**Taxes -**Do clubs have to pay income taxes? You may be liable if you don’t have a tax-exempt status. This is done with the IRS. This is not the same as Sales Tax Exempt status with the state of WI.

Please note that this same information can be found on the AWSC website ([www.awsc.org](http://www.awsc.org)) under the heading CLUBS>Tax Information.

**TAXES/LICENSES -**

**Non-Stock not for Profit Corporation**

All clubs should be incorporated

**Benefits:** Protects Officers & Members from liability and protects personal assets from any legal

 action against club

 The Club becomes a legal entity

 Identifies the Club as a non-profit

 Need a copy of Articles of Incorporation to apply for IRS tax exempt status

**How to apply:** Wisconsin Department of Financial Institutions – www.wdfi.org

 Simple form to apply - Cost $35.00

 Should list purpose as a charitable organization under section 501(c)(3) of IRS code

**How to keep:** Need to file an “Annual Report”. They do send a postcard reminder.

 [www.wdfi.org](http://www.wdfi.org) , click on “I want to file”, then “Annual Report”

and pay $10 via cc or e-check

 Can search for your club to ensure they are in good standing

**EIN (Employer Identification Number)**

All Clubs should have - Required for bank accounts – Do Not use your personal Social Security No.

Needed if hiring Employees

Identification for IRS - Same as a Social Security number for an individual - 00-0000000

**How to apply:** Online at: <https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online> paper form SS-4 No cost

**By-Laws**

All Clubs Should Have - Need a copy to apply for IRS tax exempt status

Google – “Nonprofit bylaws” for samples

**IRS Tax Exempt Status**

**501(c)(3) Charitable Organization**

**Requirements:** Must be incorporated as a non-stock not for profit corporation

Articles of Incorporation must list the club as a charitable organization

 The organization must meet the requirements of the IRS code 501(c)(3)

 Assets must be dedicated to an exempt organization in the event of dissolution

 Organization must not be operated for the benefit of any private interest

**Benefits:** Exempt from Income Taxes

 Eligible to receive tax deductable contributions

 Exempt from Personal Property Taxes

 Eligible to be exempt from Sales Taxes on all purchases

 Need to apply for a CES (Certificate of Exempt Status) from State of Wisconsin

 [https://www.revenue.wi.gov/Pages/FAQS/pcs-n-profit.aspx see #4](https://www.revenue.wi.gov/Pages/FAQS/pcs-n-profit.aspx%20see%20#4) - form S-103

**Disadvantages:** Can be difficult to receive status

 Restrictions on political and legislative activities

**How to Apply:**  If annual gross receipts are under $5,000 and meet requirements for a 501(c)3

Organization - Considered tax exempt, but must be filing 990N

 IRS Form 1023 - 12 page application - 5 years financial records

 Cost: $600 - $275 for reinstatement

**How to keep:** Must file annually by the 15th day of the 5th month after the end of your fiscal year.

 If you do not file for 3 years you will lose your tax exempt status

 Form 990 if gross receipts are more than $200,000 and assets >$500.000

 Form 990EZ if gross receipts are between $50,000 & $200,000 and assets <$500.000

 990N (e-postcard) if gross receipts are less than $50,000 – Done online

 To File 990N go to: [www.irs.gov/990n](http://www.irs.gov/990n)

Information needed: Organization’s legal name

 - Organization’s mailing address

 - Organization’s website (if you have one)

 - Employer Identification Number (EIN)

 - Name & address of a principal officer

 - Organization’s tax year (calendar or fiscal)

 - Answer 2 questions – Are your gross receipts less than $50,000?

 - Has your organization gone out of business?

 For more info on compliance: <https://www.irs.gov/pub/irs-pdf/p4221nc.pdf>

**Other Exempt Organizations Status:**

**501(c)(4) Social Welfare Organization**

**Benefits:** Easier to receive determination than for a 501(c)(3) charitable organization

 Exempt from Income Taxes

 Exempt from Personal Property Taxes

**Disadvantages:** Not eligible to except tax deductable donations

 Not eligible to be exempt from WI sales tax

**How to apply:** New organization (within 60 days) use e-Form 8976, Notice of intent to operate

as 501(c)4

 IRS Form 1024-A - 4 page application – 3 years financial records

 <https://www.irs.gov/pub/irs-pdf/f1024a.pdf>

 Cost to apply same as 501(c)(3)

**How to keep:** Must file same forms as 501(c)(3) – If you don’t file for 3 years you will lose your

status

 For more info on compliance: https://www.irs.gov/pub/irs-pdf/p4221nc.pdf

**501(c)7 Social & Recreation Club**

Majority of its revenue comes from membership fees and dues

**Benefits:** Easier to receive determination than 501(c)(3) charitable

 No restrictions on political activities

 Exempt from Income Taxes

 Exempt from Personal Property Taxes

**Disadvantages:** Not eligible to except tax deductable donations

 Not eligible to be exempt from WI sales tax

**How to apply:** IRS Form 1024 – more complicated than Form 1024-A

 Cost to apply same as 501(c)(3)

**How to keep:** Must file same forms as 501(c)(3) – If you don’t file for 3 years you will lose your status

 For more info on compliance: <https://www.irs.gov/pub/irs-pdf/p4221nc.pdf>

Gross receipts are the total amounts the organization received from all sources during its annual accounting period, without subtracting any costs or expenses.

Examples of gross receipts for a snowmobile club: dues, membership fees, total revenue taken in from a fundraiser, payments from county for trail maintenance.

Once status has been revoked for not filing a 990, 990EZ or 990N e-postcard for 3 years, club must submit Form 1023, 1023EZ, 1024, or 1024-A to be reinstated. If done within 15 months of revocation they can be reinstated to the original date of determination. But if it has been more than 15 months or if they have never filed they would be reinstated to the post-mark date on their application.

**Groomer Sales Tax Exemption**

Groomers and attachments are exempt from sales if purchased by a snowmobile club

This doesn’t require tax exempt status

**Other Requirements**

**Raffle License**

**Each club must have their own license If they are planning to hold a raffle.**

You **CANNOT** use someone else’s license

For more information: <https://doa.wi.gov/Pages/LicensesHearings/RaffleLicense.aspx>

Need to file annual report and renewal application

Cost: $25.00 per year – easier to renew than to apply for new

Must use proceeds for the organization purpose

Snowmobile Clubs are required to prove they maintain trails – or explain if their purpose is something else

Know what is allowed and what is not, many raffles conducted by clubs are not conducted properly

***Other Tax Issues***

IRS Form 1099 MISC - use to report payments to another person or business who is not an employee

Form 1099 MISC needs to be provided to each income recipient by January 31

Form 1099 MISC must be submitted to the IRS by February 28

***Payroll Taxes***If your club has Employees you must file a Form 944
Wages of more than $100 are subject to withholding
Form W-2 is used to report wages to an employee

In doubt or you have questions regarding your clubs tax status, please call an Accountant who is familiar with non-profit club status. Our current President, Dave Newman (dnewman@ceas.coop / 715.212.7914) and AWSC Coordinator, Don Hamilton (coldon.hamilton@gmail.com) are also well versed on clubs and their tax situation.