

April 28, 2020

When are Form 990 and NY CHAR 500 Due?
IRS and NY Charities Bureau extend filing and payment due dates

In response to the COVID-19 emergency, the Internal Revenue Service (IRS) has extended the due dates of most tax filings and payments.¹ The series of Form 990s (990-N, 990-EZ, 990, 990-PF, and 990-T) are particularly relevant to many tax-exempt organizations. If a form in the 990 series was due between April 20, 2020 and July 15, 2020, the IRS has now granted an automatic extension of the filing date (and any associated payment) until July 15, 2020.² This relief applies to the required form itself, as well as to all schedules, returns, and other Forms that are filed as attachments.

Nonprofits should be aware that this relief is automatic. This means that no further action must be taken at this time with the IRS in connection with this extended filing due date. In the event that a nonprofit requires an extension beyond the extension date of July 15, such extension request should be filed by this new date, July 15, 2020.

The Charities Bureau of the New York State Attorney General's office has also granted an automatic extension of the time to file a CHAR500 annual report, which extends longer than the IRS' extension. The Charities Bureau explains its extension this way:

The Attorney General's Charities Bureau currently grants an automatic six-month extension to charities required to file an annual financial report with the Charities Bureau. For example, the annual financial report of organizations whose year-end is December 31, 2019 is due to be filed by May 15, 2020, but, with the automatic extension, the report is not due until November 15, 2020. However, due to the COVID-19 pandemic, any organization whose filing deadline, including the automatic six-month extension, was originally after February 15, 2020, will be given an additional six-month extension to file its annual financial report.³

This alert is meant to provide general information only, not legal advice. Please visit our website www.lawyersalliance.org for further information.

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¹ See IRS Notices 2020-17, 2020-18, and 2020-23 (incorporating Notice 2018-58).

² While the Form 990 series is not explicitly mentioned in Notice 2020-23, it is mentioned in Notice 2018-58 and is therefore covered by virtue of Notice 2020-23's incorporation of Notice 2018-58.

³ Charities Bureau, Guidance for Charitable Nonprofit Organizations Facing the Challenges of the COVID-19 Pandemic, <https://www.charitiesnys.com/>.