

Exempt Organizations News Flash

November 21, 2012

On November 19, the Treasury Department and the Internal Revenue Service released their [2012-2013 Priority Guidance Plan](#) (“PGP”), which lists the 317 guidance projects that will be priorities for the allocation of resources during the fiscal year ending in June 2013. **Thirteen of the guidance projects described in the PGP are focused on exempt organizations:**

1. Revenue Procedures updating grantor and contributor reliance criteria under I.R.C. §§ 170 and 509.
2. Revenue Procedure to update Revenue Procedure 2011-33 for EO Select Check.
3. Regulations under I.R.C. § 501(r) on requirement for community health needs assessments by charitable hospitals as added by § 9007 of the ACA.
4. Final regulations under I.R.C. §§ 501(r) and 6033 on additional requirements for charitable hospitals as added by § 9007 of the ACA. (Proposed regulations were published on June 26, 2012).
5. Final regulations under I.R.C. §§ 509 and 4943 regarding the new requirements for supporting organizations as added by § 1241 of the Pension Protection Act. (Proposed regulations were published on September 24, 2009).
6. Additional guidance on I.R.C. § 509(a)(3) supporting organizations.
7. Additional guidance under I.R.C. §§ 4942 and 4945 regarding reliance standards for making equivalency determinations. (published on September 24, 2012. See [C&D Alert, October 3, 2012](#).)
8. Final regulations under § 4944 on program-related investments. (Proposed regulations were published on April 19, 2012).
9. Regulations regarding the new excise taxes on donor advised funds and fund management under I.R.C. § 4966 added by § 1231 of the Pension Protection Act.
10. Regulations under I.R.C. § 6033 on group returns.
11. Revenue Procedure under I.R.C. § 6033 to update and consolidate all non-regulatory exceptions from filing.
12. Final regulations under I.R.C. § 6104(c). (Proposed regulations were published on March 15, 2011).
13. Final regulations under I.R.C. § 7611 relating to church tax inquiries and examinations. (Proposed regulations were published on August 5, 2009)

Most of these projects are continued from the 2011-2012 Priority Guidance Plan. The three new projects include two Revenue Procedures (items 2 and 11) and final regulations under I.R.C. section 6104(c), regarding disclosure of information concerning exempt organizations to appropriate state charity officials.

- Final regulations under I.R.C. § 6104(c). (Proposed regulations were published on March 15, 2011)
- Revenue Procedure to update Revenue Procedure 2011-33 for EO Select Check.
- Revenue Procedure under I.R.C. § 6033 to update and consolidate all non-regulatory exceptions from filing.

SAVE THE DATE!

On January 10, 2013, we look forward to discussing the PGP and other developments during our annual “Year in Review” presentation to the [Washington Metropolitan Corporate Counsel Association’s Nonprofits & Associations Forum](#). If you are not a member of WMACCA, you’re still welcome to join us, either live or via webcast. To register, click on this [link](#) and sign up as a “Guest of Presenter.” For more information, please contact:

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