

Public Disclosure Requirements

Internal Revenue Code Section 6104 established the guidelines by which all tax-exempt organizations, including churches and religious nonprofits, classified as “public charities” are required to make certain information available for public inspection. The Notice also gives guidelines of when the information must be available and when you are required to provide copies to any public inquirer. The *Pension Protection Act of 2006* amended section 6104(d)(1)(A)(ii) to require organizations to also make available for inspection and copying IRS Form 990-T for a three year rolling period.

To meet this requirement we suggest that you develop a binder (paper or electronic) that contains all disclosure information and update it annually. Besides the required documents, there are several other items we suggest you include in the binder to help give the inquirer the idea that you are being open about the organization. A list of these “recommended” or “suggested” items are noted in the list below. The “required” items, however, are the bare minimum that must be available.

<u>Item</u>	<u>Status</u>	<u>Update</u>
1. Form 990 - Annual Information Return Three most current returns, Sch. A & B included, with names and addresses of contributors & other identifying information redacted.	Required	Annually
2. Form 990T - Annual Unrelated Business Income Return	Required	Annually
3. Form 1023 or 1024 – Application for Exemption (including all schedules, attachments, correspondence between you and the IRS, & supporting documents) X If filed after July 15, 1987 X If filed before July 15, 1987	Required Recommended	Permanent Permanent
4. Federal Exemption Determination Letter	Required	Permanent

5. Application for State Exemption (including all schedules, attachments, & supporting documents)	Recommended	Permanent
6. State Exemption Determination Letter	Recommended	Permanent
7. List of Current Board of Directors	Recommended	As needed
8. Information about your mission and ministry	Recommended	As needed
9. Annual Financial Statements (but only if prepared by an independent, outside accounting firm).	Recommended	Annually
10. Copy of Published Public Notice (Form 5578)	Suggested	Annually

This binder, if kept current, can serve as a very valuable resource for the organization and should be accessible at all times to make copies for donors and others who may request information.

DISCLAIMER

This material is presented with the understanding that the author is providing basic information only, and assumes no liability whatsoever in connection with its use. Tax laws are constantly changing, are subject to differing interpretations, and the facts and circumstances in any particular situation may not be the same as those presented here. Therefore, we urge you to do additional research and make sure that you are fully informed and knowledgeable before using the information contained herein.