



A **fiscal sponsor** is nonprofit, tax-exempt organization that chooses to support a project by receiving funds from a private foundation, a government agency, or tax-deductible donation and pass them on to the project. The fiscal sponsor assumes the liabilities, legal and tax reporting requirements associated with accepting funding. For more specific instruction, fiscal sponsors and their sponsored applicant are strongly encouraged to seek professional legal and accounting counsel to determine how best to structure their business relationship. In this context:

- **Legal:** The fiscal sponsor would be the applicant, and if awarded funding, would become the contractor. The fiscal sponsor must comply with The City of San Diego's contractual requirements.
- **Relationship:** The sponsored applicant must become employees or volunteers of the fiscal sponsor for the duration of the project. Project expenses must be paid directly by the fiscal sponsor to vendors and suppliers. All activities performed by the project personnel, including writing grant proposals or requesting donations, will be done so on behalf of the fiscal sponsor. All funds raised are the property of the fiscal sponsor.
- **Liabilities:** Because the project is being conducted on behalf of the fiscal sponsor, the project activities create the same liabilities for the fiscal sponsor as would any other program. The fiscal sponsor is liable for the actions and omissions of the project personnel – whether employees or volunteers - within the scope of their project work. If the project has unpaid bills, borrows money, injures someone, damages property, infringes someone's copyright, or undertakes the obligation to supply goods or services to others – all these are the fiscal sponsor's liabilities.
- **Tax Reporting:** Depending on the commitments made to grantors and donors, the fiscal sponsor may be required to designate money for the project as a restricted fund on its financial records and on its Form 990 return. Payroll tax returns must also be filed for employee compensation.