

November 4, 2009

Dear Pastor,

The SBTC's Annual Meeting in Lubbock was historic for a number of reasons. Over 700 people accepted Christ during Crossover and convention sessions with over 500 during the Tuesday night session. While the operational business matters of the Convention were "tended to," God moved by impressing the need to share Christ with those around us who are without hope. The attendance was excellent. The messengers exhibited the spirit of Christ.

One of the business items approved by the messenger body was to replace the Convention's current Articles of Incorporation with a new Certificate of Formation. This was necessary because of the new Texas Business Organizations Code which goes into affect January 1st of next year. This new law applies to all non-profit corporations in Texas, which includes incorporated churches.

In an article published in the October 5th Southern Baptist TEXAN our attorney says "prudence will require incorporated churches to have an attorney review the church's articles of incorporation, now called "certificates of formation" and the church's bylaws, to make certain those documents are synchronized with the new Code."

We recommend strongly that you do not attempt to analyze the new law or draft new documents without the assistance of an attorney who is familiar with non-profit law. If you do not have a relationship with a local attorney, your association or an SBTC affiliated church in your area may be able to make a recommendation.

In order to provide assistance in this process the SBTC's website (www.sbtexas.com) links to a model Certificate of Formation and model Bylaws for your review. These template documents should help move the process forward and minimize the time spent with an attorney. They are drawn in generality and will need to be specifically modified to the desire of each autonomous church body.

The new law does not make changes for those church bodies who have not filed formative documents with the Secretary of State. These are known as "unincorporated associations." However, unincorporated associations may want to have legal counsel review their constitution and/or bylaws to make certain they are consistent with the new Code.

Thank you for your ministry partnership in Texas and around the world through the Cooperative Program. Please let us know if we can assist you in any way.

Blessings,

A handwritten signature in black ink, appearing to read "Joe Davis", written in a cursive style.

Joe Davis
Southern Baptists of Texas Convention
Chief Financial Officer