



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

OFFICE OF THE CHIEF COUNSEL

July 21, 2009

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Dear _____ :

This letter responds to your request for information dated May 04, 2009. You are requesting information about the amount of money that can be given to an irrevocable trust without incurring a gift tax.

The gift tax applies to transfers of property by gift. Section 2503(b) of the Internal Revenue Code provides for an annual exclusion of the gift tax. The annual exclusion only applies to a gift of a present interest. The current annual exclusion amount is \$13,000. Publication 950, Introduction to Estate and Gift Taxes, provides further information, including examples of how the annual exclusion applies. For your assistance, a copy of Publication 950 has been included with this letter.

This letter has called your attention to certain general principles of the law. It is intended for informational purposes only and does not constitute a ruling. See Rev. Proc. 2009-1, §2.04, 2009-1 I.R.B. 1 (Jan. 5, 2009). If you have any additional questions, please contact our office at _____.

Sincerely,

James F. Hogan
Senior Technician Reviewer, Branch 4
Office of Associate Chief Counsel
(Passthroughs & Special Industries)