

A Taxing NAPS Dilemma





Do you know your NAPS Branch Tax Status?



How to check your NAPS Branch Tax Status

Call the IRS tax exempt section at:

(877) 829-5500

Write the IRS at:



Internal Revenue Service
TE/GE EO Determinations Office
PO Box 2508
Cincinnati OH 45201



Why Become A Tax Exempt 501(c)(5)?

- Tax-exempt organizations do not pay federal income taxes on revenue in excess of expenses
- May not be required to pay State income taxes
- Most financial institutions waive banking fees
- IRS Form 990, 990-EZ or 990-N (ePostcard) may be simpler than annual Corporate Form 1120 or Partnership Form 1065, K-1 and Schedule E
- If you do not choose to become tax-exempt then consider election as corporation over partnership



Tax Exempt 501(c)(5) Responsibilities

- Prior to 2007 tax filing not mandated for most nonprofits
- In 2007 law changed every non-profit had to file tax returns for 3 consecutive years
- A non-profit (tax-exempt) organization that failed to file the required IRS 990, 990-EZ, 990-N (e-Postcard) for three consecutive years <u>automatically lost its tax-exempt status</u>
- After December 31, 2012 must reapply for non-profit



Tax Exempt 501(c)(5) Tax-exempt General Information

- Majority of states do not allow 501(c)(5) tax-exempt organizations to avoid paying state sales tax (Check State rules)
- Some state laws Non-Profit organization may not be sued
- Tax Exempt 501(c)(5) organizations do not allow for tax deduction contributions
- There is a cost to file for non-profit/tax exemption



Cost to File for Tax Exemption

- Internal Revenue Service charges the following User Fees:
 - \$400 for an organization that has average gross receipts of less than \$10,000 for the preceding four years
 - \$850 for all other organizations

 Most NAPS branches will fall in the \$850 user fee category



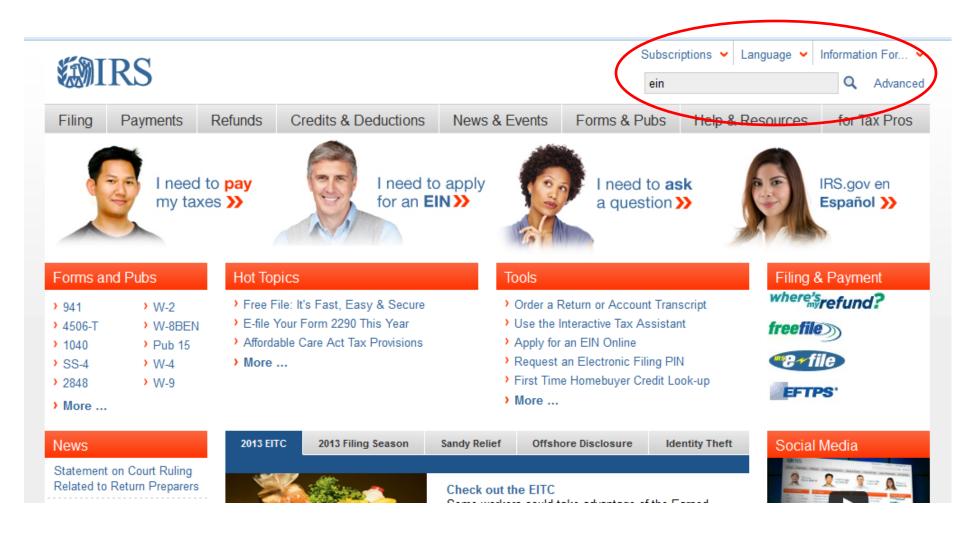
Elect Tax Exempt/Non-Profit - Where to Start?

First

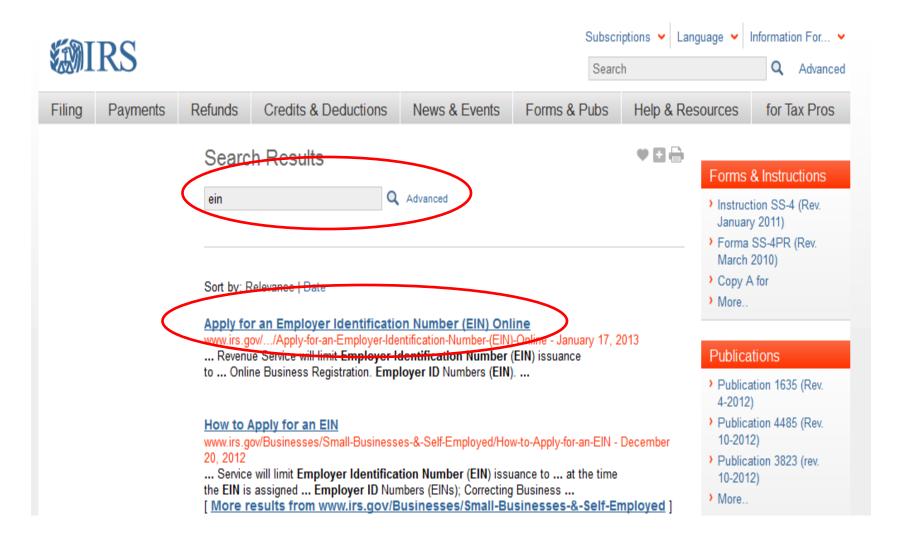
- Request an <u>Employer Identification Number (EIN)</u> if branch does not already have one
- SS-4 Application for Federal Employer Identification Number (EIN). May be requested online at www.irs.gov. Simplest way
- This is a free service offered by the Internal Revenue Service
- Check with <u>your state</u> if branch needs state number or charter
- In the IRS "search" type *EIN SS4*. Follow the instructions to apply on-line for EIN
- May also apply by mail—a longer process

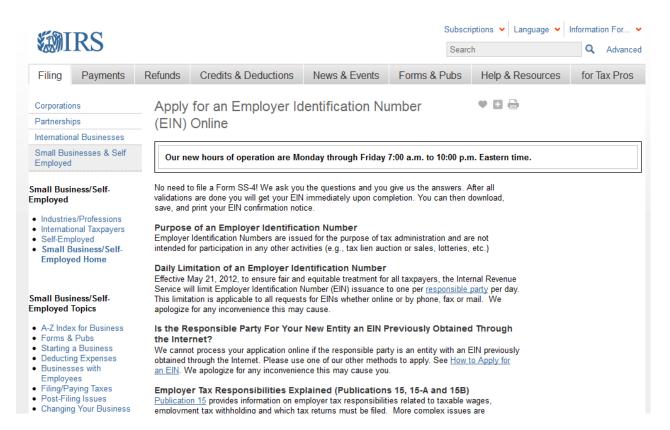


Elect Tax Exempt/Non-Profit - Where to Start? www.irs.gov









Employer Tax Responsibilities Explained (Publications 15, 15-A and 15B)

Publication 15 provides information on employer tax responsibilities related to taxable wages, employment tax withholding and which tax returns must be filed. More complex issues are discussed in Publication 15-A and tax treatment of many employee benefits can be found in Publication 15-B. We recommend employers download these publications from IRS.gov. Copies can be requested online (search "Forms and Publications) or by calling § 1-800-TAX-FORM.

Do You Have Questions About Operating Your Small Business?

Try our one stop resource, the Small Business & Self-Employed Tax Center.

APPLY ONLINE NOW



Important Information Before You Begin

Use this assistant to apply for and obtain an Employer Identification Number (EIN).

Do I need an EIN?

Do I need a new EIN?

For help or additional information on any topic, click the underlined key words, or view Help Topics on the right side of the screen. Make sure that pop-ups are allowed from this site.

About the EIN Assistant

- You must complete this application in one session, as you will not be able to save and return at a later time.
- For security purposes, your session will expire after 15 minutes of inactivity, and you will need to start over.
- You will receive your EIN immediately upon verification. When will I be able to use my EIN?
- If you wish to receive your confirmation letter online, we strongly recommended that you install <u>Adobe Reader</u> before beginning the
 application if it is not already installed.

Restrictions

- Effective May 21, 2012, to ensure fair and equitable treatment for all taxpayers, the Internal Revenue Service will limit Employer Identification Number (EIN) issuance to one per responsible party per day. This limitation is applicable to all requests for EINs whether online or by phone, fax or mail. We apologize for any inconvenience this may cause.
- If a third party designee (TPD) is completing the online application on behalf of the taxpayer, the taxpayer must authorize the third party to apply for and receive the EIN on his or her behalf.
- The business location must be within the United States or <u>U.S. territories</u>.
- Foreign filers without an Individual Taxpayer Identification Number (ITIN) cannot use this assistant to obtain an EIN.
- If you were incorporated outside of the United States or the U.S. territories, you cannot apply for an EIN online. Please call us at 267-941-1099 (this is not a toll free number).

Begin Application >>

If you are not comfortable sending information via the Internet, download the Form SS-4 PDF file and the instructions for alternative ways of applying.

What type of legal structure is applying for an EIN?

Please choose the type of organization.

Before applying for an EIN you should have already determined what type of legal structure, business, or type of organization is being established.

Choose the type you are applying for. If you don't see your type, select "View Additional Types."

- Sole Proprietor Includes individuals who are in business for themselves and household employers.
- Partnerships
 Includes partnerships and joint ventures.
- Corporations Includes S corporations, personal service corporations, real estate investment trusts (REIT), regulated investment conduits (RIC), and settlement funds.
- Limited Liability Company (LLC)
 A limited liability company (LLC) is a structure allowed by state statute and is formed by filing articles of organization with the state.
- Estate
 An estate is a legal entity created as a result of a person's death.
- Trusts
 All types of trusts including conservatorships, custodianships, guardianships, irrevocable trusts, revocable trusts, and receiverships
- View Additional Types, Including Tax-Exempt and Governmental Organizations If none of the above fit what you are establishing, there are several others to choose from:

Help Topics

What if I do not know what type of legal structure or organization to choose?

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Continue >>



Your Progress: 1. Identify 2. Authenticate 3. Addresses 4. Details 5. EIN Confirmation

Additional Types

Choose the type you are applying for. You can click the underlined terms for a description.

- Bankruptcy Estate (Individual)
- Block/Tenant Association
- Church
- Church-Controlled Organization
- Community or Volunteer Group
- Employer/Fiscal Agent (under IRC Sec 3504)
- Employer Plan (401K, Money Purchase Plan, etc.)
- Farmers' Cooperative
- Government, Federal/Military
- Government, Indian Tribal Governments
- Government, State/Local
- Homeowners/Condo Association

- Household Employer
- IRA
- Memorial or Scholarship Fund
- National Guard
- Plan Administrator
- Political Organization
- PTA/PTO or School Organization
- REMIC
- Social or Savings Club
- Sports Teams (community)
- Withholding Agent
- Other Non-Profit/Tax-Exempt Organizations

Help Topics

What if I still do not know what type of structure or organization to choose?

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Continue >>



Your Progress: 1. Identify 2. Authenticate 3. Addresses 4. Details 5. EIN Confirmation

Please confirm your selection.

Confirm your selection of Other Non-Profit/Tax-Exempt Organizations as the type of structure applying for an EIN.

What it is...

 A non-profit organization is an entity organized and operated for one or more of the purposes listed under Section 501(a) of the Internal Revenue Code.

What it is not...

- · A business or organization organized for profit.
- A sole proprietorship or partnership.

If you need to change your type of structure, we recommend that you do so **now**, otherwise you will have to start over and re-enter your information. Additional help may be found by reviewing <u>all types of organizations and structures</u> before making your selection.

<< Change Type



Help Topics

- What is the difference between non-profit and tax-exempt status?
- How does my organization receive formal recognition as a tax-exempt organization by the IRS?
- What if I am not sure my organization would qualify as a tax-exempt organization?



Your Progress: 1. Identify 2. Authenticate 3. Addresses 4. Details 5. EIN Confirmation

Why is the Non-Profit/Tax-Exempt Organization requesting an EIN?

Choose one reason that best describes why you are applying for an EIN.

- Started a new business
 Select this option if you are beginning a new business.
- Hired employee(s)
 Select this option if you already have a business and need to hire employees.
- Banking purposes Select this option if the reason for applying for the EIN is strictly to satisfy banking requirements or local law.
- Changed type of organization Select this option if you are changing the type of organization you currently operate, such as changing from a sole proprietor to a partnership, changing from a partnership to a corporation, etc.
- Purchased active business
 Select this option if you are purchasing a business that is already in operation.



Help Topics

- l do not see my reason for applying here. What should I choose?
- What if more than one reason applies to me?

IRS Privacy Policy



Your Progress:

1. Identify 🗸

2. Authenticate

3. Addresses

4. Details

5. EIN Confirmation

Who is the Responsible Party for the Non-Profit/Tax-Exempt Organization?

The responsible party can be either an individual OR an existing business.

Please choose one:

Individual

Existing business

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Continue >>



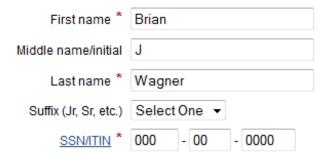
Your Progress: 1. Identify ✓ 2. Authenticate 3. Addresses 4. Details 5. EIN Confirmation

You selected individual. Please tell us about the Responsible Party.

* Required fields

Must match IRS records or this application cannot be processed.

The only punctuation and special characters allowed are hyphen (-) and ampersand (&).



Choose One: *

- I am a responsible and duly authorized <u>member</u> or <u>officer</u> having knowledge of this organization's affairs.
- I am a third party applying for an EIN on behalf of this organization.

Before continuing, please review the information above for typographical errors.

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Your Progress:

1. Identify 🗸

2. Authenticate 🗸

3. Addresses

4. Details

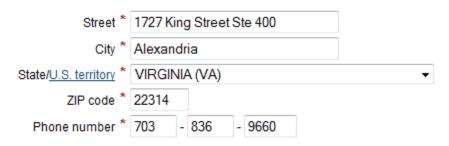
5. EIN Confirmation

Where is the Non-Profit/Tax-Exempt Organization physically located?

* Required fields

The only special characters allowed for street and city are - and /.

Note: Must be a U.S. address. Do not enter a P.O. box. For military addresses click here.



Note: PO Box address is not acceptable

Should the mail be directed to a specific person or department within your organization? (This is commonly referred to as the "Care Of" name.)

If yes, please enter name: Brian Wagner

Do you have an address different from the above where you want Yes No your mail to be sent? *

Before continuing, please review the information above for typographical errors.

Continue >>



Your Progress:

1. Identify ✓

2. Authenticate 🗸

3. Addresses

4. Details

5. EIN Confirmation

Verify your Physical Location.

We have reviewed the <u>physical location</u> and checked it against our database. You may edit the address, accept it as entered, or accept the database version.

You entered:

1727 KING STREET STE 400 ALEXANDRIA VA 22314

Edit Physical Location

Accept As Entered

Found in our database: 1727 KING ST STE 400 Street ALEXANDRIA VA 22314 Accept Database Version



FI				

Your Progress: 1. Identify ✓ 2. Authenticate ✓ 3. Addresses ✓ 4. Details 5. EIN Confirmation

Tell us about the Non-Profit/Tax-Exempt Organization.

*Required fields

The only punctuation and special characters allowed are hyphen (-) and ampersand (&). The trade name may not contain an ending such as 'LLC', 'LC', 'PLLC', 'PA', 'Corp', or 'Inc'.

Legal name of Non-Profit/Tax-Exempt
Organization *

NAPS Branch 999

Trade name/Doing business as
(only if different from legal name)

County where Non-Profit/Tax-Exempt
Organization is located *

State/Territory where Non-Profit/Tax-Exempt
Organization is located *

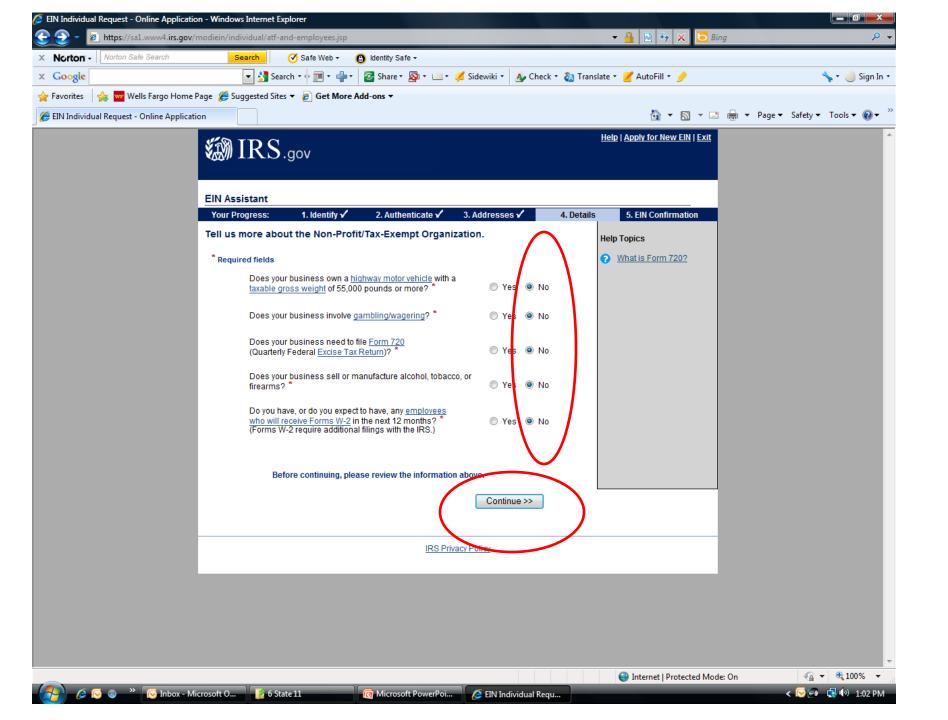
VIRGINIA (VA)

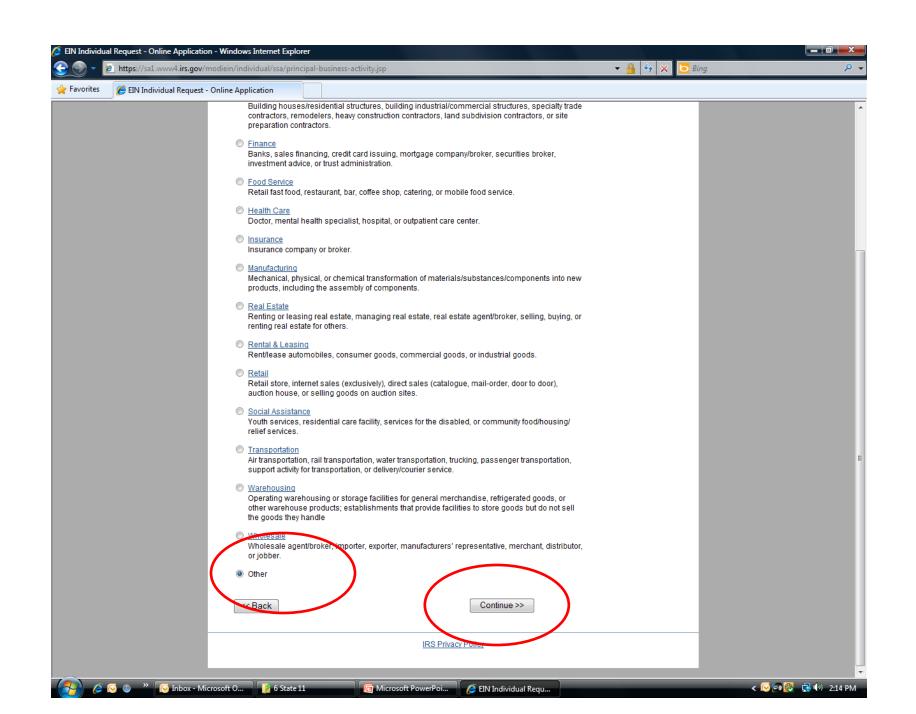
Non-Profit/Tax-Exempt Organization start
date *

JUNE
1992

Before continuing, please review the information above for typographical errors.









2. Authenticate 🗸 3. Addresses ✓ 5. EIN Confirmation Your Progress: 1. Identify 🗸 4. Details

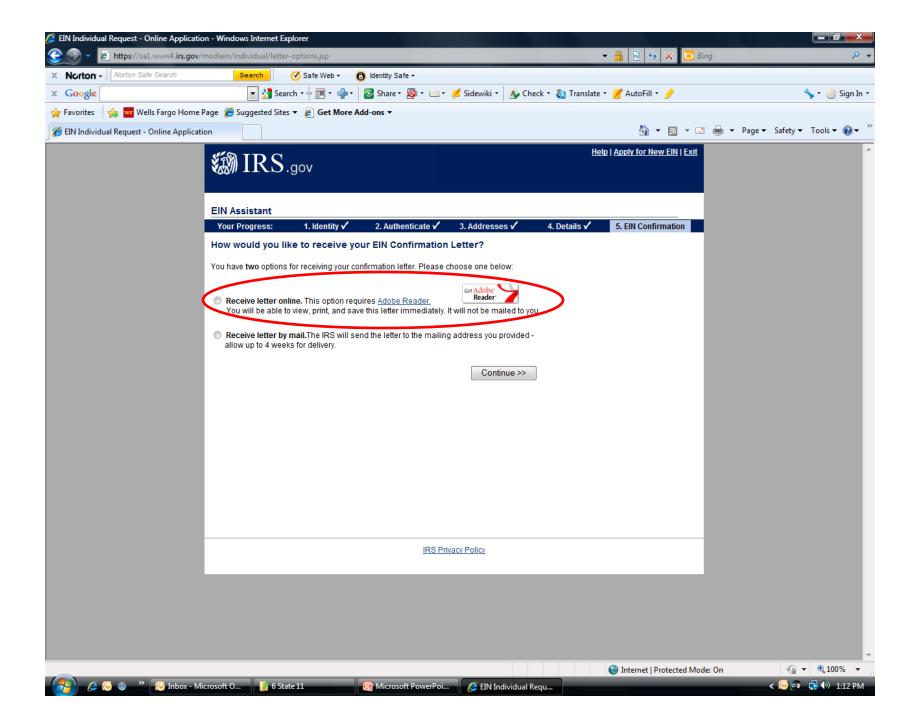
You have chosen Other.

Please choose one of the following that best describes your primary business activity:

- Consulting
- Manufacturing
- Organization (such as religious, environmental, social or civic, athletic, etc.)
- Rental
- Repair
- Sell goods
- Service
- Other please specify your primary business activity: Management Association

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Elect Tax Exempt/Non-Profit - Where to Start?

Second

- Form 1024 Application for Recognition of Exemption Under Section 501 Available on-line
 - 18 page Form
 - Complete only Pages 1 thru 5 & 9
 - NAPS HQ template available
 - Mail all 18 pages
 - NAPS HQ helpful instructions at www.naps.org
- Form 8718 User Fee for Exempt Organizations
 Available on-line



Elect Tax Exempt/Non-Profit - Where to Start?

Third

- Mail IRS Forms 1024 & 8718 & supporting documentation
 - Copy of Branch current Constitution & Bylaws
 - Copy of your Branch Articles of Incorporation (If applicable)
 - Copies of Branch Revenue & Expense Statements (Current Fiscal Year & past 3 years. (Matches Page 5/Form 1024)
 - Copy of minutes from 2 recent branch meetings
 - Copy of Branch newsletter (If applicable)
- Sign and date forms by an officer of the organization
- Mail Check/Money Order for *User Fee* payable to: *United States Treasury*



Information Necessary to File for Exemption

- Current 'Year to Date' general ledger or financial report for NAPS Branch
- Three prior years of general ledger or financial report for NAPS Branch
- Assets Funds in Banks, Petty Cash, Investments, Fixed Assets (Value of Buildings, Vehicles, Furniture or Equipment, etc)
- Liabilities Money owed on debts or loans, etc.

Information Necessary to File for Exemption



- "In Care Of" person for Tax Matters
- Address for future correspondence of the organization (PO Box not Acceptable)
- All NAPS Branch Officers Name, Address, Phone, Title, Annual Pay, Estimated Hours per week spent on NAPS activities
- Dated copy of the current Constitution and Bylaws of the NAPS Branch

Information Necessary to File for Exemption

- Dated copy of two previous newsletters of the NAPS Branch (If the branch prints a newsletter)
- Dated copy of the minutes of two previous meetings of the NAPS Branch (If no newsletter is published)
- Date the NAPS branch was formed or started (If not known contact NAPS HQ)



Internal Revenue Service
PO Box 12192
Covington KY 41012-0192



Tax Exempt/Non-Profit

Your Branch is Approved

Tax-Exempt/Non-Profit

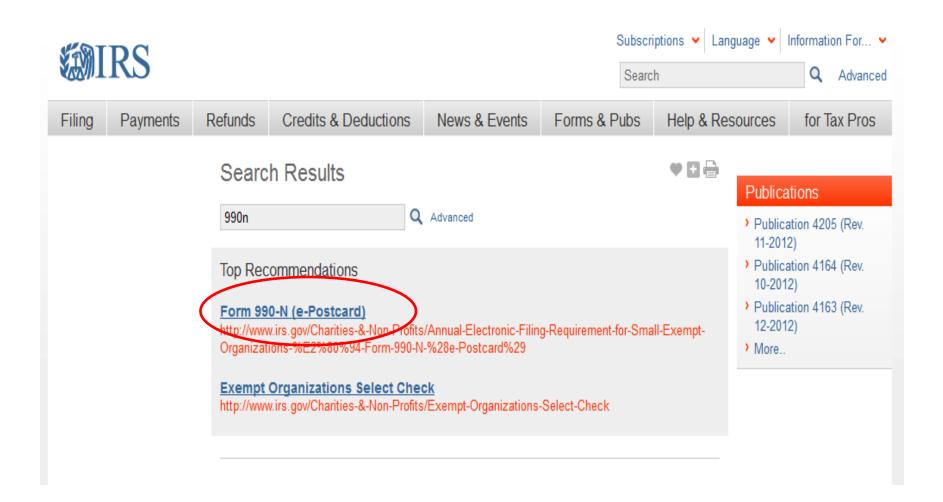
Now What?

Annual IRS Filing Requirements

- Tax Exempt Organizations <u>are required</u> to file one of the following Forms by the 15th day of the 5th Month at the end of branch Fiscal Year:
- Form 990
 - Gross Receipts over \$200,000
- Form 990-EZ
 - Gross Receipts over \$50,000 up to \$200,000
- Electronic Form 990-N (ePostcard)
 - Gross Receipts less than \$50,000
 - Note: Annual NAPS DCO 1099



Where to find 990 e-Postcard Help? www.irs.gov





Subscriptions ✓ Language ✓ Information For... ✓

Search Q Advanced

Filing Payments Refunds Credits & Deductions News & Events Forms & Pubs Help & Resources for Tax Pros

Charitable Organizations

Churches & Religious Organizations

Political Organizations

Private Foundations

Other Non-Profits

Contributors

Charities & Non-Profits Topics

- · Life Cycle
- Search for Charities
- A-Z Site Index
- StayExempt.irs.gov
- · Calendar of Events
- · EO Update
- Exempt Organizations FAQs
- Charities & Non-Profits Home

Annual Electronic Filing Requirement for Small Exempt Organizations — Form 990-N (e-Postcard)

Most small tax-exempt organizations whose annual gross receipts are normally \$50,000 or less are required to electronically submit Form 990-N, also known as the e-Postcard, unless they choose to file a complete Form 990 or Form 990-EZ instead.

If you do not file your e-Postcard on time, the IRS will send you a reminder notice. There is no penalty assessment for late filing the e-Postcard, but an organization that fails to file required e-Postcards (or information returns – Forms 990 or 990-EZ) for three consecutive years will automatically lose its tax-exempt status. The revocation of the organization's tax-exempt status will not take place until the filing due date of the third year.

Due Date of the e-Postcard

The e-Postcard is due every year by the 15th day of the 5th month after the close of your <u>tax year</u>. For example, if your tax year ended on December 31, the e-Postcard is due May 15 of the following year. If the due date falls on a Saturday, Sunday, or legal holiday, the due date is the next business day. **You cannot file the e-Postcard until after your tax year ends.**

How to File

Use this link to file the e-Postcard. If you have trouble accessing the system using that link, you may be able to access the filing site directly by typing or pasting the following address into your Internet bowser: http://epostcard.form990.org. When you access the system, you will leave the IRS site and file the e-Postcard with the IRS through our trusted partner, Urban Institute. The form must be completed and filed electronically. There is no paper form.



990-N (e-Postcard)

: http://epostcard.form990.org.



Leave IRS Site





Filing Payments Refunds Credits & Deductions News & Events Forms & Pubs Help & Resources for Tax Pros

Please note that by clicking on this link, you will leave the IRS web site and enter a privately owned web site created, operated and maintained by a private business.

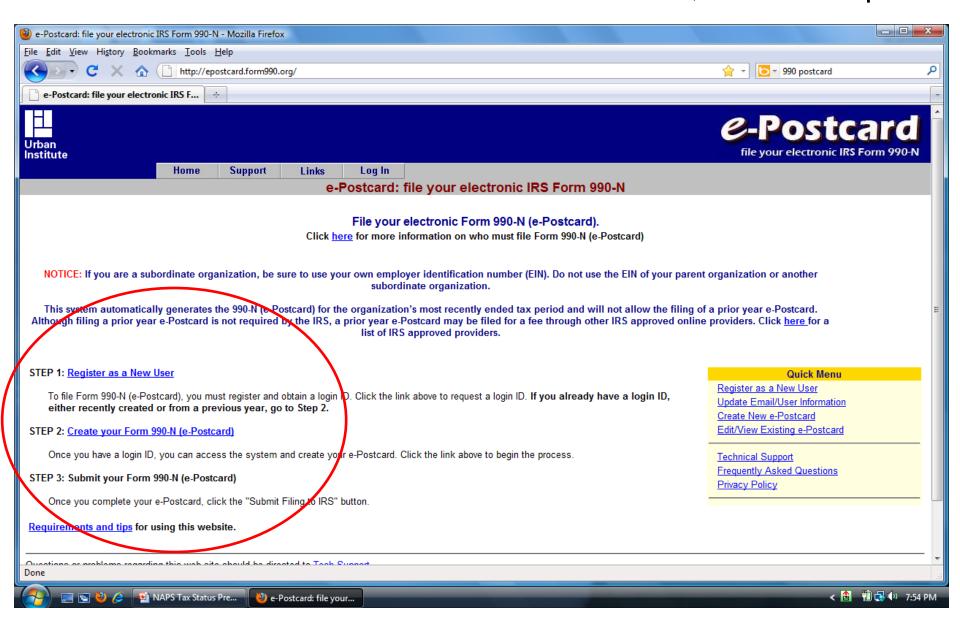
The information that this private business collects and maintains as a result of your visit to its web site may differ from the information that the IRS collects and maintains. (please see the IRS web site privacy and security notice for privacy protections IRS provides to web site visitors).

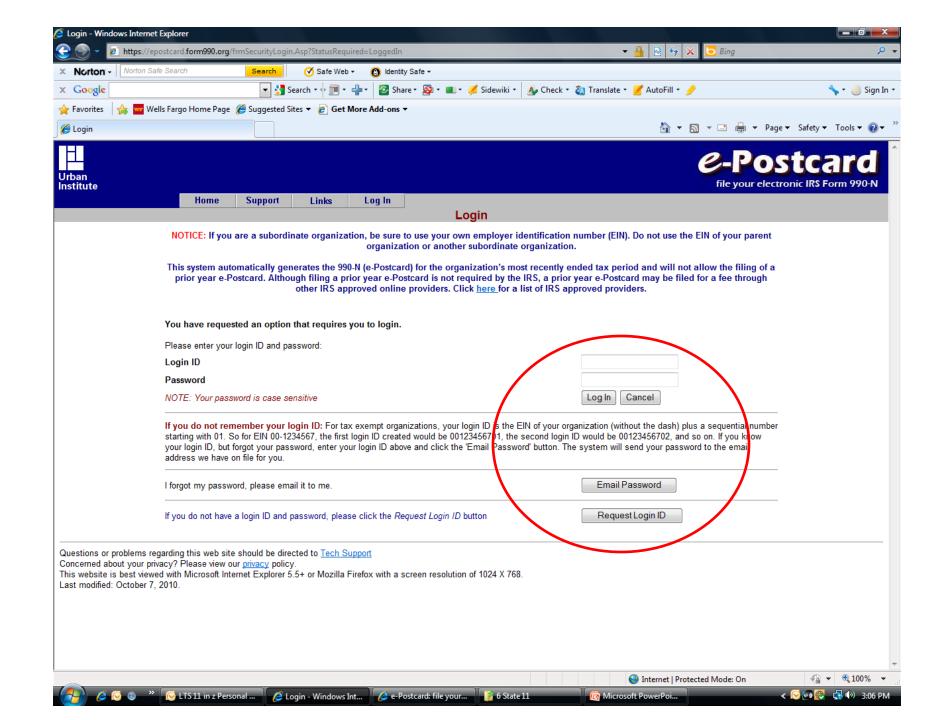
By linking to this private business, the IRS is not endorsing its products, services, or privacy or security policies. We recommend you review the business's information collection policy or terms and conditions to fully understand what information is collected by this private business.

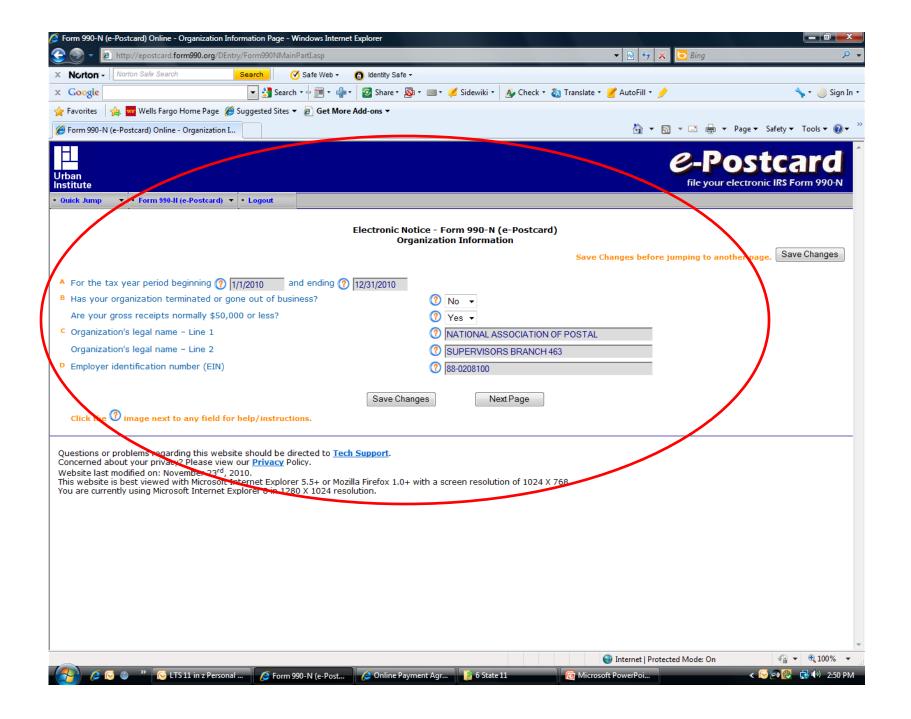


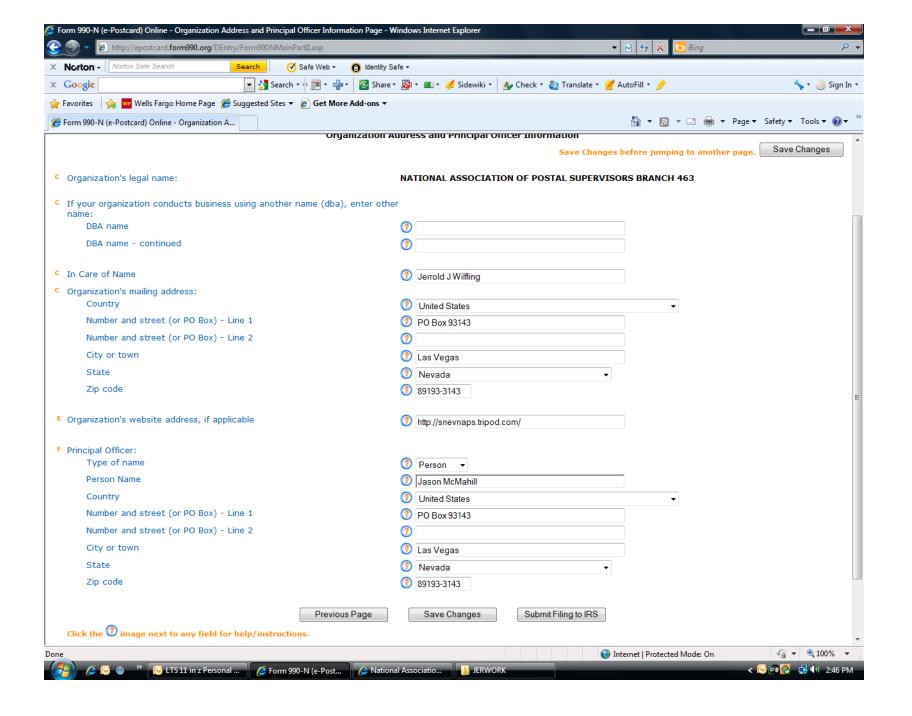
Return to Previous Page

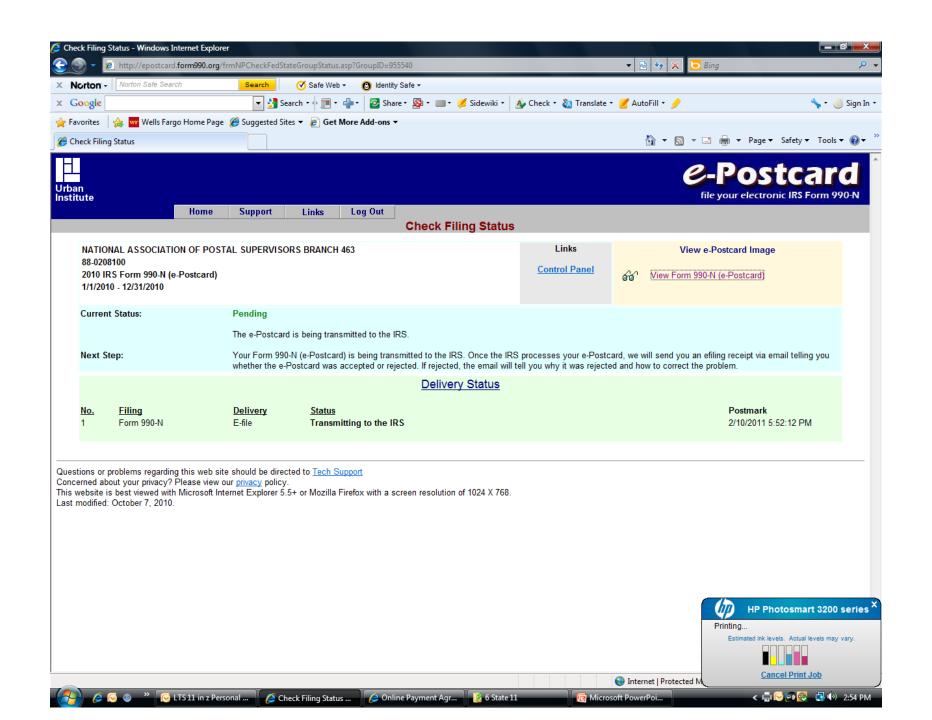
How to file a 990 e-Postcard – Less than \$50,000 in receipts











Due Date of the e-Postcard

- The e-Postcard is due every year by the 15th day of the 5th month after the close of your <u>tax year</u>
- For example, if your tax year ended on December 31, the e-Postcard is due by May 15 of the following year
- If the due date falls on a Saturday, Sunday, or legal holiday, the due date is the next business day
- You cannot file the e-Postcard until after your Fiscal Year ends



Forms to File for State Income Tax

- Tax-exempt/Non-Profit NAPS branches contact
 State Department of Revenue to determine income tax filing requirements. Each State is different.
- Example 1: IL Department of Revenue does not require a branch tax return to be filed, if NAPS Branch files a Federal 990 Form.
- Example 2: IL Department of Revenue requires an IL 990-T to be completed if a Federal 990-T is filed. Note: 990-T only!

File! File! Your Branch Taxes

An organization that fails to file required e-Postcards (or information returns – Forms 990 or 990-EZ) for three consecutive years will <u>automatically lose its tax-exempt status</u>.

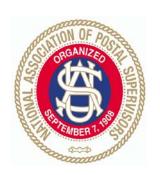
The revocation of the organization's tax-exempt status will not take place until the filing due date of the third year.

If you do not file your e-Postcard on time, the IRS may assess your branch a late fee.

Don't Panic. Get Started! How?

- Establish Branch Accounting Method
- Manage Branch Records
- Do financial audits & reports
- Keep Branch Minutes
- Establish/update Branch Constitution & Bylaws
- Retain Branch Records







Accounting Methods

- Organizations may file annual returns on a Calendar Year basis or a Fiscal Year basis
- Organization may maintain their books and records on a Cash Method or an Accrual Method
- Cash Method record income when received and expenses when paid
- Accrual Method record income when earned and expenses when incurred





Accounting Methods

- Most NAPS branches maintain their records on a Calendar Year Basis
 - January 1 through December 31

- Most NAPS branches maintain their records on a Cash Method of Accounting
 - Income received & expenses paid



Managing Branch Records

Maintain the following records on a manual general ledger or a computer accounting Program like Quickbooks:

- Gross Receipts (DCO Deposits NAPS DCO 1099)
- Items Purchased for Resale
- Expenses
- Employment Tax Records
- Assets
- Liabilities





Record Retention

Permanent Records

 Applications for Tax Exempt Status and Federal Identification Numbers



- The Determination Letter recognizing the Organizations Tax Exemption Status from IRS and State Agencies
- Organizations Constitution and Bylaws, including amendments or updates



Records Retention

Minimum Requirement

- Income Tax Returns should be kept for three years plus the current year
- General Ledgers and/or Financial Reports should be kept for three years plus the current year
- Records may be kept indefinitely if the organization chooses



Employment Records

- Form 1099 must be issued to any Officer or Member who is compensated an amount of \$600 or more per year
- Form W-2 must be issued to any Officer or Member who is compensated as an employee of the Tax Exempt Organization, where taxes are withheld and transmitted to the IRS
- Reimbursements for expenses are exempt from this requirement
- Stipend/Salaries/Gratuities for officers?
 - Be careful.
 - Stipend for reimbursement of incidental expenses?





Reporting Changes to IRS

- A Tax Exempt Organization that is required to file a Form 990 or Form 990-EZ must report name, address, structural and operational changes on its annual return
- A Tax Exempt Organization that is only required to file an electronic Form 990-N, may report these type of changes by writing to:

Internal Revenue Service TE/GE EO Determinations Office PO Box 2508 Cincinnati OH 45201

Change of In Care of Person

- All organizations must have an "In Care Of" person and/or responsible person for tax matters:
 - Sign Tax Exempt Application Forms
 - Sign Annual Tax and Information Returns

- "In Care Of" person should be one of the following individuals in each NAPS Branch:
 - President, Treasurer or Secretary or Secretary/Treasurer

Change of Address or In Care Of Person

Important Note: When Officers of NAPS Branches change, the following information must be reported to the Internal Revenue Service:

- To change the address of the NAPS Branch for Tax Records – File IRS Form 8822
- To change the name and address of the "In Care Of" person for the NAPS Branch – File IRS Form 8822





Un-Taxing the Dilemma

Contact NAPS HQ Secretary/Treasurer:

- To request a template/semi-completed
 IRS Form 1024
- For assistance in final completion of IRS Form 1024
- With general inquiries/questions about IRS
 Non-Profit & Tax-Exempt forms

NAPS HQ recommends a branch contact tax professionals for all complicated tax issues related to branch tax filing.