## Contents

Ackı	nowledgments	ix
ntro	oduction 2283, Noncash Chantable Commissions	xi
	PART ONE	
	The Museum's Perspective	
1	Museums as Donees: Standards, Best Practices, and Ethical and Legal Responsibilities  Beth J. Parker Miller and Amy McKune	3
2	Gifts That Transcend Their Original Intent: The New National Art Museum of Sport at The Children's Museum of Indianapolis Jeffrey H. Patchen	13
3	Donation Process and Procedure Outline Romy M. Vreeland	18
4	Gifts of Works of Art Brochure The Metropolitan Museum of Art	21
	PART TWO	
	The Donor's Perspective	
5	Responsibilities of the Donor Romy M. Vreeland	29
6	Donations to Museums: An Overview Romy M. Vreeland	30

7	Donor Record Keeping and Reporting: Sample Deed of Gift  Amy McKune, Beth J. Parker Miller, Romy M. Vreeland	36
8	Caveat Mutuor: A Cautionary Tale Helen A. Harrison	37
	PART THREE  The IRS Perspective	
	compiled and edited by Laurette E. McCarthy	
9	Noncash Contributions over \$5,000 and Records to Retain	47
10	Synopsis of IRS Publication 561:  Determining the Value of Donated Property	50
11	Internal Revenue Service Review of Appraisals	54
12	IRS Form 8283: Noncash Charitable Contributions	58
13	Appraisals and Appraisers	61
14	Works of Art and Collectibles	64
15	Definition of a Qualified Appraiser and Excluded Individuals	67
	PART FOUR	
	Gift Considerations and Perspectives	
16	Bargain Sales compiled and edited by Laurette E. McCarthy	73
17	Promised Gifts and Bequests compiled and edited by Laurette E. McCarthy	76
18	Fractional Gifts/Partial Interest Gifts  compiled and edited by Laurette E. McCarthy	79
19	Restricted and Unrestricted Gifts compiled and edited by Laurette E. McCarthy	81
20	Cultural Patrimony and Ethnographic Gifts  Elizabeth Morton	82
21	Cultural Patrimony Chart  Elizabeth Morton	90

vi Contents

## PART FIVE

## Ownership Perspectives and Fair Market Value

22	Conveyance of Intellectual Rights and Copyright Chart Christine Steiner	95
23	Artists' and Artists Foundations' Gifts to Museums Sharon S. Theobald	97
24	Copyright Does Not Transfer with the Gift Luke Nikas and Maaren A. Shah	98
25	Title Insurance as It Relates to Clear Title adapted by Sharon S. Theobald	105
26	Provenance and Provenance Research  MacKenzie L. Mallon	107
27	Witnesses to World War II: Studies in Provenance Research Robert B. Simon	109
	PART SIX	
	Tax Perspectives for Museums:	
	<b>Review of Changes to the Pension Protection Act</b>	
	(IRS Notice 2006-96)	
28	Related and Unrelated Use compiled and edited by Laurette E. McCarthy	119
29	Penalties for Donees compiled and edited by Laurette E. McCarthy	121
30	Penalties for Donors for Related and Unrelated Gifts of Property compiled and edited by Laurette E. McCarthy	122
31	Penalties for Appraisers compiled and edited by Laurette E. McCarthy	125
32	Fractional Gifts/Partial Interest Gifts: Gifts Made for Tax Purposes compiled and edited by Laurette E. McCarthy	127
33	Charity Auctions and Donation Deductions compiled and edited by Laurette E. McCarthy	128
34	IRS Definitions of a Qualified Appraisal and Qualified Appraiser (Effective January 1, 2019)	130

Contents

35	IRS Art Advisory Panel compiled and edited by Laurette E. McCarthy	137
36	IRS Art Advisory Panel Format for Gifts over \$50,000 compiled and edited by Laurette E. McCarthy	138
37	IRS Forms compiled and edited by Laurette E. McCarthy	140
38	FAQs Regarding Gifts of Property  Romy M. Vreeland	162
39	IRS Revenue Procedure 96-15 compiled and edited by Laurette E. McCarthy	166
Glossary of Terms		179
Resc	Resources and Bibliography	
Inde	Index	
Abo	About the Editor and Contributors	

viii Contents