

# Internal Revenue Service

Department of Treasury

Date: October 19, 1990

Mr. Jerry Varner  
Business Manager  
Winona State University  
Winona, Minnesota 55907

Dear Mr. Varner:

This letter is in response to your letter addressed to the IRS Disclosure Officer, Laureen Foard, which we received on October 16, 1990. You requested a letter from the IRS regarding the exemption from tax of Winona State University.

Internal Revenue Code section 115 states: "Gross income does not include:

1. income derived from any public utility or the exercise of any essential governmental function and accruing to a state or any political subdivision thereof, or the District of Columbia; or
2. income accruing to the government of any possession of the United States, or any political subdivision thereof."

Internal Revenue Code section 170(c) describes the term "charitable contribution" and section 170(c)(1) specifically mentions "a state, a possession of the United States or the District of Columbia, but only if the contribution or gift is made for exclusively public purposes."

Winona State University is part of the State of Minnesota's university system and, accordingly, is exempt under section 115 of the Internal Revenue Code without the need to seek a determination ruling or letter from the Internal Revenue Service in respect to its exempt status.

We trust this letter will serve your purpose in respect to providing assurances to potential contributors that gifts or grants to your university in furtherance of its exempt purpose enjoy the benefits of section 170 of the Internal Revenue Code.

Sincerely,

Jim Scully  
Exempt Organizations Group Manager

cc: Laureen Foard