In reply refer to: 0248667578
May 20, 2010 LTR 4168C EO
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BODC: TE

REGENTS OF THE UNIVERSITY OF
COLORADO
% INTERIM V P FOR BUDGET & FINANCE
CAMPUS BOX 575 3100 MARINE ST 6TH F
BOULDER CO 80309-0575

Employer Identification Number: 84-6000555
Person to Contact: Brian Bailey
Toll Free Telephone Number: 1-877-829-5500

Dear Taxpayer:

This is in response to your May 11, 2010, request for information regarding your tax-exempt status.

Our records indicate that your organization was recognized as exempt under section 501(c)(3) of the Internal Revenue Code in a determination letter issued in October 1939.

Our records also indicate that you are not a private foundation within the meaning of section 509(a) of the Code because you are described in section(s) 509(a)(1) and 170(b)(1)(A)(ii).

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

Sincerely yours,

[Signature]

Michele M. Sullivan, Oper. Mgr.
Accounts Management Operations I
The Regents of the University of Colorado,
Boulder, Colorado,

Sirs:

Reference is made to the evidence submitted in support of
your claim to exemption from Federal income taxation and whether
contributions made to your organization constitute allowable de-
ductions in the returns of individual donors.

The evidence presented discloses that you were incorporated
in 1876 under the laws of the State of Colorado and that the con-
stitution of the state provides for the establishment of the
university at Boulder, the Agricultural College at Fort Collins and
the School of Mines at Golden, Colorado, and the management of such
institutes, subject to the control of the state, under the provisions
of the constitution. Article 9, section 12 of the state constitution
provides that there shall be elected by the qualified electors of the
state at the first general election six regents of the university,
who shall immediately after their election, be so qualified by law,
that two shall hold office for the term of two years, two for four
years and two for six years; and each two years after the first
election there shall be elected two regents of the university whose
term of office shall be six years. It is stated in the affidavit
submitted that you are a state educational institution; that your
income is derived from a mill levy, from public appropriations and
from fees that there is no capital stock and no interest or dividends
are paid; and that none of your income inures to the benefit of any
private shareholder or individual.

Based upon the facts presented, it is held that you are entitled
to exemption under the provisions of section 101(6) of the Revenue
Act of 1938 and the corresponding provisions of prior revenue acts.
You are not, therefore, required to file returns of income for 1938
and prior years. Inasmuch as section 101(6) of the Internal Revenue
Code (63 Stats., Part 1) is similar to section 101(6) of the Revenue
Act of 1938, returns for 1939 and subsequent years will not be required
so long as there is no change in your organization, your purposes or
your method of operation.

Any changes in your form of organization or method of operation
should be immediately reported to the collector of internal revenue
for your district in order that the effect of such changes upon your
present exempt status may be determined.
The Regents of the University of Colorado,

The exemption referred to in this letter does not apply to taxes levied under other titles or provisions of the respective revenue acts or of the Internal Revenue Code, except insofar as exemption is granted expressly under those provisions to organizations enumerated in section 101 of the Revenue Act of 1939 and the corresponding provisions of prior revenue acts, or section 101 of the Internal Revenue Code.

Contributions to your organization by individual donors are deductible by such individuals in arriving at their taxable net income in the manner and to the extent provided by section 25(a) of the Revenue Act of 1939 and the corresponding provisions of prior revenue acts, section 25(a) of the Internal Revenue Code and section 224 of the Internal Revenue Code as amended by section 224 of the Revenue Act of 1939. The deductibility of contributions by corporations is governed by section 25(q) of the Revenue Acts of 1939 and 1938, section 25(q) of the Internal Revenue Code and section 224 of the Internal Revenue Code as amended by section 224 of the Revenue Act of 1939.

A copy of this ruling is being transmitted to the collector of internal revenue for your district.

By direction of the Commissioner,

Respectfully,

[Signature]

Deputy Commissioner

LIA/ISD-1