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End of Year Generosity Guide



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Introduction

Christmas is a season of joyful celebration that is accented by the spirit of giving. Think about the most meaningful gift you've ever received, then think about the most thoughtful gift you've ever given. Every gift says something about the giver, but it also says something about the receiver.

Jesus said, ***"For God so loved the world that he gave his one and only Son, that whoever believes in him shall not perish but have eternal life."*** (John 3:16, NIV)

When we love someone, we put our gifts ***under*** the tree, but when God loved us, he put his Gift ***on*** the tree.

As we approach the end of the year, we ask that you prayerfully consider ***enhancing your legacy*** by making an end of year gift to honor Christ's birth and the work of God's Kingdom through our Church.

You can do that through a cash gift from income, but there are creative ways that you can make gifts that will provide unique tax benefits to make you an even more effective steward. ***Here are 12 ideas to consider:***

01.

Publicly Traded Stock

One of the simplest gifts you can make is giving appreciated stock. When you give stock, you receive a tax deduction and eliminate capital gain on the appreciation. The IRS accepts the NYSE valuation, therefore, no appraisal is required. The gift value is determined by the average of the high and the low selling price on the date of transfer (the date the church receives it into their brokerage account) multiplied by the number of shares contributed.

02.

Privately Held Stock

Privately held stock must have a qualified appraisal, which may make small gifts inefficient.

- ***Subchapter S (S-Corp) Stock***

The evaluation of S Corp stock is reduced by hot assets. Hot assets are inventory and receivables. Gifts are limited to 70% of Gross Revenue of the company. The deduction = 60% of Fair Market Value less the hot assets, with a 5 year carry forward. (This will reduce to 50% in 2025). The governing documents must permit transfer to and the ownership of the Church.

- ***C-Corp Stock***

LLCs have members, and C Corps have shareholders, depending on the tax election of the entity. A member or shareholder may give C-Corp stock to the Church, then the stock is repurchased by the company as treasury stock. The donor forfeits ownership of those stocks and the corporation issues a check to the Church. The corporation cannot require the Church to sell back.

- ***Restricted Stock Units (RSU)***

RSU's are restricted by Shareholder Agreement rule 144. The stock must become unrestricted by the corporate secretary to release the restriction.

03.

Mutual Funds

To give from Mutual Funds, you will want to determine the number of units you wish to give, and have them sent to the church's brokerage account. Then, provide a gift letter to the advisor that states it is intended to be a charitable contribution. Gifting Mutual Funds may take between 6-8 weeks to complete the transfer, so please be sensitive to time constraints.

04.

Real Estate

Deed Transfer of Unencumbered, Privately Held Residential Real Estate.

The deduction is established by the appraisal, not Fair Market Value, and is eligible for a tax deduction and avoid capital gains tax.

- ***Bargain Sale***

A transaction in which the donor receives less than the Fair Market Value of the property transferred to the Church. The transaction is treated as part sale/part gift, with the donor's basis allocated proportionally between the gift and the sale amount. Any debt encumbered property is treated as a bargain sale, and the gift value is net of the loan amount.

- ***Retained Life Estate***

Donors can give a personal residence or vacation home while retaining the right to live there. The transfer is made via deed, and the deduction is for Fair Market Value less the remainder interest, depending on life expectancy or term of years.

NOTE: For each gift to be documented appropriately, the giver will need to attach the appraisal and IRS Form 8283 to their tax return.

05.

IRA QCD

If you are 70.5 years of age, you can give up to \$105,000 per year from your IRA through a Qualified Charitable Distribution. You do not receive an income tax deduction for this distribution, but you will eliminate the ordinary income tax you would be required to take with each distribution. Your QCD counts toward your required minimum distribution.

06.

IRA RMD

In December, 2022, SECURE ACT 2.0 was signed into law, raising the age for receiving the Required Minimum Distribution to 73. The RMD is the minimum mandatory distribution each IRA holder is required to receive each year. Failure to do so will result in a 25% penalty. One way you can give is to assign your RMD directly to the Church. Since the money bypasses your income, ordinary income taxes are eliminated. Although the income tax is eliminated, you will not receive a tax deduction for this gift. In order to use this strategy, you will need to utilize the charitable rollover provision from your IRA.

07.

Grants from Donor Advised Funds

A Donor Advised Fund is like a charitable investment account, for the sole purpose of supporting charities you care about. When you invest cash, securities, or other assets into a DAF, you can receive a tax deduction at the time of the investment. Then those funds are invested for tax free growth and grants may be recommended to virtually any IRS qualified public charity, including your church. DAFs funded with cash receive a tax deduction, while DAFs funded with appreciated assets can avoid capital gains tax and remove an asset from their estates. Those who have Donor Advised Funds may direct a grant from their fund.

08.

Personal Property

Personal Property by definition is *“anything you can touch and move.”*

Personal property can receive an ordinary income tax deduction, but the capital gain reduction is based on the qualified appraisal. This includes crypto currency, which is treated like personal property.

If personal property is given to the Church, the cost basis is used to establish the deduction. If it is given for the use of the Church to further its work, the Fair Market Value is used.

09.

Directing End of Year Bonuses

If you have the right to receive or direct the funds, you're liable for the ordinary income tax. If the company gives the opportunity to direct the bonus, you may avoid the tax, but will not receive the deduction.

10.

Oil and Mineral Interests

Standard royalty interests are the most commonly gifted and qualify for an ordinary tax deduction at Fair Market Value. They can be difficult to appraise due to volatile market conditions.

11.

Charitable Remainder Trusts

A Charitable Remainder Trust is established wherein the donor retains interest income for life and/or a term of years not to exceed 20. At the end of life, the remainder is granted to your church or additional charities. If you have a Charitable Remainder Trust with the Church as a named beneficiary, you may direct part or all of the income to the named beneficiary.

12.

Charitable Lead Trusts

A charitable lead trust pays income to the church for a term of years determined by the giver. The remainder is then distributed back to the giver (grantor) or the heirs (non grantor) at a reduced gift or estate tax rate.

Ready to give?

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These gifts from your non cash assets enable you to give what you want, not just what you can. They also provide strategic solutions to mitigate ordinary income taxes and capital gain taxes. However, these types of gifts take time to structure and complete in order to meet the December 31 deadline for deductions.

We recommend that you begin no later than

November 1st

in order to ensure that your gift is completed by
the IRS deadline.

We would love to provide you with help and guidance in making these gifts. We can share from our experiences with other donors or refer out to experts we know. You can reach out to us at stewardship@hcbc.com.



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