



#### Quotes for the day



- > 80% of Americans engage in charitable giving each year.
- Wealthy people are not necessarily philanthropists. But philanthropists are usually wealthy.
- Which charity is part of your life story?









## What is a Legacy?

- It is planting seeds in a garden you never get to see.
  - Lin-Manuel Miranda...line from Hamilton





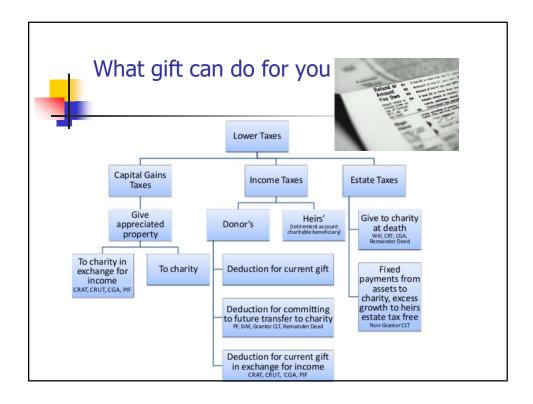






#### Agenda

- Let's start with reviewing the changes made in the 2018 income and estate tax laws
- Discuss the stages of planning
  - Ask yourself Who, what, when and how would you distribute your life's work
- Review of assets held by most Americans
- Simple charitable strategies to increase income and/or decrease taxes







#### New Federal tax rates

#### **New Tax Rates**

There are still seven brackets, but tax rates dropped. The highest rate was 39.6% and is now 37%.

Bracket	Individual	Filing jointly
10%:	S0 to S9,525	S0 to S19,050
12%	\$9,525 to \$38,700	\$19,050 to \$77,400
22%	\$38,700 to \$82,500	S77,400 to S165,000
24%	\$82,500 to \$157,500	\$165,000 to \$315,000
32%	S157,500 to S200,000	\$315,000 to \$400,000
35%	\$200,000 to \$500,000	\$400,000 to \$600,000
37%	\$500,000 and above	\$600,000 and above

Source: Tax Cuts and Jobs Act of 2017



#### PA taxes and charity



- Pennsylvania is one of only two states to exclude virtually every type of retirement income from taxation according to Kiplinger.
  - Public and private pensions, railroad retirement benefits and all Social Security income are excluded from taxable income for tax purposes within the state."
  - 3.07% rate on all taxable income
- Charitable gifts are **not** deductible for **Pennsylvania** income tax purposes
- There are a gift techniques that will benefit PA residents



#### Pennsylvania income taxes



- Pennsylvania taxes eight classes of income:
- 1) compensation
- 2) interest & 3) dividends
- 4) net profits from the operation of a business, profession or farm
- 5) net gains or income from the dispositions of property
- 6) net gains or income from rents, royalties, patents and copyrights
- 7) income derived through estates or trusts
- 8) gambling and lottery winnings, including cash prizes from the Pennsylvania Lottery.

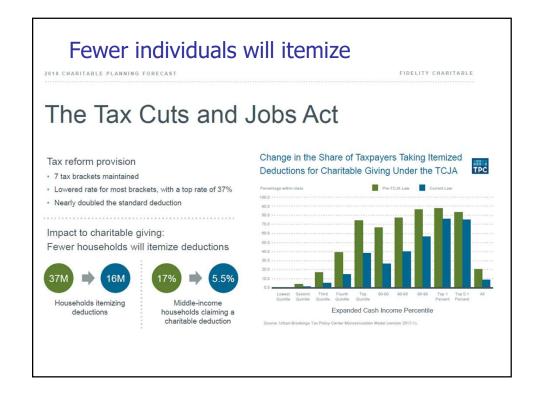


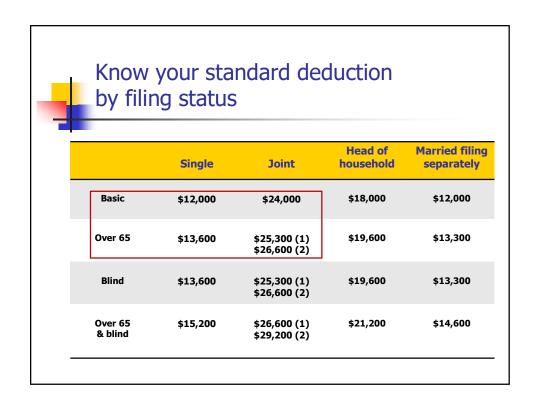
#### Capital gains Federal rates unchanged

- Capital gains rates on assets held 12 month+
  - 10% or 12% bracket = 0% tax
  - 22%, 24%, 32%, 35% brackets = 15% tax
  - 37% bracket = 20% tax
- Net investment tax on AGI over \$200,000 or \$250,000 is +3.8%
- Collectables tax = 28%











#### What qualifies as a deduction?

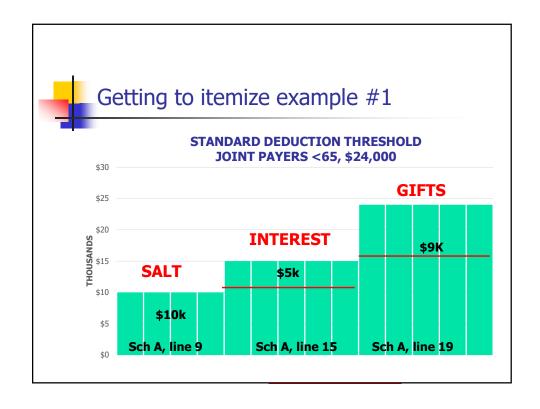
- Itemized deductions include:
  - State and local taxes: \$10,000 limit
  - Mortgage interest: \$750,000 mortgage limit,
     no home equity interest deduction unless used to improve home
  - Medical expenses: exceed 7.5% of AGI
  - Charitable gifts: cash up to 60% of AGI
     Appreciated stock gifts up to 30% of AGI
  - An itemized charitable deduction is the government bonus for being charitable today

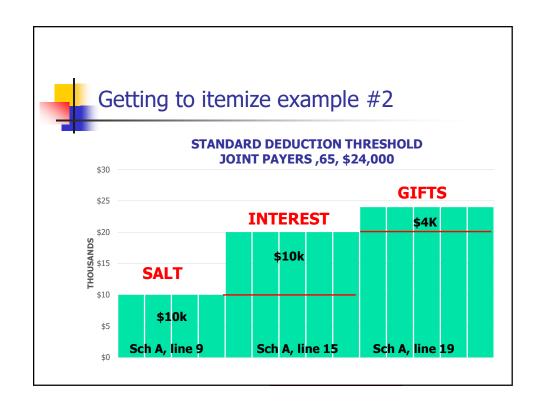


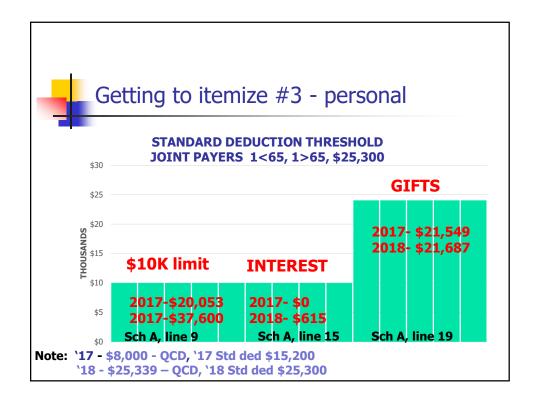


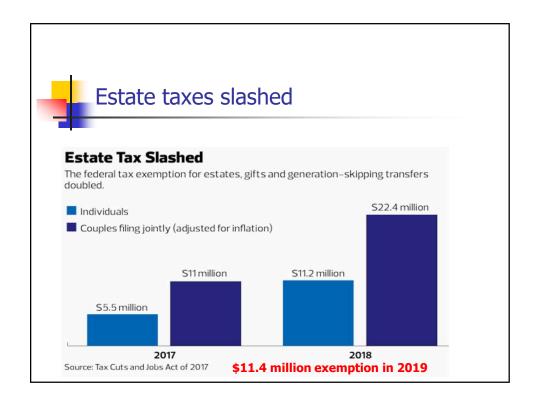
#### Standard deduction by filing status

- Example 1: A couple both over 65 would have to have deductions over the threshold of \$26,600 to itemize and receive an additional tax be
  - Under the threshold charitable gifts are not deductible.
- Example 2: A single filer age 60 would have to have deductions over the threshold of \$12,000 to itemize and receive an additional tax benefit.
  - Under the threshold charitable gifts are not deductible.











#### Pennsylvania Estate and Inheritance Taxes

- Pennsylvania does not have an estate tax charged to the deceased person's estate
- Pennsylvania does have and inheritance tax charged to the person receiving assets
- No spousal inheritance tax
- Inheritance tax of 4.5% tax applied to transfers to direct descendants and other lineal heirs like grandchildren
- Inheritance tax of 12% on transfers to siblings
- Inheritance tax of 15% on transfers to any other heir, with the exception of charitable organizations, exempt institutions and government entities that don't pay tax.



#### PA Inheritance beneficiaries

- Beneficiaries are categorized into classes.
- Class A includes grandparents, parents, and lineal descendants, including natural descendants, adopted descendants, and step-descendants—your children, their children, their grandchildren and so on. Natural children who have been adopted by someone else are still considered Class A beneficiaries. The spouse of a child who has not remarried after that child's death also falls into Class A. These relatives receive a \$3,500 family exemption from the Pennsylvania inheritance tax.



#### PA Inheritance beneficiaries

- Class A1 includes brothers, half-brothers, sisters, and half-sisters—persons having at least one parent in common with the decedent either by blood or by adoption.
  - Class A1 beneficiaries do not receive any special exemption from the tax.
- Class B includes all other beneficiaries. They don't receive any exemption from the Pennsylvania inheritance tax, either. This includes same-sex partners, although not same-sex spouses because they're entitled to the spousal exemption.



#### Effective giving

- Bunching gifts in certain years
  - Every other year gifts
- Appreciated asset gifts
  - Capital gains tax not taxed
- IRA rollover gifts
  - No deduction but no tax on income
  - Must qualify



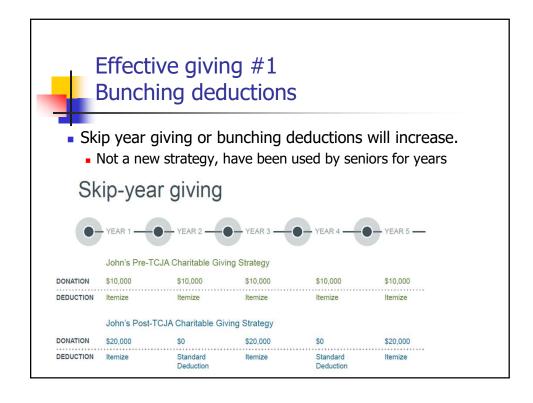
Gifts to reach over threshold deduction amount

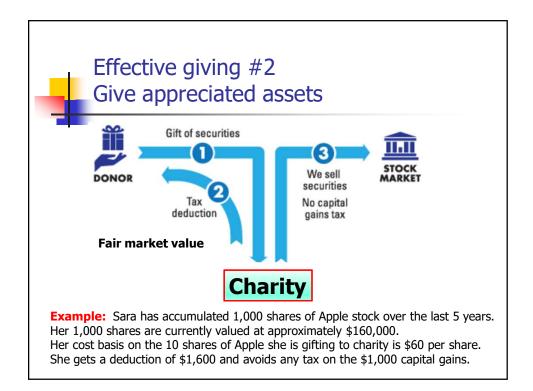


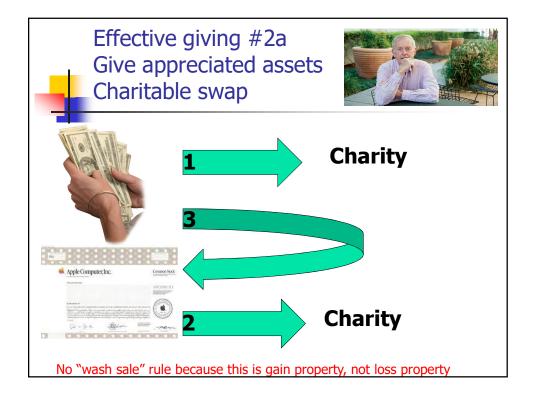






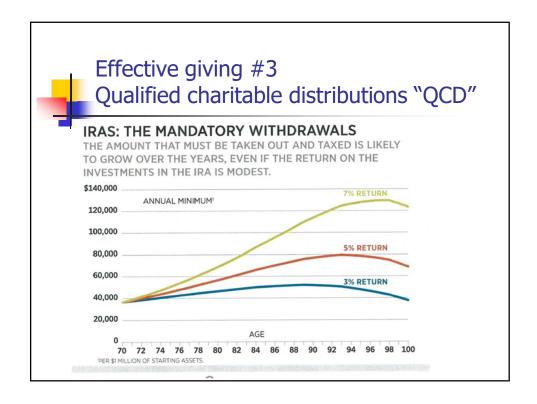


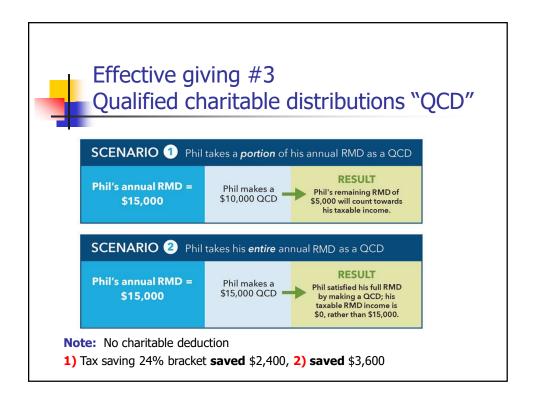


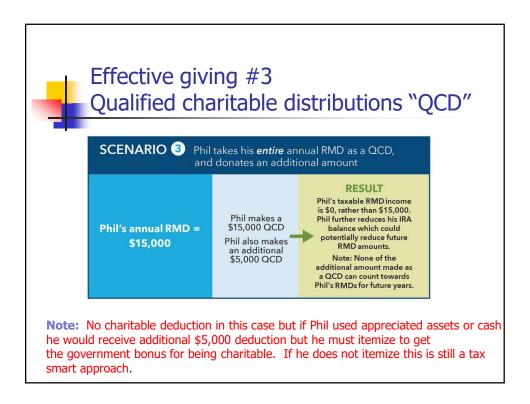


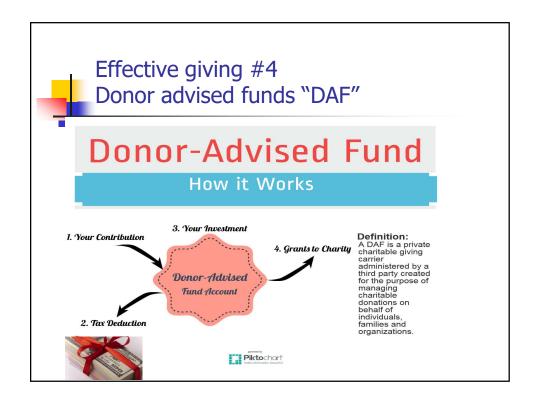


- Allows for IRA gifts to charity
  - Both regular IRA accounts and Roth IRA accounts are eligible, IRA check books
- Charity must be eligible
- Individual must be 70½ or older on the date of contribution
  - Qualified Charitable Distribution will qualify for the Required Minimum Distribution requirements of IRA
- **\$100,000** limit
  - \$200,000 from couple with separate accounts
- Transfers from other pensions and profit sharing plans, i.e. Keogh, 401k, 403b, etc., are not allowed
  - Possible to rollover above accounts to IRA if plan and time permit











## Effective giving #4 Donor advised funds "DAF" benefits

- Give cash now
- Maximize charitable deduction in year of your gift
- Gift appreciated assets to save capital gains taxes
- Gift complex assets
- Front load gifts in high tax years
- Grow your fund tax-free & determine investments
- Time future gifts for maximum charitable impact
  - No "quid pro quo" benefits
- Can make gifts anonymously
- Less expensive alternative to creating a private foundation



#### Three categories of gifts

- Outright gifts irrevocable gifts of entire interest made today (cash or assets)
- u an Una
- Expectancies revocable gifts committed for the future use (bequests & beneficiary designations)



 Split-interest gifts – irrevocable gift arrangements which give a portion to charity and a portion to a non-charitable beneficiary



YOUR GIFT	YOUR GOAL	HOW IT WORKS	YOUR BENEFITS
Bequest	Maintain control of your assets during life     Make a gift to charity at your death	You designate our organization as the beneficiary of your asset by will, trust or other instrument.	Estate tax charitable deduction     Life use and ownership of your property
Charitable Gift Annuity (CGA)	Receive fixed income for life Avoid capital gains tax on the sale of your appreciated property Enjoy the benefit of tax savings from a charitable deduction	You transfer your cash or appreciated property to our organization in exchange for our promise to pay you fixed income (with rates based on your age) for the rest of your life.	Charitable tax deduction Fixed income for life Partial bypass of capital gain Possible tax-free payments
Charitable Remainder Trust (CRT)	Transfer your appreciated property without paying capital gains tax Enjoy regular income for life or a term of years Receive the benefit of tax savings from a charitable deduction	You transfer your cash or appreciated property to fund a charitable trust. The trust sells your property tax-free and provides you with income for life or a term of years.	Charitable tax deduction     Income for life or a term of years     Possible income growth over time     Avoidance of capital gains tax
Trust (CLT)	Give cash or property to your family in the future     Avoid substantial gift or estate tax	You transfer your cash or property to fund a lead trust that makes a gift to us for a number of years. You receive a charitable deduction for the gift. Your family receives the remainder at substantial tax savings.	Gift or estate tax deduction     Asset and appreciation passes to family at a reduced cost
	Remain in your home for life.     Receive a charitable income tax deduction	You give your property to our organization but retain the right to use the property during your life.	Charitable tax deduction     Lifetime use of property
Bargain Sale	Transfer your property and receive cash or debt relief without paying substantial taxes	We purchase your property for less than fair market value. You receive the cash and a charitable deduction for the difference between the market value and purchase price.	Cash from sale Charitable tax deduction Partial bypass of capital gain

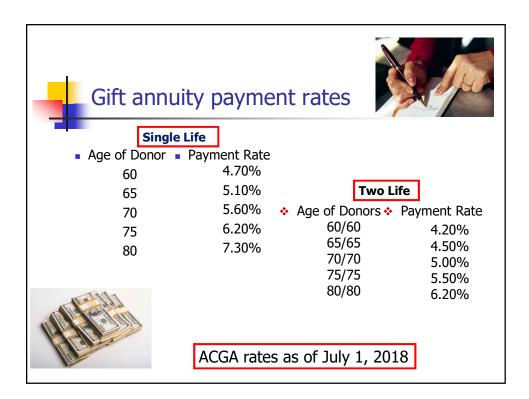


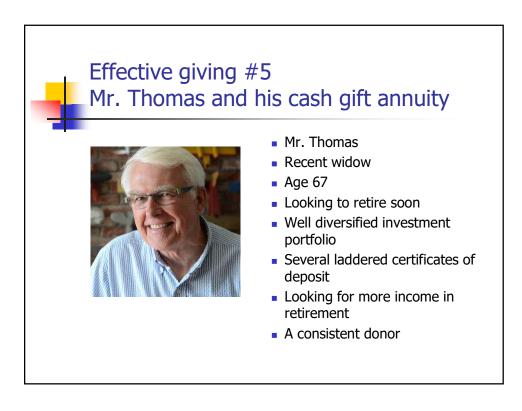


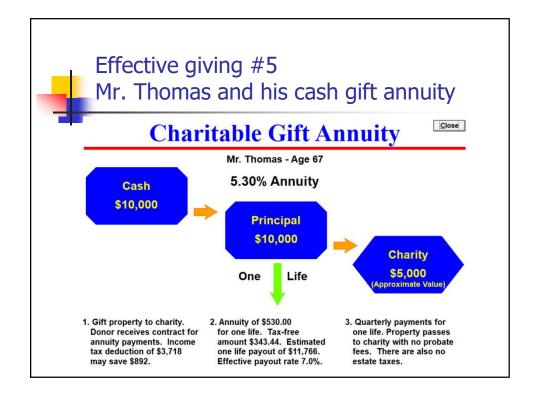
#### Major giving tools



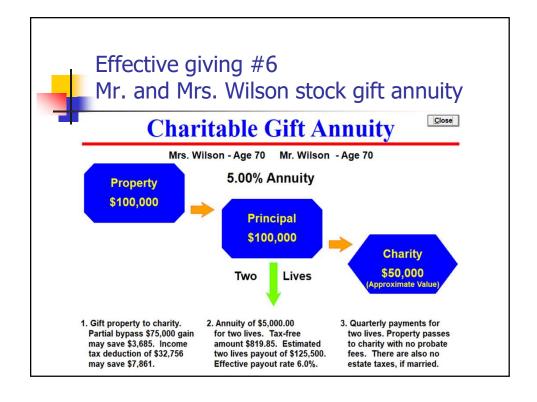
- Life income gifts
  - Provide fixed or variable life income
  - Partial income tax deduction
  - Avoid/Reduce capital gains taxes in whole or in part
- Most popular life income programs
  - Charitable gift annuity
  - Charitable remainder unitrust











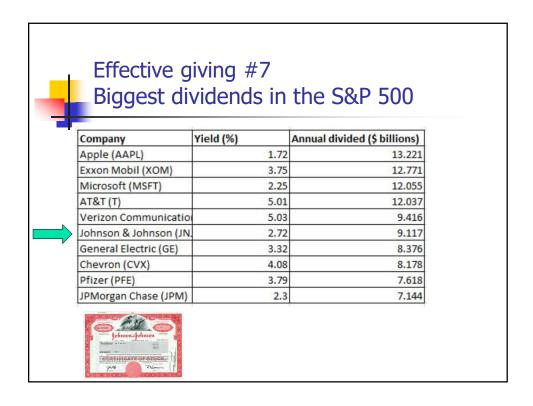
Effective of Gift annuit		er	nhanceme	nt- Stock	
Prior to Gift			After the Gift		
Invested in stock	\$100,000		Contributed	\$100,000	
Dividends (2%)	2,000		Cost basis	\$25,000	
Tax (15%)	\$ <u>300</u>		Payment rate	5.00%	
Net spendable	\$1,700		Total payment	\$5,000	
, , , , , , , , , , , , , , , , , , , ,			Ordinary income	\$1,720	
Capital if Sold			Capital gains	\$2,460	
Fair market	\$100,000		Tax-free*	\$ 820	
value			Tax OI 24%	-\$412	
Cost basis	25,000		Tax CG 15%	-\$369	
Capital gains tax (15%)	<u>\$11,250</u>		Net spendable	\$4,219	
Net capital	\$88,750		Bonus savings	\$7,861	
ivet capitai	\$88,/50		*tax-free to 2037	ψ/,001	



## Effective giving #7 Gift plus gift annuity - Stock



- Substitute gift annuity income for stock dividend
- Make a major gift without significant reduction in retirement lifestyle
  - Couple both age 75
  - Asset Johnson & Johnson stock, 1,666 shares @\$120
  - Fair market value \$200,000
  - Dividend rate 2.72%, annual payment \$4,531 pre-tax and \$3,851 after taxes
  - Donors wish to make a major gift of \$100,000
- Solution: separate stock into two parts, give half and use half for a gift annuity







## Effective giving #7 Gift plus gift annuity -Stock



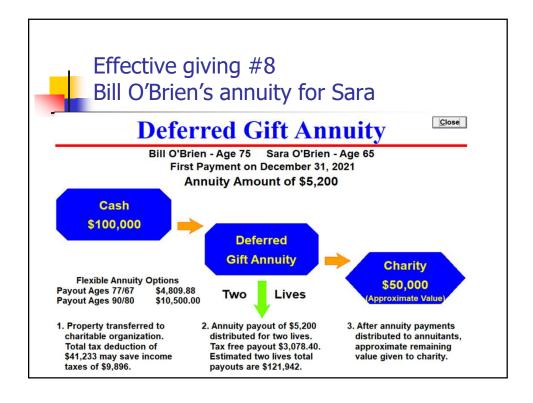
- Outright gift deduction
  - **\$100,000**
  - \$9,400 capital gains tax savings
  - \$24,000 income tax savings
- Gift annuity deduction
  - **\$37,697**
  - \$ 9,047 income tax savings
  - Effective return on gift annuity 6.9%

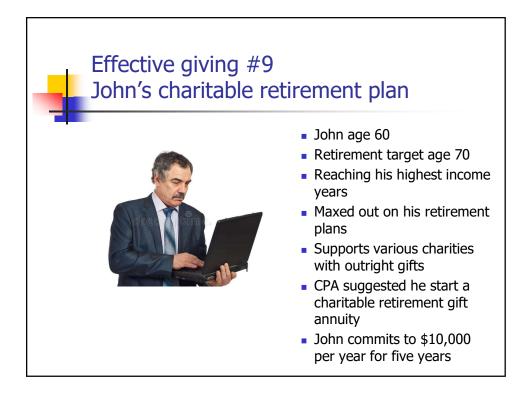
- Summary:
- Two charitable deductions
  - Outright ......\$100,000
  - Gift annuity...\$37,697
- Prior income
  - Net dividend \$3,853
- Post gift income
  - Net payment....\$4,735
  - Increase of......\$ 882
- Bonus tax saving
  - Outright......\$24,000
  - Gift annuity...\$9,047
  - Total.....\$33,047

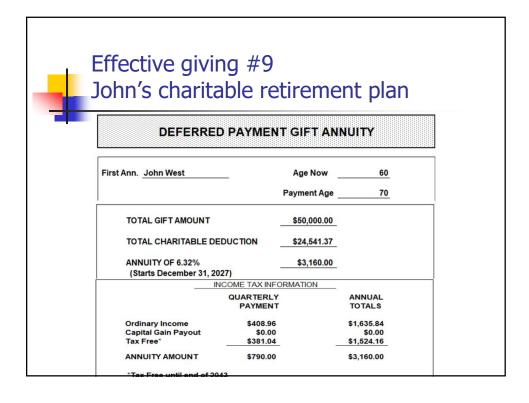
# Effective giving #8 Bill O'Brien's annuity for Sara



- Bill age 75 married to Sara age 65
- Bill's retirement pension will end on his death
- Bill wants to provide income for surviving spouse and could use a tax deduction this year to offset his stock gains
- Has \$100,000 cash available
- What about health changes?
- Could they/she get income earlier?







## Effective giving #10 Nancy's real estate chartable trust

- Nancy age 65, inherited (\$100,000) property that has grown in value
- Sell highly appreciated real estate - \$500,000 value
- Pay little or no taxes
- Keep 100% working for Nancy for life
- Make future charitable gifts
- Receive 50% of sale in cash proceeds - \$250,000
- Establish CRT with 50% of real estate
  - Receive 5% variable income for life

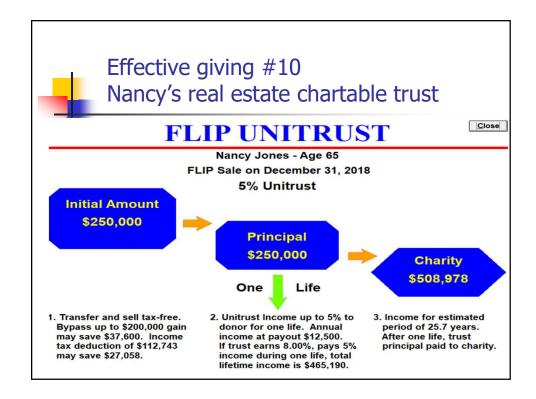




## Effective giving #10 Summary of real estate sale options

- #1. Sell and pay tax @ 23.8%
- Gain of \$400,000
- Tax on gain \$95,200
- **#2.** Keep 50%
- Sell and pay tax on 50%
- Gain of \$200,000
- Tax on gain @ 23.8% = \$47,600
- Net \$202,400
- Continue to pay expenses

- #2a. Sell 50% in her name
- Sell 50% in CRT
- Bypass tax on 100% of CRT gain
- Saves \$37,000 (cap gain)
- Charitable deduction for CRT = \$112,743
- Deduction saves \$27,058 in taxes (24%)
- Net cost: \$20,542





## Effective giving #11 Testamentary annuity for family or friends

- Set up a gift annuity for others
- Set up in will or trust
  - Special wording required
- Income payment to beneficiary for their life
  - Each check is a friendly reminder
- Payment rate depends on beneficiary age at your death
  - Age 60 = 4.70% or rate in effect
- Remainder to favorite charity
- Estate tax charitable deduction (if needed)





#### Free Will QCD research

- The average growth in QCDs from 2017 to 2018 was 78.3%
- 92% of all nonprofits surveyed saw an increase in QCD giving from 2017 to 2018
- The average gift is increasing, even as QCDs move from major donors to mainstream. Across all nonprofits surveyed, the average QCD gift is \$9,200. The smallest average gift size was \$150. The largest was \$50,000
- Fundraising professional are underestimating the level of donor confusion

Source: Freewill.com study, May 2019

