



TaxNewsFlash

Exempt Organizations

No. 2019-35
August 13, 2019

IRS releases revised Form 8283 for noncash contributions

The IRS has posted a draft Form 8283, “Noncash Charitable Contributions,” that contains changes to the current version of the form—changes that reflect final regulations released last year on the substantiation and reporting requirements for charitable contributions of certain types of property and eliminate lingering uncertainty as to the applicable requirements.

The [draft version of Form 8283](#) [PDF 148 KB] has a “watermark date” of August 9, 2019, and includes cautionary language that it is not to be relied upon for filing purposes and is subject to change and to OMB approval before being officially released.

Background

Last year, Treasury and the IRS released final regulations (T.D. 9836) concerning the substantiation and reporting requirements for cash and non-cash charitable contribution deductions. Read [TaxNewsFlash – Exempt Organizations](#)

Among other things, the final regulations provide that, in the case of contributions of more than \$5,000, Section A (rather than Section B) of Form 8283 may be completed for contributions of certain inventory, intellectual property, publicly traded securities, and qualified vehicles. Section A is less onerous for donors than Section B in significant part because it does not require a signature by each donee.

The current Form 8283 instructions—which provide that Section B of Form 8283 needs to be completed for contributions of inventory, intellectual property, and qualified vehicles—conflict with requirements in the final regulations.

Changes in draft version of Form 8283

The draft version of Form 8283 confirms that the IRS intends to update Form 8283 and accompanying instructions to reflect the final regulations.

Specifically, the header to Section B in the draft version of Form 8283 provides that Section B is to be completed for "Donated Property Over \$5,000 (Except Publicly Traded Securities, Vehicles, Intellectual Property or Inventory reportable in Section A)," making clear that the kinds of property listed in the parenthetical are to be reported in Section A rather than Section B. This is in contrast to the header to Section B in the current version of Form 8283, which states only "Donated Property Over \$5,000 (Except Publicly Traded Securities)."

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