

IRS FORM 990 DISCLOSURE REGULATIONS

General Rule:

All tax exempt organizations must make their **Application for Tax Exemption and IRS Tax Form 990's for the last three (3) years** available for public inspection without charge at their principal offices during business hours.

Unless the Application and IRS Form 990's are "widely available" (available on the world wide web), an exempt organization ***must*** provide copies of all or any part of its **Application for Tax Exemption and IRS Tax Form 990's for the last three (3) years** to any person who makes a written request for them, subject to the payment of a reasonable fee (\$1.00 for the first page and \$.15 for each additional page and actual postage).

990 Includes:

IRS Tax Form 990, 990EZ and all schedules and attachments and **990's** which was either due or filed, whichever is later, more than three (3) years before the date of the request need not be disclosed.

No Permanent Office:

If the exempt organization does not maintain a permanent office, it can make the documents available for inspection at a reasonable location of its choice within two weeks after receiving a request or it may mail them to the requester. If it mails them, it can make a reasonable charge for copying and postage, but only if the recipient consents to the charge.

Rights of the Exempt Organization:

When documents are made available for personal inspection, the exempt organization can have somebody present, ***but*** must let the inspecting individuals take notes and bring in their own copying equipment.

Must provide copies of requested documents that day, unless it is an unreasonable burden (lateness of day, multiple copies), in which case they must be provided on the next day.

Can charge a reasonable fee not to exceed what the Internal Revenue Service charges (now \$1.00 for initial page and \$.15 for each additional page). Must take cash or money order in payment, but may take checks, credit cards, etc.

Can have an agent, if in proximity, handle the inspection.

Documents Requested in Writing:

When documents are requested in writing (which includes E-Mail or Fax) the organization ***must*** mail copies of the documents.

If there is no fee, within thirty (30) days of receiving the request.

If there is a fee, within thirty (30) days of receiving payment, but, if the organization receives a request without the payment, it must notify the requester within seven (7) days of receiving it. If payment isn't received within thirty (30) days, the request can be ignored.

Organization can charge a reasonable fee (\$1.00 for initial page and \$.15 per additional pages, and actual postage). It ***must*** take cash, money order, personal check or certified check in payment. Failure of a check to clear is non-payment.

Organizations charging a fee must respond promptly to inquiries concerning those fees.

Organization can use an agent to respond to written requests.

Group Exemption:

If an organization is under a group exemption, it must make available the parent organizations application for Group Exemption as well as its IRS Form 990 and / or a consolidated 990.

Violations:

Penalty for failure to comply is \$20.00 for each day of violation with respect to both the Application and the IRS for 990's, up to a maximum of \$10,000.00 for each violation.