



CLIENT ALERT

IRS DEADLINES EXTENDED FOR TAX-EXEMPT ORGANIZATIONS

The U.S. Department of Treasury has provided tax-exempt organizations with an automatic extension for their IRS filing and payment deadlines. The extension applies to IRS Form 990 filings, IRS Form 990-T filings, and payments that would otherwise be due on or after April 1 and before July 15, 2020, whether that date was an original or extended deadline. All such filings and payments will now be due on July 15, 2020.

Relief is automatic, and extension forms do not need to be filed to obtain the extension. A tax-exempt organization may file an extension form by July 15, 2020 to obtain a further extension, but the extension date may not go beyond the extension date that would have applied without the automatic extension.

Certain other tax-exempt organization filings and actions are eligible for extension relief if such filings or actions are due during this period, including:

- IRS Form 5768 (Election/Revocation of Election by an Eligible Section 501(c)(3) to Make Expenditures to Influence Legislation) under Section 501(h) of the Internal Revenue Code, which must be filed before the end of the taxable period to which it applies;
- Application for Tax Exemption on IRS Form 1023, which must be filed within 27 months after the end of the month in which the entity is organized; and
- Annual information reporting submitted by a central organization under a group exemption regarding its subordinates, which must be filed within 90 days before the close of the annual accounting period.

The extension was provided by Notice 2020-23, Update to Notice 2020-18, Additional Relief for Taxpayers Affected by Ongoing Coronavirus Disease 2019 Pandemic, issued by the Secretary of the Treasury. Notice 2020-23 followed three similar relief measures provided in March 2020 to other taxpayers.

Notice 2020-23 explicitly lists IRS Form 990-T, but also extends all time-sensitive actions which are due to be performed on or after April 1 and before July 15, 2020 as listed in either § 301.7508A-1(c)(1)(iv)-(vi) of the Procedure and Administration Regulations, or Revenue Procedure 2018-58, 2018-50 I.R.B. 990 (December 10, 2018). The IRS Form 990 and other filings listed in this Client Alert are described in Revenue Procedure 2018-58 as time-sensitive acts.

If you have any questions about your tax-exempt organization's IRS filings, or other tax-exempt organization matters, please contact Attorneys Elka Sachs, esachs@kb-law.com, or Eric Reustle, ereustle@kb-law.com.

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