In general, this means that the following areas are NOT subject to sales tax: What's Old Is New Again, Product Raffle and Silent Auction. The Show Flash Drives can be sold for a short period of time after the show if desired

without being subject to taxes.

- Any items sold at the show that have been offered for sale during the year prior to the show will be subject to sales tax.

Library

The Guild's collection is housed in the 2nd floor Library at the Folk Art Center Library and is available to all AQG members.

- The hours are Monday through Friday, from 9 a.m. to 5 p.m., (January - March) and 9 a.m. to 6 p.m. (April - December).
- Books may be checked out for three months by following the procedure posted in the Library.
- Books may be returned to the Guild Library Chair at most evening Guild meetings or directly to the Library before or after daytime meetings.
- Members will be assessed for the replacement cost of lost books.

Ways and Means

The Ways and Means Committee is responsible for raising funds to support the annual budget of the Asheville Quilt Guild.

General:

Fundraisers at the Asheville Quilt Show such as Silent Auction, cookbooks and other fundraising ideas should be considered and coordinated with the Quilt Show Chair. The Ways and Means Chair should consider the viability and productivity of each fundraising idea. The events mentioned above are being used as examples only. All suggestions and ideas should be brought to the table and considered. It is recognized that opportunities will change from year to year.

Opportunity Quilt:

- It is the responsibility of the Ways and Means Chair to recruit the Opportunity Quilt Coordinator(s) (OQC) to oversee the Opportunity Quilt Project.
- The OQC will check for copyright/publishing issues, especially if the design is from a kit/book/pattern/block of the month etc., before starting quilt. If permission from the design source is required for the Asheville Quilt Guild to make a profit from this item, publish images, etc., the coordinator will be responsible for obtaining required permissions in writing.
- The President Elect, when putting together her/his budget, should confer with the Ways and Means Chair, consider past expenditures, and incorporate expenses for the Opportunity Quilt into the budget, keeping in mind the current costs of machine quilting a bed size quilt. The Ways and Means Chair and the OQC must be diligent in working within the budget and be aware of the options of donated fabric, etc.
- The Opportunity Quilt Coordinator(s) should be diligent in securing donated supplies, if possible, to be used in quilt fabrication, etc. Any donations received and/or services received should be given recognition in the Quilt Show Program and on the AQG Website as "Opportunity Quilt Donor."
- When considering machine quilting services, please note: Asheville Quilt Guild, Inc. By-laws Article I, Section 1.04 states: *"No part of the net earnings...shall inure to the benefit...of its members except...to pay reasonable compensation for services rendered."*
- The Opportunity Quilt is the property of the Asheville Quilt Guild. Possession should be maintained for promotional availability, i.e. exhibiting in local quilts shops, selling tickets at area quilt shows when allowed. The Ways and Means Chair and the OQC should diligently search for exhibiting venues. The quilt may be photographed and that image used as advertising for the Asheville Quilt Show.
- In the instance where the Opportunity Quilt is left at a venue such as a quilt shop, gallery or tourist center and out of control of the OQC and the AQG, an agreement should be signed by the OQC and the director of the venue. The agreement will state how long the quilt will be exhibited, the range of numbers on the tickets left at the venue, and how the ticket sales dollars are to be collected. The agreement will also state that, as the quilt is left in the charge of this venue, the director and venue operators are to be diligent in the safe-keeping of the quilt. The agreement may also include information about insurance coverage.

- The OQC will submit all expenses as directed by Ways and Means Chair. The option of direct submission to the AQG Treasurer with a copy to the W&M Chair should be considered.
- The size of the quilt should be determined by the OQC and the Ways and Means Chair. It is suggested that lap to small queen be seriously considered as historically they are best received by the public.
- The Opportunity Quilt Coordinator will have the honor of naming the quilt. A label will be secured onto the back of the quilt with Quilt Name, names of designers and fabricators, names of Opportunity Quilt Donors and, if machine quilted for a fee, "Professionally quilted by: " _ ". A hanging sleeve in keeping with the rules and regulations of the Asheville Quilt Show will be attached to back of quilt. The Opportunity Quilt will be presented to the Ways and Means Chair in time for the March General Meeting. The Ways and Means Chair will have tickets printed and sorted for distribution at this time.

Equipment

In general, the Guild does not lend equipment. Special requests may be addressed to the Equipment Chair who will present the request to the Board for approval or denial.

Financial Policies and Procedures

General:

- There are no IRS rules concerning the amount of funds a non-profit 501(c)(3) organization can maintain in its accounts. The Guild's funds must be used for charitable and educational purposes as stated in the By-laws Article 1, Section 1.03.
- Compensation for Guild members is detailed in the Guild bylaws Article I, Section 1.04.
- Whenever a check made out to the Guild is returned unpaid, the person who wrote the check shall be responsible for reimbursing the Guild for any returned check charges incurred by the Guild.
- Only AQG members in good standing may handle AQG funds at Guild events such as the annual AQG Quilt Show.
- When members collect funds on behalf of the Guild, all of the cash and checks collected must be transmitted to the Bookkeeper promptly, with supporting documentation. Expenses may **NOT** be reimbursed from the revenue (cash) collected!
- If currency collected by members needs to be transmitted to the Bookkeeper via mail rather than being delivered to the Bookkeeper or Treasurer in person, the member may retain the currency and substitute a personal check made payable to the AQG in the amount of currency received.
- All budget line-item expenditures must be approved by the committee chair before they are incurred. Expenses incurred must be submitted for reimbursement to the Bookkeeper using an expense voucher with supporting documentation, including acknowledgement that expenses have been approved by the appropriate committee chair. When your expense reimbursement request is sent to the bookkeeper, a copy must also be sent to the committee chair for her records. Scanned electronic vouchers and documentation are preferred.
- Any payments for services rendered to the guild, including quilt show services, must be provided by companies or independent contractors with established businesses. Payments in cash by individual guild members to individuals are not allowed. Invoices from the vendor/contractor or a signed contract (established in accordance with the guild's contract policy) shall be submitted to the Bookkeeper for payment.
- In general, any product (other than newsletter advertisements) sold by AQG on a recurring basis throughout the year will be subject to a sales tax requirement. One-time sales for fundraising purposes are generally not subject to sales taxes. The majority of the sales taxes applicable to AQG relate to the Quilt Show and those policies are outlined in the Quilt Show section of this document. See **Appendix A** for sales tax statutory requirements applicable to AQG.

Financial year/Accounting records:

- The financial year for the Guild is March 1- February 28 (29).
- All monies budgeted in a fiscal year are available for the entire year.
- An audit will be completed by May 1 of the new fiscal year.
- All accounting records are available to members with reasonable notice to the Treasurer.

Expense Reimbursement for Speakers, Workshop Leaders and Judges:

- Up to \$50 per full day for meals; up to \$25 per half day
- Mileage rate: the same as that used by the IRS each year.
- The hostess may be compensated at the same rate as the guest for meal expenditures when dining out and for any direct expenses incurred.

Annual Budget Guidelines:

- The Annual Budget is prepared by the President-Elect and the Finance Committee in consultation with Committee Chairs responsible for budget line items. The Annual Budget is then submitted to the Board for discussion and approval.
- Following approval by the Board, the Annual Budget is presented for review by the membership in the February *disPatch* and for approval by the membership during the February Guild meeting.
- Expense budget variances greater than \$150 (for line items other than Quilt Show Expenses) must be approved by the Board of Directors. Any subsequent increases in those expense budget variances of more than \$150 must also be approved by the Board of Directors. Expenses (including quilt show expenses) not included in the annual budget that produce budget variances greater than \$2000 must be approved by the Guild at a general membership meeting.

Financial Reporting

- Beginning February 28, 2021 and each fiscal year-end thereafter, the Guild shall, for reporting purposes, divide its fiscal year-end Retained Earnings into two categories – a Contingency Fund and Available Retained Earnings.
 - Prior to each year-end, the Finance Committee shall propose the dollar amount of the Contingency Fund to the Board of Directors for approval. In general, the Contingency Fund is the amount needed to cover the fixed expenses of the guild and the non-recoverable costs of the quilt show should an unforeseen event occur.
 - Available Retained Earnings shall be the “Balance of Retained Earnings” as of the beginning of the fiscal year minus the “Contingency Fund Amount” plus/minus the year-to-date Net Income/Loss for the current fiscal year.
 - The “Balance of Retained Earnings” and the “Contingency Fund Amount” will remain constant throughout the fiscal year unless circumstances dictate that the Contingency Fund amount needs to be re-evaluated during the year.

Execution of Documents

The Board is responsible for the execution of all contracts as covered by section 3.03(b) in the AQG Bylaws.

- **Contracts:** With the approval of the Board of Directors, the President will have the power to make and execute contracts on behalf of the Guild and to delegate such power to others.
- **Contracts for Programs and Teachers:** The Programs Chair will have the power to execute contracts for speakers, teachers, and facilities.
- **Contracts for the Quilt Show:** The Quilt Show Chair will have the power to execute contracts related to the Quilt Show and to delegate such power to Quilt Show Committee Chairs.
- **Insurance and Tax-Related Contracts:** The Treasurer will have the power to execute insurance contracts, the engagement letter for tax returns, and sign any tax returns for the guild.
- **Duration:** All contracts executed under the powers granted in this section are binding on the Guild and, therefore, must be honored by future officers and committee chairpersons.

Dorothy Tresner Award

This award, named after its first recipient, honors Guild members who have exemplified the mission of the Asheville Quilt Guild through dedication to the art of quilting and who have instructed, encouraged, or inspired others through their quilting.

Procedures for selecting the Award Recipient:

- Currently serving Members-at-Large on the AQG Board comprise the Tresner Award Committee and are therefore ineligible to be nominated, as are prior Tresner Award recipients;
Note: Names of the Members-At-Large can be found on the Officers List on the website and the Tresner Award recipients names can also be found on the website. Both documents are located on the Members Only page here: <https://www.ashevillequiltguild.org/members-only/>
- The President shall establish this Award Committee by August of the award year and the Award Committee shall select a Chairperson;
- To be considered, the nominee must be a current member of the AQG and must have been an AQG member for a minimum of 7 years;
- The nominating form is to be made available online no later than September 1st of the award year and an article outlining the nomination process shall be written by the Tresner Award Committee and published in the September disPatch.
- Nominations must be received by the chairing Member-at-Large no later than October 31st. Any AQG member may place a name in nomination for this award. Applications are valid for that year only, but the names of unsuccessful candidates may be resubmitted in later years.
- Once the Oct. 31st deadline has passed, the Chair will share nominating forms and documents with the other Members-at-Large, who will meet to determine the recipient. They may consult with other Guild members if they determine that additional input is needed;
- In November, the Chair of the Tresner Award Committee will inform the Board that the committee has selected a recipient.

Action Items After the Recipient is Selected:

- The recipient of the Tresner Award will be announced at the December Holiday Party and will be given an award with a monetary value consistent with the budget established by the Board of Directors for that fiscal year. The Award Committee Chair is responsible for ensuring that this award is obtained.
- The Award is presented by the President at the Holiday Party.
- After the Holiday Party, the Chair notifies the Forms Manager to update the Tresner Award listing on the website.
- By year's end, copies of the applications shall be scanned by the Chair and stored in an AQG Google Drive file on the website that will be accessible to future Tresner Committee chairs.
- The Tresner Committee will prepare an article featuring the Award recipient for the January newsletter.
- The President will invite the Award recipient to kick off the February Show and Tell with a selection of their quilts.
- The Quilt Show Site Design Committee Chair will arrange for a featured spot for the Award recipient to display their work at the Quilt Show in the following calendar year

Standing Committees and Volunteer Positions

Bookkeeper – Process and record the Guild's financial transactions and support the Treasurer in all Guild financial duties

Community Quilts – Select and implement charitable projects to be undertaken by the Guild

Database Manager – Responsible for creating and maintaining the Guild member database and for reporting from the Guild member database

Equipment Manager – Responsible for the maintenance, storage and set-up of equipment as needed

Finance Committee – Oversee the financial workings of the Guild - committee includes the Treasurer (Chair),

Bookkeeper and at least two additional members appointed by the President

Forms Manager – Create and update online and fillable forms for the AQG Website as needed for Guild activities

Guild Friends – For new Guild members, provide for orientation, social gathering, and/or introduction to Guild workings

Guild Projects – Responsible for coordinating activities, programs, and projects sponsored by the Guild

Hospitality – Responsible for arranging for food/refreshments when needed

Librarian/Historian – Oversee acquisition and maintenance of books, publications and audiovisual materials and maintain the written/pictorial history of the Guild

Member Bees – Maintain and report information on Bee activities, meeting times and locations

Membership – Enroll new members, collect dues, produce and maintain an accurate roster of members' names and addresses

Newsletter – Produce the AQG Newsletter "disPatch"

Parliamentarian – Act as a resource to the President and Board in following Robert's Rules of Order Newly Revised at Board and Guild meetings

Programs (Lectures & Workshops) – Responsible for planning the lectures and workshops for the monthly Guild Meetings and occasional special events

Quilt Show – Responsible for all aspects of the annual Quilt Show

Social Media Coordinator – Administer the Guild's presence on Social Media platforms

Volunteer Coordinator – Manage volunteer sign-ups for Guild and Quilt Show.

Ways and Means – Responsible for fundraising for the Guild

Webmaster – Maintain and keep up-to-date the AQG website in accordance with Guild Bylaws, policies, procedures, and guidelines

Workshop Coordinator – Responsible for publicity, registration, and coordination of workshops

Appendix A – Sales and Use Tax Laws Applicable to AQG

Source of Information: Sales and Use Tax Bulletin (“SUTB”), January 1, 2023¹

SUTB 62 - NONPROFITS

B. Exempt Sales by Certain Nonprofit Entities

3. Sales by a nonprofit civic, charitable, educational, scientific, literary, or fraternal organization, with the exception of gross receipts derived from an admission charge to an entertainment activity, when all of the following conditions are met:
 - a. The sales are conducted only upon an annual basis for the purpose of raising funds for the organization’s activities.
 - b. The proceeds of the sale are actually used for the organization’s activities.
 - c. The products sold are delivered to the purchaser within 60 days after the first solicitation of any sale made during the organization’s annual sales period.

Note: *This is the sales tax provision for nonprofits that will generally exempt us from having to pay sales taxes on goods sold if we adhere to **all three** provisions listed. Note carefully the language in item 3 “delivered to the purchaser within 60 days after the **first solicitation** of any sale” – this means that any item offered for sale multiple times during the year is subject to sales tax. The one exception to this provision – advertising in a publication -- is noted below. Admissions Fees ARE however subject to sales taxes – see separate provision below.*

68-3 NEWSPAPERS

D. Advertising Space

Charges for advertising space in newspapers, magazines, and other publications are not subject to sales and use tax.

SUTB 7 - ADMISSION CHARGES TO AN ENTERTAINMENT ACTIVITY

7-4 EXEMPTIONS RELATED TO AN ADMISSION CHARGE

The following are exempt from sales and use tax:

5. An event sponsored solely by a nonprofit entity that is exempt from tax under Article 4 of Chapter 105 of the North Carolina General Statutes if **all** of the following conditions are met:

- ✓ a. The entire proceeds of the activity are used exclusively for the entity's nonprofit purposes.
- ✓ b. The entity does not declare any dividends, receive profits, or pay salary or other compensation to any members or individuals.
- ✗ c. The entity does not compensate any person for participating in the event, performing in the event, placing in the event, or producing the event. For purposes of this exemption, the term “compensate” means any remuneration included in a person’s “gross income” as defined in Section 61 of the Internal Revenue Code. ²

B. Liability for Collecting and Remitting Tax

1. Retailer

For purposes of sales and use tax due on the gross receipts derived from admission charges, if a retailer displays a statement that admission charges include sales and use tax or a similar statement on its website, at the box office, printed on the tangible ticket, or otherwise available to a purchaser, the sales and use tax will be considered to be included in the amount of admission charges. Where a retailer does not display a statement indicating that admission charges include sales and use tax or a similar statement, the retailer is liable for sales and use tax on admission charges without any allowance for sales and use tax included in the charges.

Note: *We are required to collect sales taxes on Admission Fees at the Quilt Show but, so long as we have appropriate signage posted at the Admission tables at the show (as described above), we can include the sales taxes in the Admission Fee amount so we don’t have to advertise an odd dollar amount and deal with pennies and coins as change.*

¹ The Sales and Use Tax Bulletins (“SUTB”) present the Secretary of Revenue’s interpretation of the North Carolina sales and use tax law. These bulletins do not cover all interpretations and applications of the sales and use tax law. The SUTB herein are based on the law in effect as of January 1, 2023

² We do not qualify for a nonprofit exemption because of the prize money we pay to the quilt show award winners. We do send tax reporting forms to those winner’s who are paid more than \$600 in prize money therefore the prize money counts a remuneration included in a person’s gross income per the IRS.

SUTB 59 MARKETPLACE FACILITATORS AND MARKETPLACE SELLERS (e.g. Gift Shop at Quilt Show)

59-1 DEFINITIONS

G.S. § 105-164.3 provides the following terms and definitions:

3. “Marketplace facilitator” – A person that, directly or indirectly and whether through one or more affiliates, does both of the following:

a. Lists or otherwise makes available for sale a marketplace seller's items through a marketplace owned or operated by the marketplace facilitator.

b. Does one or more of the following:

(i) Collects the sales price or purchase price of a marketplace seller's items or otherwise processes payment.

(ii) Makes payment processing services available to purchasers for the sale of a marketplace seller's items.

59-2 LIABILITY FOR COLLECTING AND REMITTING TAX

A marketplace facilitator is considered the retailer of each marketplace-facilitated sale it makes and is liable for collecting and remitting the sales and use tax on all such sales.

NOTE: *The Gift Shop at the Quilt Show meets the definition of a “Marketplace facilitator” (MF). The Sales Tax statutes do not have any nonprofit exceptions in the MF rules. Working with a Sales Tax law consultant in 2022, AQG tried to get an exemption for the Gift Shop and was unable to do so because the only funds we ultimately receive are commissions. Therefore, we are required to charge and remit sales tax on all Gift Shop, Gallery and Quilt Show quilt sales – i.e., any and all sales for which we pass through revenue to the ultimate seller and retain only a commission.*