

Georgia State Retirees Association

Establishment of Legal Fund

The Georgia State Retirees Association (GSRA) Board, hereinafter referred to as “Board” establishes¹ a **Legal Fund** for paying expenses in connection with litigation pursued by the Board or for defense of legal or legislative actions taken by a third party. Such action is taken based upon discussion with and verbal approval of the GSRA membership at the August 18, 2015 Annual Meeting. The Legal Fund is hereby established at the October 12, 2017 joint meeting of the Board and Policy and Operations Committee hereafter referred to the P&O Committee.

Intended Uses of the Legal Fund:

GSRA members, members of the Board or P&O Committee may submit requests for the Board to take action on benefit or allied benefit issues affecting a broad spectrum of GSRA members. Single issues, such as individual insurance claim payments or pension payments should be handled by the individual affected or GSRA support staff. Upon receipt of the request for “use” of the Fund, the President shall appoint a sub-committee of the P&O Committee for evaluation and recommendation.

Contributions to the Fund:

GSRA members may voluntarily contribute any whole dollar amount equal to or greater than \$10 to the Fund. A “Donation Form” shall be created to identify the contributor, donation amount, and acknowledgments and shall be made available (paper and electronically) to potential donors. Contributions shall be maintained in the GSRA bank account(s) but shall be accounted for separately and treated as a custodial account. The form shall also notify the donor that the donation is voluntary, is not tax deductible (state or federal), and is not refundable. The completed forms or electronic copy of the form shall be maintained as a permanent record.

Financial Requirements:

All funds received by GSRA Treasurer or accounting staff shall be recorded in the books of the GSRA in accepted accounting practices and as approved by the Treasurer. The Treasurer shall maintain the Legal Fund monies in a separate account to reflect the custodial nature of the Fund.

Reporting:

The Treasurer shall prepare a report on the receipts, expenses and status of the fund, and present to the Board and P&O Committee as a part of the financial reporting each month. Additionally, the Treasurer shall prepare and report the Fund’s receipts, expenses, and balance to GSRA membership at the Annual Meeting each year on and after 2017. The President and/or the Treasurer shall include in the report any projects undertaken and the outcome of the actions taken. The report shall be included in the Minutes of each Annual Meeting and reported to the membership in the next newsletter following each Annual Meeting. In addition, at any time the Board approves action to utilize Fund assets, the President shall notify the membership by Newsletter or electronically within 30 days of the anticipated usage. Should a group of not less than 10 members, disagree with the projected use, the group may submit an appeal

¹ Based upon GSRA’s Non-Profit Tax return, IRS Publications “Compliance Guide for 501 (c) (3) Private Foundations”, “Compliance Guide for Tax-Exempt Organizations Other Than 501 (c) (3) Public Charities and Private Foundations”, Publication 557 “Tax-Exempt Status for Your Organization.” Logan Fletcher from the firm of _____ was asked to review and submit any further recommendations.

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addressed to the President and mailed to the GSRA official postal address. The President or a committee appointed by the President shall review the appeal” and after evaluation, the President shall issue a decision.

Limitation on Contributions to the Fund:

The Board may limit future contributions to the “Legal Fund” if it is determined that further contributions are not appropriate at the time. The Board may subsequently re-authorize contributions to the Fund at its discretion.

Dissolution of the Legal fund:

If the Board determines that a “Legal Fund” is no longer necessary, the Board may, by resolution, propose to the membership at the next Annual Meeting that the “Legal Fund” be abolished. Upon approval by the membership, any remaining funds shall be dispersed in accordance with IRS requirements and upon advice of legal counsel.

APPROVED:

October 12, 2017

Royal K. Mann, President