Financial Issues
Facing Churches
and Ministers

January 2021

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Overview

- What's New and Recent Developments
- Year-End Checklist
- Year-End Filing Requirements and Due Dates
- Payroll and Payroll Tax Issues Employees
- Tax Issues Non-Employees
- Tax Reporting and Forms
- B Ministry-Related Expenses
- **Contributions**



- □ IRS standard mileage rates for 2021
 - Business 56 cents
 - Medical 16 cents
 - □ Charitable 14 cents (statutory rate)
- New IRS Tax Form to file in 2021 for 2020
 - □ 1099-NEC for nonemployee compensation
- New IRS Form 7200
 - Advance Payment of Employer Credits due to COVID-19
- □ Revised IRS Tax Form 941 effective July 2020
 - □ Form 941 Employer's Quarterly Federal Tax Return
 - revised for changes related to COVID-19

What's New for 2021?



2020 Developments Impacting the Church

- □ FFCRA Families First Coronavirus Response Act
 - □ Emergency Paid Sick Leave
 - Expanded Family Medical Leave
- □ CARES Act Coronavirus Aid, Relief, and Economic Security Act
 - □ Pandemic relief payment
 - □ Paycheck Protection Program (PPP)
 - □ Emergency Injury Disaster Loans and Grants (EIDL)
 - □ Expanded unemployment benefits
 - □ Employee retention credit
 - □ Deferral of employer share of Social Security
 - □ Above-the-line charitable contribution of \$300
 - □ Charitable contribution limit increased to 100% of AGI



2020 Developments Impacting the Church

- □ CCA Consolidated Appropriations Act Dec. 27, 2020
 - □ 2nd Pandemic relief payment
 - Extends PPP availability through 3/31/2021
 - □ Creates a 2nd Draw Loan for certain organizations
 - Expands expenses allowable under PPP
 - □ Extends employer retention credit to PPP borrowers
 - □ Through 2nd quarter 2021
 - Extends refundable payroll tax credits for paid sick leave and family leave enacted under FFCRA through 3/31/2021
 - □ Requirement to provide sick leave not extended; tax credit available to employers who voluntarily provide FFCRA-qualifying leave
 - Extends repayment of deferred employee payroll taxes through 12/31/21
 - □ Above-the-line charitable deduction of \$300 extended through 2021
 - Married, filing jointly increased to \$600 above-the-line deduction



Year-End Checklist

- Designate Housing Allowance
- Review W-4 forms
- Inform donors not to file return until acknowledgement received from church
- Determine what year to record contributions 2020 or 2021
- Determine correct reporting of cash and noncash gifts to staff and volunteers
- Make sure ministers are classified properly for IRS and Social Security purposes
- Ministers voluntary withholding
- Review payments to independent contractors
- □ Report all taxable fringe benefits to employees on W-2
- Obtain all new IRS forms and publications



- □ Form 941 Due 2/1/2021
 - Monthly depositors must make December deposit by 1/15/2020
 - ☐ If less than \$2,500 payment can be made with filing of Form 941
- Form 944 Due by 2/1/2021
 - □ Total deposit must be less than \$1,000 to file annual Form 944
 - □ Key Point! Only file 944 with IRS official notification
- □ Form W-2 Due to both employee and SSA by 2/1/2021
- Form W-3 Due to SSA by <u>2/1/2021</u>
- Form 1099-NEC Due to both independent contractor and IRS by 2/1/2021
- Form 1099-MISC Due to recipient by 2/1/2021; due to IRS by 3/1/21 (if filing by paper, 3/31/21 if filing electronically)
- □ Form 1096 Separate Form 1096 due with 1099-NEC & 1099-MISC

Year-End Filing Requirements & Due Dates



- □ Who is a Minister for tax purposes?
 - ☐ These 5 questions will help determine if a person is a minister for federal tax purposes
 - □ Is the person ordained, licensed or commissioned?
 - □ Does the person administer ordinances (baptism, Lord's Supper)?
 - □ Does the person conduct religious worship?
 - □ Does the person have management responsibilities in the church?
 - □ Is the person considered to be a religious leader by the church?



Ministers

- 1. Employees for federal income tax purposes
 - Will get a W-2
- 2. Self-employed for Social Security purposes
 - Ministers pay SECA tax
- 3. Employer has NO withholding requirement for ministers
 - However, ministers can request church to withhold income taxes only. Cannot withhold Social Security taxes.
- Common Question Can a minister be treated like a nonminister and employer withhold/match Social Security tax?
 - No IRC defines and governs who can pay into FICA and into SECA (IRC Sections 3121 and 1402)
 - Ministers can only pay into SECA
 - 4. Ministers can designate all or part of salary to housing
 - Not subject to Federal income tax



■ Ministers - Housing Allowance

- Housing Allowance IRC Section 107
 - Must be in writing
 - Must be approved by church prospectively
 - Housing is equal to lesser of 3 amounts
 - Housing approved by church
 - o Church must approve a reasonable amount
 - Actual housing expenses
 - o Fair rental value of home, furnished with utilities
 - Housing is not required to be reported on Form W-2
 - Can be reported in Box 14 of Form W-2
 - Housing allowance is NOT reported on the Form 941



- Ministers Housing Allowance Continued
 - What if Housing is Set Too High?
 - □ Report on 1040 as "Unused Housing Allowance".
 - ☐ Housing IS Subject to Self Employment Social Security.
 - ☐ In Retirement . . . Income from a minister's denominational pension plan may also be designated as Housing, subject to the same limits



- If minister lives in the church parsonage
 - Out of pocket cash expenses incurred by minister for living in the parsonage can be designated as a "cash" housing allowance
- ☐ If minister owns a home
 - Church designates a portion of salary to housing allowance to the extent it is used for housing expenses and does not exceed home's annual fair rental value, furnished, plus utilities
- If minister rents a home
 - A portion of salary can be designated as a rental allowance to the extent it is used for rental expenses and does not exceed fair rental value, furnished, plus utilities
- □ Who approves the housing allowance and when?
 - □ Church action or approval of governing body given authority to approve housing, i.e., personnel, finance, deacons, etc.
 - □ Approval must be in writing and designated in advance

Designating a Housing Allowance



Sample: Notification of Housing Allowance From the Church to the Minister

To (minister's name):			
This is to advise you that at the business meeting of			
held on/(date) your housing allowance for the year	was of	ficially de	signated and
fixed in the amount of \$ Accordingly, \$ of the total payments	to you during t	the year _	
(and all future years until changed by official church action) will constitute your housing	ng allowance.		
If a parsonage is provided, add: You will also have rent-free use of the home located at:			
for the year Utilities will be paid by: the church the minister.			
This action is recorded in the church minutes.			
You should keep an accurate record of your eligible housing expenses to provide proof	of any amount	s excluded	from income
for income tax purposes when filing your federal income tax return. You may not exclu	de a housing a	llowance	as income for
SECA tax purposes. It is your responsibility as a taxpayer to understand and follow the li	mits about ho	w much yo	u can exclude
from income as a housing allowance for income tax purposes and accurately report y	our income. F	or informa	ition on limits
and reporting of housing allowance, see www.GuideStone.org/HousingAllowance.			
Sincerely,			
Clerk's signature:	Date		

Sample -Notification of Housing Allowance Form



■ Non-Ministers

- 1. Employees for federal tax and Social Security
 - Will get a W-2
- 2. Employers MUST withhold federal income tax
- 3. Employers MUST withhold Social Security and Medicare taxes (FICA)
- 4. Employers MUST match Social Security and Medicare taxes



Taxable Income

- Internal Revenue Code (IRC) 61 defines gross income as ALL income except unless specifically exempted
 - Salary
 - Love Offerings
 - Christmas Gifts
 - Gift Cards
 - IRC Section 102 states if gift given to or "for the benefit of" employee, is taxable
 - Retirement gifts
 - Social Security offset for ministers
 - Non-accountable expense reimbursements
 - Group term life insurance provided by church over \$50,000
 - Reportable in Box 12 of Form W-2 with Code C using table in IRS Publication 15-B
 - Benevolence paid to employees or family members of employee
 - Severance Pay
 - Payments or reimbursement of moving expenses by employer



Non-taxable fringe benefits

- □ Qualified accident and health benefits (IRC Sec. 105)
 - □ Employer group plan compliant with ACA
 - ☐ The ACA does not allow employers with more than one (1) employee to reimburse for individual health insurance on a non-taxable basis
 - ☐ GuideStone health plan
 - ☐ Qualified Small Employer Health Reimbursement Arrangement (QSEHRA)
 - ☐ Individual Coverage Health Reimbursement Arrangements (ICHRA) - New in 2020
- ☐ Group term life insurance \$50,000 or less
- Employer contributions to employer qualified 403(b) retirement plan
- Working condition benefits
- □ Employer education assistance
- □ De minimis (minimal) benefits
- Employer-provided cell phones
 - ☐ If provided primarily for non-compensatory business purposes



Tax Issues -Non-Employees

- Employee or Independent Contractor?
 - ☐ There are several tests used by government agencies and courts to differentiate between independent contractors and employees. These are general guidelines:
- You should classify workers as <u>employees</u> if they:
 - Are paid by the week or month
 - Get training and day-to-day supervision
 - Work full-time on a regular basis
 - Perform most of their job tasks on the premises
 - Can be fired at anytime (rather than falling under contractual terms)
 - Provide services that are an essential part of your normal operations



Tax Issues -Non-Employees

- Workers are most likely <u>contractors</u> if they:
 - Use their own equipment and tools to perform the job
 - Work on a temporary basis and are paid "per project"
 - Service other clients, often at the same time
 - Work under an individual business license
 - Work at an off-site location (occasional meetings at church location are OK)
 - Have the flexibility to set their own hours and schedules
- □ IRS Form SS-8 Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding



IRS 20-point Checklist for Independent Contractors

Mistakenly classifying an employee as an independent contractor can result in significant fines and penalties.
There are 20 factors used by the IRS to determine whether you have enough control over a worker to be an
employer. Though these rules are intended only as a guide-the IRS says the importance of each factor depends on
the individual circumstances-they should be helpful in determining whether you wield enough control to
show an employer-employee relationship. If you answer "Yes" to all of the first four questions, you're probably
dealing with an independent contractor; "Yes" to any of questions 5 through 20 means your worker is probably an
employee.

es	No	1.	Profit or loss. Can the worker make a profit or suffer a loss as a result of the work, aside from the money earned from the project? (This should involve real economic risk-not just the risk of not getting paid.)
		2.	Investment. Does the worker have an investment in the equipment and facilities used to do the work? (The greater the investment, the more likely independent contractor status.)
		3.	Works for more than one firm. Does the person work for more than one company at a time? (This tends to indicate independent contractor status, but isn't conclusive since employees can also work for more than one employer.)
		4.	Services offered to the general public. Does the worker offer services to the general public?
		5.	Instructions. Do you have the right to give the worker instructions about when, where, and how to work? (This shows control over the worker.)
		6.	Training, Do you train the worker to do the job in a particular way? (Independent contractors are already trained.)
		7.	Integration. Are the worker's services so important to your business that they have become a necessary part of the business? (This may show that the worker is subject to your control.)
		8.	Services rendered personally. Must the worker provide the services personally, as opposed to delegating tasks to someone else? (This indicates that you are interested in the methods employed, and not just the results.)
		9.	Hiring assistants. Do you hire, supervise, and pay the worker's assistants? (Independent contractors hire and pay their own staff.)
		10.	Continuing relationship. Is there an ongoing relationship between the worker and yourself? (A relationship can be considered ongoing if services are performed frequently, but irregularly.)
		11.	Work hours. Do you set the worker's hours? (Independent contractors are masters of their own time.)
		12.	Full-time work. Must the worker spend all of his or her time on your job? (Independent contractors choose when and where they will work.)
		13.	Work done on premises. Must the individual work on your premises, or do you control the route or location where the work must be performed? (Answering no doesn't by itself mean independent contractor status.)
		14.	Sequence. Do you have the right to determine the order in which services are performed? (This shows control over the worker)
		15.	Reports. Must the worker give you reports accounting for his or her actions? (This may show lack of independence)
		16.	Pay Schedules. Do you pay the worker by hour, week, or month? (Independent contractors are generally paid by the job or commission, although by industry practice, some are paid by the hour.)
		17.	Expenses. Do you pay the worker's business or travel costs? (This tends to show control.)
		18.	Tools and materials. Do you provide the worker with equipment, tools, or materials? (Independent contractors generally supply the materials for the job and use their own tools and equipment.)
		19.	Right to fire. Can you fire the worker? (An independent contractor can't be fired without subjecting you to the risk of breach of contract lawsuit.)
		20.	Worker's right to quit. Can the worker quit at any time, without incurring liability? (An independent contractor has a legal obligation to complete the contract.)



Tax Reporting and Forms

- <u>Key Point</u> The tax code imposes penalties on employers, including churches, that fail to issue information returns (i.e., W-2, 1099) to employees and contractors, and these penalties are significantly increased if the failure is willful.
 - \$50 per form if filed within 30 days of due date.
 - □ \$100 per form if filed between 30 days and August 1
 - \$260 per form if filed after August 1

Employees

- W-4
 - Employee Withholding
- □ Form 941 Quarterly
 - Report payroll tax liability and deposits
- W-2/W-3
 - Annual reporting of wages
- □ I-9
 - Employment Eligibility Verification www.uscis.gov
- New Hire Reporting
 - https://newhire-reporting/com/TN-Newhire/

. W-4	Employee's Withholding Certificate	OMB No. 1545-0074
Department of the Tr Internal Revenue Ser		² 020
Step 1:	(a) First name and middle initial Last name	(b) Social security number
Enter Personal Information	Address City or town, state, and ZIP code	► Does your name match the name on your social securificand? If not, to ensure you gredit for your earnings, contains SSA at 800-772-1213 or go the www.ssa.gov.
	(c) Single or Married filing separately Married filing jointly (or Qualifying widow(er)) Head of household (Check only if you're unmarried and pay more than half the costs of keeping up a home for you ps 2–4 ONLY if they apply to you; otherwise, skip to Step 5. See page 2 for more information	urself and a qualifying individua
claim exemption Step 2: Multiple Jobs or Spouse Works	on from withholding, when to use the online estimator, and privacy. Complete this step if you (1) hold more than one job at a time, or (2) are married filing also works. The correct amount of withholding depends on income earned from all of the Do only one of the following. (a) Use the estimator at www.irs.gov/W4App for most accurate withholding for this step	ese jobs.
	(b) Use the Multiple Jobs Worksheet on page 3 and enter the result in Step 4(c) below for rough (c) If there are only two jobs total, you may check this box. Do the same on Form W-4 for is accurate for jobs with similar pay; otherwise, more tax than necessary may be within TIP: To be accurate, submit a 2020 Form W-4 for all other jobs. If you (or your spous income, including as an independent contractor, use the estimator. ps 3-4(b) on Form W-4 for only ONE of these jobs. Leave those steps blank for the other jobs ate if you complete Steps 3-4(b) on the Form W-4 for the highest paying job.)	the other job. This optic held ▶ [se) have self-employmen
Step 3:	If your income will be \$200,000 or less (\$400,000 or less if married filing jointly):	
Claim Dependents	Multiply the number of qualifying children under age 17 by \$2,000 ► \$.
	Multiply the number of other dependents by \$500 ▶ _\$.
Step 4 (optional): Other Adjustments	Add the amounts above and enter the total here (a) Other income (not from jobs). If you want tax withheld for other income you expect this year that won't have withholding, enter the amount of other income here. This may include interest, dividends, and retirement income (b) Deductions. If you expect to claim deductions other than the standard deduction and want to reduce your withholding, use the Deductions Worksheet on page 3 and enter the result here	4(a) \$
	(c) Extra withholding. Enter any additional tax you want withheld each pay period .	4(c) \$
Step 5: Sign Here	Under penalties of perjury, I declare that this certificate, to the best of my knowledge and belief, is true, co	orrect, and complete.
Employers Only	Employer's name and address First date of	Employer identification number (EIN)
- n:	IB IB I S A M S	- W.A





Publication 15-T

Cat. No. 32112B

Federal Income Tax Withholding Methods

For use in **2021**

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Publication 15-T



0.44.4 0.000	950220
. 941 for 2020: Employer's QUARTERLY Federal Tax Return 950120 Complete of the Transpy - Industrian Review Review (Section 1984)	Name just par inside name) Employer identification number (ER)
- Report for this Quarter of 2000	Asswer these questions for this quarter, (continued)
[Declare]	11d Total nonretundable credits. Add lines 11s, 11b, and 11c
farm (not year leady count) S. January, February, Merch	12 Total base after adjustments and nonrefundable credits. Subtract line 11d from line 10
Sa July, August, September	13a Total deposits for this quarter, including overpayment applied from a prior quarter and overpayments applied from Form 941-X, 941-X, 941-X, 975, 944-X, or 944-X (97) field in the current quarter. 13a
Millians Nation Result Salar removable Go to wheat All professions and the blank internation.	13b Dehend amount of social security las
City Street Streets	13c Retundable portion of credit for qualified sick and family leave wages from Worksheet 1 13c
Producestry come Producestry Producestry	13d Retundable portion of employee retention credit from Worksheet 1
ed the separate instructions before you complete Form 4x1. Type or print within the bows.	13e Total deposits, determis, and refundable credits. Add lines tile, 16b, 16c, and 16d 13e
Asswer these quartions for this quarter. Number of employees who received wapes, tips, or other compensation for the pay	137 Total advances received from filing Form(s) 7200 for the quarter
period including Sept 12 (Quarter 3) or Dec. 12 (Quarter 4)	13g Total deposits, deferrals, and refundable credits less advances. Subtract line till from line tile . 13g
2 Wages, tips, and other compensation	14 Balance due. If line 13 is more than line 13g, order the difference and see instructions
Federal income tax withheld from wages, tips, and other compensation	15 Overpayment. If line 13g is more than line 13, enter the difference • Check one: Apply is militation. Service related
If no weges, tips, and other compensation are subject to social security or Medicare but. Check and go to line 6.	Tell us about your deposit schedule and but liability for this quarter.
Column 1 Column 2	If you're unsure about whether you're a monthly schedule depositor or a semisereity schedule depositor, see section 11 of Pub. 15.
Se Tauable social security wages	16 Check one: Use 12 on this return is less than \$2,500 or line 12 on the return for the prior quarter was less than \$2,500, and you didn't inour a \$100,000 next-day deposit obligation during the current quarter. If line 12 for the prior quarter was less than \$2,500 but line 12 on the return is \$100,000 or more, you must provide a record of your.
is (II) Qualified family leave wages	federal but liability. If you're a monthly schedule depositor, complete the deposit schedule below; if you're a sentiweekly schedule depositor, attach Schedule II (Form 641). Go to Part 3.
So Tauable social security tips	Tou were a monthly achedule depositor for the entire quarter. Enter your tex liability for each month and total liability for the quarter, then go to Part 2.
Sc Tauable Medicare wages & tips	Tax liability: Month 1
Additional Medicare Tax withholding 0.000	Month 2
Se Total social security and Medicans bases. Add Column 2 from Inve Se, Se(), Se(i), So, Sc, and Sd Se	Month 3
Section 3121(g) Notice and Demand—Tax due on unreported tips (see instructions) 68	Total liability for quarter . Total must equal line 12.
Total base before adjustments. Add lines 3, 5e, and 5f	You were a semilweekly schedule depositor for any part of this quarter. Complete Schedule II [Form 6ct], Report of Tax Liability for Semiweekly Schedule Depositors, and attach it to Form 6ct. Go to Part 3.
7 Current quarter's adjustment for fractions of cents	► You MUST complete all three pages of Form 9H1 and SIGN 8. Page 2 Face 9H1 pins, 1-1000
Current quarter's adjustment for sick pay	
Current quarter's adjustments for tips and group-term the insurance	
Total bases after adjustments. Combine lines 6 through 9	
is Qualified small business payroll but credit for increasing research activities. Attach Form 1676 116	
Nonretundable portion of credit for qualified sick and family leave wages from Worksheet 1 11b	
Nonwhandable portion of employee relaction credit from Worksheet 1	

Form 941

► You MUST complete all three pages of Form 941 and SIGN 6.
For Privacy Act and Paperwork Reduction Act Notice, see the back of the Payment Voucher.

Del. No. 1/cont.



	952920
Name (not year heale name)	Employer identification number (CDI)
PTFS Tell us about your business. If a question does NOT apply to your business.	inass, leave it blank.
17 If your business has closed or you stopped paying wages	
enter the final date you paid wages / / / ; also attach a statemen	nt to your return. See instructions.
19 If you're a seasonal employer and you don't have to file a return for every qua	effer of the year
19 Qualified health plan expenses allocable to qualified sick leave wages	19
20 . Qualified health plan expenses allocable to qualified family is eve wages \cdot .	20
21 Qualified wages for the employee relation credit	21
22 Qualified health plan expenses allocable to wages reported on line 21	22
23 Credit from Form SWH-C, line 11, for this quarter	23
24 Deterred amount of the employee share of social security but included on line	126 24
25 Reserved for future use	26
DTLC May we speak with your third-party designee? Do you want to allow an employee, a paid bus preparer, or another person to discuster datable.	on this return with the PST See the instructions.
Yes. Designee's name and phone number	
Select a S-digit personal identification number (FIN) to use when taking t	to the RS.
\$11.50 Sign hers. You MUST complete all three pages of Form 941 and SIGN	R.
Under penalties of perjury, I declare that I have essented this return, including accompanying active and belief, it is true, correct, and complete. Declaration of preparer (other than bupayer) is based on	take and abdoments, and to the best of my knowledge all information of which preparer has any knowledge.
V	Print your name here
Sign your name here	Print your tile have
<i></i>	
Date / /	Best deytime phone
Paid Preparer Use Only	Check if you're self-employed
Propertific rame	PIN
Properer's signature	Defe / /
Firm's name (or youts if self-employed)	EIN
Acidnass	Phone
City State	ZP code

55555	VOID	a Em	ployee's social security number			se Only 5-0008	•			
b Employer identi	fication number (E	IN)		1 Wag	es, tips, other compensation	2 Fede	eral income	tax withheld		
c Employer's name, address, and ZIP code							cial security wages	4 Soci	al security t	ax withheld
						5 Med	dicare wages and tips	6 Med	icare tax wi	thheld
						7 Soc	ial security tips	8 Alloc	cated tips	
d Control number	r					9		10 Dep	endent care	benefits
e Employee's first	t name and initial		Last name		Suff.	11 Nor	nqualified plans	12a See	instruction	s for box 12
		1			1	13 Statu	oyee Plan Third-party sick pay	12b		
						14 Oth	er	12c	1	
								12d		
f Employee's add			16 State wages, tips, etc.	17 Stat	e incor	ne tax	18 Local wages, tips, etc.	19 Local in	come tax	20 Locality name
										-
				_			Banadanad	f the Terror		I B
			Statement	_	U۵	20	For	r Privacy Ac	t and Pape	Revenue Service rwork Reduction rate instructions
			istration; photocopies are not							Cat. No. 10134D

Tennessee Baptist
MISSION BOARD

Tax Reporting and Forms

Reportable in Box 12 of Form W-2

- Code C
 - ► Taxable value of Group Term Life Insurance greater than \$50,000
- Code E
 - ► Employee contributions to employer qualified 403(b) retirement plan per salary reduction agreement
- Code T
 - Qualified adoption benefits paid or reimbursed to employee under adoption assistance program
- Code W
 - Contributions to health savings account, both employer and employee contributions under a Section 125 cafeteria plan
- Code DD
 - ▶ Cost of employer-sponsored health care only required for employers filing 250 or more W-2's
- Code FF
 - Report total amount of permitted benefits under a QSEHRA



DO NOT STAPLE

33333	a Control num	ber	For Official U	se Only ▶				
22223			OMB No. 154	5-0008				
Kind of Payer (Check one)	941 CT-1	Military 943 Hshid. Medicare emp. govt. emp		Kind	State/local non-501c State/	non-govt.	Third-party sick pay (Check if applicable)	
							-	
e Employer iden	ntification number (i	EIN)		3 Social security wages		4 Social security tax withhel	d	
f Employer's na	ame			5 Medicare wages and tip	os .	6 Medicare tax withheld		
				7 Social security tips		8 Allocated tips		
				9		10 Dependent care benefits		
g Employer's ad	ddress and ZIP cod	9		11 Nonqualified plans		12a Deferred compensation		
h Other EIN use	ed this year			13 For third-party sick pay	use only	12b		
15 State Er	mployer's state ID r	number		14 Income tax withheld by payer of third-party sick pay				
16 State wages,	tips, etc.	17 State income tax	(18 Local wages, tips, etc.		19 Local income tax		
Employer's co	ontact person			Employer's telephone no	umber	For Official Use Only		
Employer's fa	x number			Employer's email addres	SS			
Under penalties o complete.	of perjury, I declare	that I have examined	this return and	accompanying documents, a	nd, to the best of m	y knowledge and belief, they are	true, correct, and	
Signature ►				Title ▶		Date ►		
Form W-3	Transmi	ittal of Wag	e and T	ax Statements	202	Departm Intern	ent of the Treasury al Revenue Service	

Send this entire page with the entire Copy A page of Form(s) W-2 to the Social Security Administration (SSA). Photocopies are not acceptable. Do not send Form W-3 if you filed electronically with the SSA. Do not send any payment (cash, checks, money orders, etc.) with Forms W-2 and W-3.

Tennessee Baptist
MISSION BOARD

Tax Reporting and Forms

Independent Contractors

- □ Form 1099-NEC
 - □ Required if non-employee compensation of \$600 or more paid in calendar year
- W-9
 - □ Request for Taxpayer ID Number Highly recommend get this form before check issued to independent contractor
 - Without tax identification number, must withhold 24% backup withholding
 - ☐ File form 945 if withhold tax

(Rev. October 2018) Department of the Treasury

Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Interna	Revenue Service	► Go	o to www.irs.gov	/FormW9 for instru	ctions and the late	st information.		
	1 Name (as shown	on your income tax	return). Name is req	ulred on this line; do no	ot leave this line blank.			
	9 Dusiness name/	disregarded entity na	me if different from	ahove				
	E Dublicoo Harlor	and against a crisis, the	and, ir directors from	45010				
o								
	 Check appropriation following seven in 	certain en	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):					
Print or type. Specific Instructions on page	Individual/sol single-memb		ayee code (if any)					
Print or type.	. –		•	C=C corporation, S=S				
5 5				the tax classification o				n from FATCA reporting
ξŝ				nat is disregarded from or U.S. federal tax purp				ny)
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Form 1099-MISC Cat. No. 14425J www.irs.gov/Form1099MISC Department of the Treasury - Internal Revenue Service

Do Not Cut or Separate Forms on This Page — Do Not Cut or Separate Forms on This Page

6969 Do Not Staple Form 1096 OMB No. 1545-0108 **Annual Summary and Transmittal of** U.S. Information Returns 2020 Department of the Treasury Internal Revenue Service FILER'S name Street address (including room or suite number) City or town, state or province, country, and ZIP or foreign postal code For Official Use Only Name of person to contact Telephone number Email address Fax number 1 Employer identification number 2 Social security number 4 Federal income tax withheld 5 Total amount reported with this Form 1096 3 Total number of forms 6 Enter an "X" in only one box below to indicate the type of form being filed. W-2G 1097-BTC 1098-C 1098-E 1098-F 1098-Q 1099-A 1099-B 1099-C 1099-CAP 1099-DIV 1099-G 1099-INT 1099-K 1099-LS 1098 1098-T 32 81 78 84 03 74 83 79 73 10 16 1099-MISC 1099-NEC 1099-OID 1099-1099-Q 1099-QA 1099-R 1099-S 1099-SA 1099-SB 5498-ESA 5498-QA 5498-SA 1099-LTC 3921 3922 93 PATR 31 1A 75 43 26 72 27 97

Return this entire page to the Internal Revenue Service. Photocopies are not acceptable.

□ REMINDER!

- ☐ The Tax Cuts and Jobs Act repealed the taxpayer's deduction for unreimbursed employee business expense
 - **Bottom-line** expense allowances not accounted for under an accountable reimbursement plan will be taxable income with no corresponding deduction on individual tax return
- □ Important for churches to set up <u>Accountable</u>
 <u>Reimbursement Plan</u> that meets IRS requirements:
 - Business Connection there is a stated business purpose for the expense related to the ministry of the church
 - □ Substantiation employee provides adequate substantiation to the church for all expenses within a reasonable time
 - □ Returns excess funds employee returns all excess reimbursements within a reasonable time

Ministry-Related Expenses



- Accountable Reimbursement Plan
 - Should be funded by employer apart from the salary of employee
 - Budgeted expense funds not used for accountable expenses are retained by the church
 - Increased church understanding of expenses as "expenses", not "salary"
 - Allowable expenses need to be consistent with IRS rules
 - Specific recordkeeping and expense account reporting expectations
 - Written plan

<u>Key Point!</u> Any balance remaining in expense account at year-end cannot be paid out to employee. If paid to employee, all expense reimbursements made during year are treated as "non-accountable" and taxable to employee.

Ministry-Related Expenses



- ☐ IRC Section 162 authorizes taxpayers to deduct any ordinary and necessary expenses incurred in a trade or business. The exercise of ministry qualifies as a trade or business.
- Examples of business expenses include, but are not limited to -
 - Transportation
 - Travel
 - Convention expenses
 - Books and subscriptions
 - Education
 - Cell Phone
 - Business gifts

Ministry-Related Expenses



- Commuting See IRS Publication 463 Travel, Gift & Car Expenses
 - ☐ Mileage between principal place of residence (family home) and main or regular place of work (tax home)
 - ☐ These are personal commuting expenses
 - □ Cannot deduct commuting expenses, no matter how far home is from regular place of work
 - □ Cannot deduct commuting expenses even if work is performed during commuting trip
 - Temporary or Indefinite Assignment
 - ☐ If work away from tax home is temporary, generally less than one year, mileage between home and temporary work location not commute miles, but business miles
 - ☐ If work away from tax home is indefinite, realistically expected to last for more than a year, temporary location becomes tax home and mileage between residence and tax home is commute miles
 - ☐ The determination of "temporary" or "indefinite" must be decided when work started

Ministry-Related Expenses



- Documenting Ministry-Related Expenses Five "Ws":
 - Why (Business purpose)
 - What (description, including itemized accounting of cost)
 - When (date)
 - Where (location)
 - Who (names of those for whom the expense was incurred
- Use of Church or Associational credit card can be helpful to charge ministry-related business expenses. However, the use of a credit card does not automatically provide substantiation without additional documentation.

Ministry-Related Expenses





- Charitable Contributions to be deductible, a contribution must meet six conditions:
 - 1. A gift of cash or property,
 - 2. Claimed as a deduction in the year in which the contribution is made,
 - 3. Unconditional and without benefit to the donor,
 - 4. Made "to or for the use of" a qualified charity,
 - 5. Within the allowable legal limits (60% AGI), and
 - 6. Properly substantiated
- ☐ The value of personal services is <u>never deductible</u> as a charitable contribution
- The value of rent-free building space made available to a church <u>cannot</u> be claimed as a charitable contribution

- Gifts of cash and property
 - Cash
 - □ Less than \$250 one-time gift can be substantiated with canceled check
 - □ \$250 or more one-time gift must have written acknowledgement from charity
 - Written acknowledgement must include
 - Church Name
 - Name of donor
 - Amount contributed
 - Statement of whether goods or services were provided to donor in exchange for the gift
 - □ Contribution can be disallowed without this statement in acknowledgement
 - Date the donation was made
 - Date the receipt was issued
 - Property Includes contribution of shares of stock
 - □ Written acknowledgement required
 - □ Acknowledgement should **NOT** place monetary value on property receive



- Claimed as deduction in year gift is made
 - □ Contribution received by the church by December 31st
 - □ Contribution received through the mail with postmark on or before December 31st
 - □ Credit card delivery is when charge is made (processed)
- Unconditional and without personal benefit to the donor
 - ☐ If a donor does receive a return benefit in exchange for a contribution, then a charitable contribution only deductible to the extent they exceed the value of any benefit received by the donor
 - Quid Pro Quo contributions requirements
 - □ If Quid Pro Quo contribution is more than \$75 dollars, church must provide written statement to the donor
 - Provide good faith value of goods or services

- Designated Contributions
 - □ Allowed as deductible if made to on-going program or ministry of church
 - Example Benevolence Funds
- Donor designates individual
 - Generally no deduction allowed unless church exercises full administrative control over funds to ensure they are being spent in furtherance of the church's exempt purpose
 - Example Special Appeal
 - □ Example Short-term missions
 - 2 general tests to determine deductibility -
 - Intended benefit test
 - Control Test
- Designated contributions to Missionaries
 - □ Contributions made directly to a missionary may be deductible if it can be established that the contribution was for the use of a charitable organization
 - □ Church must act as "missions agency"

- Tax law surrounding charitable contributions is complex.
- ☐ This presentation highlights only basic guidelines that are most common in the church environment
 - Contribution Policy
 - Designated Gift Policy
 - Short-Term Missions Contributions
 - Benevolence Contributions
- Policies should be in writing
- Policies should be approved by church

Contribution Policies



Contribution Policy

- A contribution policy could include, but is not exclusive to the following:
 - Cash Gifts
 - When cash/check gifts will be received, i.e., Sunday services, mail, church office
 - Contributions by credit card
 - Online contributions
 - □ Tax law does not address who pays processing fee
 - Gifts of securities
 - Methods of execution and delivery to church
 - Gifts of real property
 - □ Process for transfer of real property to church, i.e., appraisal, etc.
 - Noncash gifts of property
 - Donations of vehicles require specific handling, reporting requirements and time limits
 - Other restrictions on noncash property donations at the discretion of the church
 - □ Church supplies purchased by volunteer
 - Year-End timing of contributions
 - Contribution acknowledgements
 - □ Timing of written acknowledgements for contributions



Designated Gift Policy

- A designated gift policy could include, but is not exclusive to the following:
 - ☐ The purpose of the designated giving policy
 - Defining conditions under which designated gifts can be accepted
 - Donors understand contributions benefit the ministry of the church
 - Ensuring tax-deductibility of designated donation
 - Guidelines of church accepting designated gifts
 - For example
 - □ Cannot accept gifts to outside organizations
 - □ Cannot accept gifts designated for individuals
 - How designations for ministries within the church can be accepted
 - Contain a list of approved designated funds for which church can accept donations
 - Could include how designated funds are administered
 - Explain process for setting up a new designated fund



Short-Term Mission Policy

- A short-term mission policy could include, but is not exclusive to the following:
 - Funding of short-term mission trips
 - □ Funded by budget of church
 - □ Funded by participant with no involvement of church
 - Funded by donors
 - ☐ Tax-deductibility of contributions from donors for mission trip
 - Contributions are for "mission efforts" of the church, not to the participant
 - ☐ Unused funds will not be refunded but retained by church
 - No funds will go directly to participant; church will administer funds
 - Evangelical Council for Financial Accountability (ECFA) has example of good Short-Term Mission Trip Policy at www.ecfa.org



Benevolence Policy

A Benevolence Policy could include, but is not exclusive to the following:

- Definition of benevolence
- Qualifying act of benevolence
 - Determine there is a need that cannot be met out of current available resources to the person making the request
- How benevolence program is structured
 - Verify Need
 - Established benevolence guidelines questions to consider in policy
 - □ Who has the authority to authorize what?
 - □ What types of needs will be considered?
 - □ What type of 3rd party confirmation will be required?
 - What proof of other resources will be obtained?
 - What will disqualify a person requesting assistance?
 - Guidelines should include -
 - Will the applicant have to do something for the assistance?
 - □ How will the need be met?
 - ☐ How will multiple requests be handled?
 - □ How will requests from employees and their family members be handled?



Benevolence Policy-Continued

- Pitfalls to watch for when administering a benevolence policy
 - Discretionary funds
 - Repeat requests
 - Designated gifts
 - Benevolence assistance to employees



Websites

- www.guidestone.org
 - ► Federal Reporting Requirements for Churches
 - Ministers Tax Guide
- www.ecfa.org Evangelical Council for Financial Accountability
- www.nacba.net The Church Network
- www.churchlawandtax.com Richard Hammar
- www.irs.gov
- <u>www.irs.gov/charities/churches</u> Tax information for Churches and Religious Organizations



Questions?

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