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CPAs & ADVISORS

Year-end Year-round
TAX PLANNING GUIDE

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Year-End Year-Round
Tax Planning Guide 2022

The end of the year presents a unique opportunity to make sensible financial moves that can help save money on your federal and state income taxes. Now is a good time to start working with your tax professional to plan year-end tax moves and formulate a tax plan for the entire year. We urge you to obtain professional advice before acting on any of the suggestions provided in this guide.

2022 Tax Brackets

The following federal tax rates apply to taxable income for tax year 2022 (for tax returns to be filed in the spring of 2023):

Tax rate	Single filers	Married filing jointly or qualifying widow(er)	Married filing separately	Head of household
10%	$0 – $10,275	$0 – $20,550	$0 – $10,275	$0 – $14,650
12%	$10,276 – $41,775	$20,551 – $83,550	$10,276 – $41,775	$14,651 – $55,900
22%	$41,776 – $89,075	$83,551 – $178,150	$41,776 – $89,075	$55,901 – $89,050
24%	$89,076 – $170,050	$178,151 – $340,100	$89,076 – $170,050	$89,051 – $170,050
32%	$170,051 – $215,950	$340,101 – $431,900	$170,051 – $215,950	$170,051 – $215,950
35%	$215,951 – $539,900	$431,901 – $647,850	$215,951 – $323,925	$215,951 – $539,900
37%	$539,901 or more	$647,851 or more	$323,926 or more	$539,901 or more

Strategies for Individual Taxpayers

A good way to start your year-end tax planning is by identifying any changes in your personal situation that may affect your taxes. A change in your marital status, a move, a job change, a new business, retirement, a new dependent or loss of one—any of these life events would likely have a tax impact. Similarly, you'll want to be alert to any tax law changes that may present planning opportunities.

Your marginal rate. For planning purposes, focus on your marginal tax rate, which is the rate that applies to your next dollar of taxable income. Knowing your marginal rate can help you gauge the impact of various planning strategies. For example, an additional $1,000 deduction would save $350 in taxes for a taxpayer in the 35% tax bracket.

Standard deduction vs. itemized deductions. The standard deduction is made in lieu of itemized deductions. For tax year 2022, the standard deduction is as follows:

Single & married filing separately

$12,950 (previously $12,550)

Heads of household

$19,400 (previously $18,800)

Married filing jointly

$25,900 (previously $25,100)

There is an additional standard deduction for persons age 65 and older or blind. The increased standard deduction means fewer taxpayers will itemize. As a possible tax savings strategy, consider itemizing every other year, accelerating or postponing itemized deductions as necessary to "bunch" more itemized deductions in a particular year.

Previously, there was a rule that phased out itemized deductions at higher income levels, but that rule was repealed effective in 2018. Certain deductions are still affected by the measure of the taxpayer's adjusted gross income, notably charitable donations and medical expenses.

By now, you're most likely aware of the Tax Cuts and Jobs Act's (TCJA) limit of $10,000 for the sum of property tax on a U.S. personal residence plus state income tax (or sales tax can be substituted for state income tax). These limits don't apply to such taxes when incurred in a trade or business or for the production of income.

An itemized deduction for a home loan is usually limited to mortgages not exceeding $750,000 under the TCJA, or $1 million if the home loan was in place by December 15, 2017.

"Home equity indebtedness" may not be deductible as home mortgage interest, but there is an exception when such debt is used to buy, build, or substantially improve the home and the home secures the debt. Previously, the loan interest was deductible up to $100,000 if the debt was secured by a primary or secondary residence, even if the loan went to buy a personal-use auto. The rules are now much more strict.

Donation deductions. You can still deduct donations to qualified charities—but only if you itemize deductions. As noted earlier in this guide, you may want to coordinate the year that you itemize with "bunching" your charitable donations so that your total itemized deductions will surpass your standard deduction.

Note that the $300 above-the-line tax deduction for non-item-izers that was included in the first round of coronavirus aid in March 2020 expired at the end of 2021. At press time it had not been renewed for 2022.

Additional 0.9% Medicare tax. This additional Medicare tax on employment and self-employment earnings sometimes catches taxpayers by surprise. While the regular Medicare tax applies to all earnings, the 0.9% tax applies only to earnings over $200,000 (single/head of household), $250,000 (married filing jointly) or $125,000 (married filing separately). The additional Medicare tax was introduced by the Affordable Care Act and is still with us.

Net investment income tax. Another Affordable Care Act provi-sion, the 3.8% net investment income tax, is also still with us. It affects higher-income investors with modified AGI over $200,000 (single/head of household), $250,000 (married filing jointly) or $125,000 (married filing separately). You can find more details re-garding the net investment income tax and some tips for lessen-ing your exposure to it on page 9.

Alternative minimum tax (AMT). The basic purpose of the AMT system is to ensure that taxpayers who use various deductions, credits, and exclusions to reduce their regular tax liability still pay a minimum amount of tax. The discussion on page 5 shows the AMT rates and exemption amounts. A tax projection can tell you whether you are likely to owe the AMT for 2022. If you are, there may be strat-egies you can consider to mitigate the impact of the tax.

Medical and related. Unreimbursed medical expenses are still deductible and in 2022 they qualify as itemized deductions to the extent they exceed 10% of adjusted gross income. This rule applies regardless of the taxpayer's age. But keep in mind that medical is just one of the components of itemized deductions, the sum of which must exceed the standard deduction to yield any real tax savings.

Participants enrolled in a High Deductible Health Plan (HDHP) may contribute to a Health Savings Account (HSA). For 2022, the plan must have a minimum annual deductible of $1,400 for individuals and $2,800 for family. Contributions to an HSA are fully tax deductible. The maximum contribution to an HSA for 2022 is $3,650 for individuals and $7,300 for families. The max-imum out-of-pocket expense limits for 2022 are $7,050 for indi-viduals and $14,100 for families. Out-of-pocket expenses include deductibles, co-pays, and coinsurance, but not premiums.

Spend FSA funds. Do you have a flexible spending account (FSA) through your employer? Generally, you'll forfeit any amount remain-ing in your FSA at year-end or the end of the plan's grace period, if applicable. However, you may be able to carry over up to $570 in 2022 for the next year in lieu of the optional grace period. If you have money in an FSA, you'll want to know the timing rules for your plan so you can use up your money within the allotted time.

Education. The American Opportunity Tax Credit and the Lifetime Learning Credit are still available with little change. The credits are reduced with higher levels of income. Meanwhile, student loan interest also remains deductible.

TIMING MATTERS

Timing plays a significant role in year-end tax planning. Typically, you'll want to look for ways to delay the taxation of income until a later tax year and accelerate deductible expenses into the current tax year. Such strategies can lower this year's taxable income—and the amount of income taxes currently payable.

However, if you expect to be in a higher tax bracket next year, consider doing the reverse: move taxable income into this year and push deductible expenses into next year, when the deductions can potentially save you more tax dollars. Before implementing this plan, though, consider the time value of money. By paying taxes earlier, you give up the opportunity to invest those funds in the interim.

Here are some potential ways to defer taxable income:

- Increase pretax salary deferrals to an employer's 401(k), 403(b), governmental 457, or SIMPLE retirement plan. You'll find the 2022 deferral limits in the table on page 6.
- Ask if you can receive a year-end bonus or commission payment shortly after year-end.

Deductible expenses you might be able to accelerate include:

- **Charitable contributions.** If you mail your check or charge your donation to your credit card by year-end, it will count as a 2022 contribution. Caveat: The tax savings from charitable contributions may be affected by an interplay with the 20% of business income deduction that began in 2018. It is particularly important to "do the math" in planning charitable contributions.
- **State income tax payments.** Ask your employer to withhold more tax from your remaining 2022 paychecks. Alternatively, make your January estimated state and local income tax payment before year-end and pay enough to cover any projected balance due. Caveat: To obtain a benefit from a state income tax payment, you must itemize rather than use the standard deduction in 2022. Also, as noted above, there is a $10,000 limit to the sum of property taxes on a residence plus state income tax (assuming you don't deduct sales tax).

Maximize above-the-line deductions. Certain expenses are deductible from your gross income in arriving at your AGI. These "above-the-line" deductions (adjustments) are available whether you claim the standard deduction or itemize your deductions. And they're especially valuable because they work double-time, both reducing your AGI and helping you reserve tax breaks you might otherwise lose because your AGI is too high.

Making the most of your above-the-line deductions will help lower your tax bill. Here are some potential deductions to keep in mind.

- Contributions to a traditional IRA
- Student loan interest (up to $2,500)
- Health savings account (HSA) contributions (see page 3)
- Alimony payments
- Educator expenses (up to $300)
- Penalties on the early withdrawal of savings

Self-employed individuals may also claim an above-the-line deduction for half of their self-employment tax (other than the 0.9% additional tax), certain retirement account contributions, and qualifying medical insurance premiums. Minimizing AGI gives you a variety of tax advantages, so you won't want to overlook any above-the-line deductions you are entitled to claim.

Consider the AMT. Before accelerating state and local tax payments, check to make sure that doing so will not create an AMT problem. Also consider that additional year-end payments of state and local taxes may not translate into additional deductions, because in 2022 the maximum deduction for the sum of the state income tax and residential property tax on the residence (or state income tax plus sales tax) is limited to $10,000.

Other potential AMT triggers include:

- The exercise of incentive stock options
- Significant amounts of tax-exempt interest from "private activity" municipal bonds
- Investment interest deduction

2022 AMT TAX RATES

Recent changes kept the AMT for individuals while repealing it for corporate taxpayers. However, there are higher exemption thresholds and the phase-out of the exemption begins at a higher level, so there is some relief for individuals. The exemption is much less likely to be reduced or eliminated by higher levels of income. Additionally, some of the preference items are no longer available or available but with limits.

AMT Income	Tax
Up to $206,100*	26%
Over $206,100	28%

**$103,050 if married filing separately*

STATUS	2021		2022	
	Exemption	Phase-out	Exemption	Phase-out
Single/ Head of Household	$73,600	$523,600	$75,900	$539,900
Married Filing Jointly	$114,600	$1,047,200	$118,100	$1,079,800
Married Filing Separately	$57,300	$523,600	$59,050	$539,900

RETIREMENT PLANNING

No matter where you are in your career, accumulating assets for future retirement is probably one of your biggest financial goals. Maximizing your contributions to tax-favored retirement plans can help you pursue that goal while also saving money on your taxes.

Take advantage of employer plans. With an employer-sponsored retirement savings plan such as a 401(k), 403(b), or SIMPLE plan, your contributions and any earnings on those contributions generally won't be taxed until you begin receiving funds from the plan.

Some employers also allow employees to make after-tax Roth contributions to their 401(k) or 403(b) retirement savings plans. Roth contributions are subject to current income taxes, but once in the plan, the contributions potentially grow tax deferred. Withdrawals of both Roth contributions and related earnings are not taxed if certain requirements are met.

Fund an IRA. You may make an IRA contribution for the 2022 tax year as late as the April 2023 filing deadline for your federal income tax return. There are no income restrictions on making tax-deductible contributions to a traditional IRA unless you or your spouse actively participates in an employer-sponsored retirement plan. With active plan participation, the 2022 deduction gradually phases out once AGI exceeds:

- $68,000 for single/head of household
- $109,000 for married filing jointly
- $10,000 for married filing separately

HOW MUCH CAN YOU CONTRIBUTE FOR 2022?

To maximize your retirement savings, contribute as much as possible each year. The 2022 limits are shown below. Note, however, that employer plans may not permit employees who have reached age 50 to contribute the higher amount indicated. Additional contribution limits could apply.

TYPE OF PLAN UNDER	UP TO AGE 50	AGE 50 OR OLDER
401(k), 403(b), 457, SEP*	$20,500	$27,000
SIMPLE IRA	$14,000	$17,000
Traditional/Roth IRA**	$6,000	$7,000

**Only SEP plans established before 1997 may allow employees to make pretax contributions.*
***IRA contributions may not exceed earned income.*

With a Roth IRA, contributions aren't tax-deductible and won't be taxed on withdrawal. You also may withdraw account earnings tax-free after you've had a Roth IRA for at least five tax years and reached age 59½ (or in certain other circumstances).

Your eligibility to make Roth IRA contributions hinges on your income. In 2022, the allowable Roth IRA contribution phases out as AGI rises from $129,000 to $144,000 for unmarried filers, $204,000 to $214,000 for joint filers, and $0 to $10,000 for married persons filing separately.

If a Roth IRA is attractive to you but your income is too high to make a contribution, you may be in a position to convert a traditional IRA to a Roth IRA. There are no income restrictions on conversions. Consider any such conversion carefully, however. A Roth conversion is a taxable event that may trigger a large tax bill.

- Assuming you want to move forward with a Roth IRA conversion, you may save taxes by completing the transaction during a year in which you expect to be in a relatively low tax bracket (because, for example, you have a large loss or your income from other sources is lower than usual).
- Converting when the market value of your IRA investments has fallen can save you tax dollars.
- Consider spreading the conversion over several tax years to prevent the extra conversion income from pushing you into a higher bracket.

Take required minimum distributions (RMDs). The SECURE Act increased the age for taking RMDs from 70½ to 72 for individuals who did not reach age 70½ before January 1, 2020. However, the CARES Act suspended RMDs for 2020, though you must start taking them again in 2021. The additional excise tax for failure to take an RMD is a steep 50% of the amount you should have withdrawn.

Your first RMD will typically be due by April 1 of the year after you reach age 70½, and another RMD will be due by December 31 of that same year. RMDs for subsequent years must be taken by year-end. (You typically can delay distributions from your employer's retirement plan until retirement if you are not a 5% owner of the company. Check with your plan administrator for information on your plan's rules.)

- Weigh the tax deferral benefit of waiting until right before the April 1 deadline to take your first RMD against the potential for being pushed into a higher tax bracket by taking two RMDs in one year.
- Consider state tax issues, particularly if you anticipate moving to a state with a significantly different tax rate structure.

Minimize tax on Social Security. If you are a Social Security recipient, monitor your year-end transactions carefully. When "provisional income" exceeds specified levels (see table to the right), a portion of Social Security retirement benefits becomes taxable (state rules may vary.) For this purpose, provisional income is defined as modified AGI, which includes otherwise tax-exempt municipal bond interest, plus half of your Social Security benefits.

- If realizing additional income in 2022 would trigger additional tax on your Social Security benefits, consider whether you're able to defer the income until early 2023.

WILL YOUR SOCIAL SECURITY BENEFITS BE TAXABLE?

On a Joint Return* If your provisional income is:	UP TO THIS PERCENTAGE OF YOUR BENEFITS WILL BE TAXED	On a Single or Head-of-Household Return If your provisional income is:
$32,000 or less	0%	$25,000 or less
Between $32,000 and $44,000	50%	Between $25,000 and $34,000
Over $44,000	85%	Over $34,000

**The provisional income threshold is zero for married persons filing separately who do not live apart from their spouses for the entire year.*

YOUR INVESTMENTS

For tax purposes, not all income is created equal. Capital gains and dividends, for instance, are taxed differently—and often more favorably—than ordinary income. Following are some planning strategies you can use to secure more favorable tax treatment for your investment income.

Plan investment gains and losses. As part of your year-end tax planning, review investments that you hold outside of your tax-deferred accounts to see if there may be opportunities to save taxes.

If you have already realized (or expect to realize) a large capital gain this year, consider whether you are holding securities in your portfolio that you want to sell because they haven't performed up to your expectations. Realizing capital losses before the end of the year would allow you to use those losses to offset your capital gains.

INCOME RANGES FOR LONG-TERM CAPITAL GAIN RATES			
	0%	15%	20%
Single	Up to $41,675	$41,676 - $459,750	Over $459,750
Married Filing Jointly	Up to $83,350	$83,351- $517,200	Over $517,200
Head of Household	Up to $55,800	$55,801- $488,500	Over $488,500
Married Filing Separately	Up to $41,675	$41,676 - $258,600	Over $258,600
SHORT-TERM CAPITAL GAINS			
(taxed at ordinary income tax rates)			as high as 37%

Certain higher-income taxpayers are also subject to the additional 3.8% net investment income tax. Capital losses are generally deductible in full against capital gains, and any capital losses in excess of capital gains may offset up to $3,000 of ordinary income ($1,500 if you are married filing separately).

You may carry forward any excess capital losses you aren't able to deduct for use in later years, subject to the same limitation.

- If you have incurred capital losses in 2022, it may be a good time to take profits on appreciated investments you no longer want to hold. But be sure to weigh all relevant factors before you make any investment decisions. In certain circumstances taxpayers may want to consider the rule that when the taxpayer passes away, assets usually take on a basis equal to fair market value, so the heir may have little or no gain for tax purposes.

Avoid wash sales. Exercise caution before selling securities to realize a tax loss with the thought of buying back in shortly afterward. Under the tax law's "wash-sale" rules, no capital loss deduction is allowed in the year of the sale if you buy substantially identical securities within 30 days after (or before) the sale. Instead, the disallowed loss becomes part of your cost basis in the newly acquired securities. This delays the tax benefit from the capital loss until you sell the replacement securities.

- To avoid a wash sale and take advantage of a tax loss on a stock you still want to own, consider "doubling up" on your position by buying additional shares at least 31 days in advance of your planned sale. Then sell your original securities at a loss. But pay attention to any dividend payments during the wash-sale period. If they are reinvested in additional shares, you may lose your ability to deduct part of your original loss.
- Alternatively, you could sell the securities on which you have a paper loss and replace them with shares of another company in the same industry having similar prospects.

Watch holding periods. The length of time you hold an investment before selling it (your "holding period") determines if a capital gain or loss is short term or long term. The short-term holding period is one year or less. The long-term holding period is more than one year. Ideally, any taxable net capital gain you have will be long term so that you'll benefit from the preferential tax rates (see table on left).

You can see from the same table that "qualified" dividends are taxed at the favorable capital gain rate.

Most regular dividends paid by US corporations (and certain foreign corporations) will be considered qualified if you hold the stock for a minimum number of days:

- More than 60 days during the 121-day period that begins 60 days before the stock's ex-dividend date (common stock)
- More than 90 days during the 181-day period that begins 90 days before the stock's ex-dividend date (preferred stock)

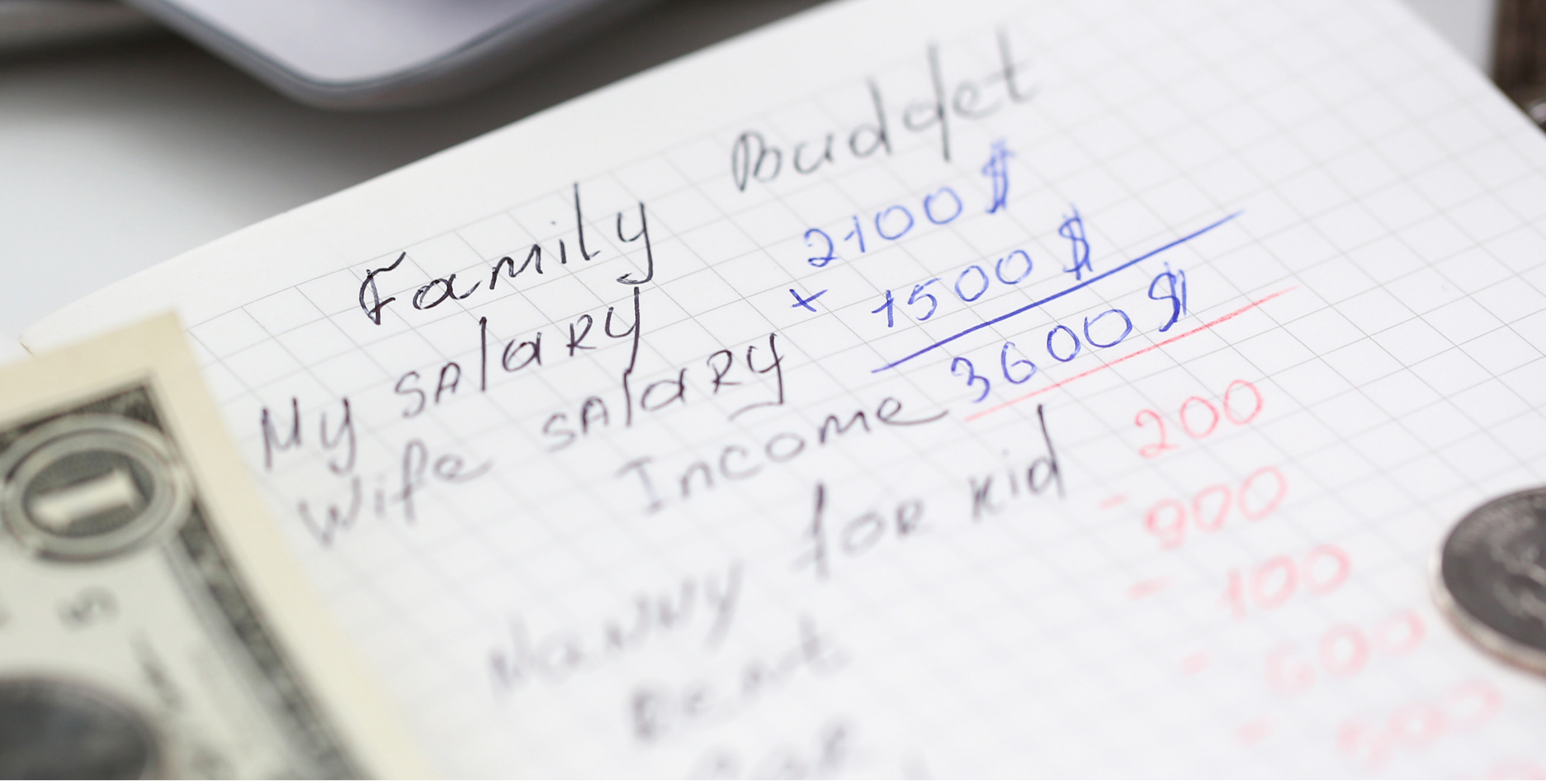
A stock's ex-dividend date is the date on which the stock begins trading without rights to the most recently declared dividend.

Donate appreciated securities. As noted above, when you contribute appreciated securities that you've held for more than one year to a qualified charitable organization, you may deduct the full fair market value of the donated securities as an itemized deduction (subject to certain restrictions and limitations).

- Making a charitable gift of appreciated securities can help you avoid the capital gains tax that might otherwise be due if you sold the securities first and then donated the sales proceeds.

Monitor fund distributions. Many mutual funds make taxable distributions of capital gains to fund investors during the last couple of months of the year. All fund investors as of the date of record set by the fund for the distribution receive their proportionate share of the capital gains.

- If you are considering buying into a fund near year-end, check to see if the fund anticipates making a capital gain distribution. To avoid receiving additional taxable income this year, consider waiting to invest until after the record date for the distribution.



Minimize net investment income tax. If your modified AGI is high enough for the 3.8% net investment income tax to be a factor, you will want to consider strategies to lessen your exposure to the tax. The tax is calculated by multiplying 3.8% by the lesser of: (1) your net investment income or (2) the excess of your modified AGI over the relevant threshold for your filing status. As mentioned earlier, the modified AGI thresholds are $250,000 (married filing jointly), $125,000 (married filing separately), and $200,000 (single/head of household).

Net investment income can include income from interest, dividends, annuities, royalties, rents, net capital gain, and passive trade or business activities. It does not include any amount that is subject to self-employment tax, amounts distributed from retirement plans, exempt interest on state and local bonds, or gain on the sale of a principal residence to the extent the gain is excludable from income.

- Increasing the number of hours you participate in an entity's affairs to meet the tax law's "material participation" standards can convert passive income into active income that is not subject to the 3.8% tax.
- Consider structuring a sale of appreciated real estate held as an investment as an installment sale. With an installment sale, you spread your gain—and the taxes on that gain—over more than one year. (The installment sale method cannot be used for sales of publicly traded securities or for certain sales to related parties, and it is not available to dealers.)

MORE PLANNING TIPS

Don't overlook mortgage points. You may deduct mortgage "points" (prepaid interest) in full in the year you purchase or build your main home and the home serves as collateral for the loan. The payment of points must be typical for the area where the transaction takes place and the amount paid should not exceed what is usually charged. The points may also be deducted over the life of the loan.

Avoid an underpayment penalty. Paying enough income tax during the year is essential if you want to avoid an underpayment penalty. Generally, the amount of federal income tax withheld from your pay and/or your quarterly estimated tax payments for 2022 should at least equal to the lower of (1) 90% of your 2022 tax liability or (2) 100% of your 2021 tax liability (110% if your AGI for the prior year exceeded $150,000). However, if the tax shown on your 2022 return (after withholding tax paid) is less than $1,000, an underpayment penalty won't apply.

- When you are checking your tax payments, be sure to take into account any potential liability you may have for the 0.9% additional Medicare tax discussed on page 3.
- If you missed an estimated payment earlier this year or didn't pay enough, consider having more income tax withheld from your or your spouse's paychecks before year-end. Because the IRS applies withheld tax pro rata over the full tax year, this strategy can be helpful in reducing previous underpayments of estimated tax.

Opportunities for Business Owners

There are a number of opportunities for businesses to reduce their 2022 taxes by making certain financial moves before the end of the year. Following are a few to consider.

REVIEW EARNINGS AND TAXES

The structure of your business—C corporation, S corporation, partnership, limited liability company (LLC), or sole proprietorship—determines how your business income is taxed. Generally, the income, losses, deductions, and credits of an S corporation, partnership, or LLC are passed through to the owners to be reported on their tax returns. Sole proprietors also report business income and deductions on their personal tax returns.

20% of qualified business income tax deduction for taxpayers other than corporations. With the TCJA, corporations received a major rate reduction. Business owners (other than C corporations) received a new deduction that begins in 2018 and expires after 2025. It is measured by 20% of their business income.

The rules for this deduction become rather complex, at times even calling for the taxpayer to distinguish the income or loss of each separate trader or business. There is also an emphasis on projecting one's taxable income for the year. Limitations apply to the deduction depending on the taxpayer's taxable income, which include the type of trade or business, the amount of W-2 wages paid by the qualified business, and the unadjusted basis immediately after acquisition of qualified property held by the trade or business.

The business generally needs to be an active one, but passive investors with flow-through income from an active business may benefit. Wage income doesn't qualify for this deduction, but within the new rules, it helps to weigh wage payments and/or capital expenditures in the context of their impact on this deduction. Wage payments and/or capital expenditures are sometimes necessary to qualify for this new deduction.

Subchapter S income from an active business may qualify, but payments out of the S corporation to owners can affect the computations, depending on whether they are wages to the owner-employees or just distributions of earnings, dividends. Wage levels of owners or guaranteed payment levels to partners can be important planning aspects of this new deduction.

Decisions about electing to expense capital expenditures within the limits of those rules need to be weighed in the context of the impact on this new deduction.

The maximum income to receive the full deduction is $170,050 single and $340,100 married. For personal service businesses, the deduction phases out between income levels of $170,050 to $220,050 single and $340,100 to $440,100 married.

This deduction is available whether or not one itemizes or uses the standard deduction.

There is a lot of math involved in considering this rate reduction. Even itemized deductions, such as charitable contributions, can at times impact the measurement of the deduction by reducing taxable income to meet the income threshold. See your tax advisor in planning for these important changes.

Other important business provisions. There is also an important limitation on individual business losses. In general, if an individual has a business loss of $270,000 (or $540,000 for married individuals filing jointly), the loss is not currently deductible but rather has to be considered part of the taxpayer's net operating loss carryover. Net operating losses carried forward are limited to 80% of taxable income.

There's another important new limitation, which says that after 2017, net operating losses have to be carried forward. They can no longer be carried back to recover prior taxes. A new business that loses money then makes money in later years may qualify to carry forward business losses and essentially pay tax on net taxable income over a period of years. But if the same business has income then losses in later years, it may end up paying tax and having only loss carryforwards.

Business-related membership dues may be less deductive or no longer deductible.

The TCJA also made it easier for small businesses, generally defined as having gross receipts of less than $25 million, to stay on the cash method of accounting, as well as to avoid or minimize what may otherwise be capitalized as inventory costs, and to avoid the uniform capitalization rules for personal property acquired for resale. See your advisor for details.

Lower corporate taxes. As of 2018, the corporate tax rate is a flat 21%.

Corporate income is potentially subject to two layers of income tax—once at the corporate level and again if distributed to shareholders as dividends. Corporate earnings paid out to you as reasonable compensation are included in your taxable income but are deductible by the corporation. Thus, they are taxable only once—to you.

Before deciding to pay out earnings as compensation, though, remember that qualified dividends are taxed at a maximum rate of 20%. Your compensation will be taxed at rates as high as 37%, plus you'll owe FICA tax, which may include the additional 0.9% Medicare tax discussed on page 3.

- If you expect your closely held C corporation to have a profitable year, consider whether it makes business (as well as tax) sense to pay bonuses or make a tax-deductible profit-sharing contribution this year to minimize corporate taxable income.
- Bear in mind that the IRS can assess a 20% accumulated earnings tax penalty on corporations that accumulate excessive earnings and profits. Generally, a corporation can accumulate up to $250,000 of earnings ($150,000 in the case of certain service corporations) without penalty.
- If your corporation has a reasonable business purpose for accumulating additional earnings, document why the additional money is needed in the corporate minutes. Possible reasons include the purchase of new equipment or the construction of new facilities.
- The alternative minimum tax for corporations, but not individuals, was repealed for taxable years beginning after December 31, 2017.

TIMING STRATEGIES

The tax accounting method your business uses determines when income must be recognized for tax purposes and when expenses are deductible. Cash method taxpayers report income when it is actually or constructively received and generally deduct expenses when payments are disbursed. Accrual method taxpayers report income in the year their right to the income becomes fixed and the income amount can be determined with reasonable accuracy. Deductions are taken when all events have occurred creating the liability and when the amounts can be determined with reasonable accuracy.

- If your business uses the cash method, you might defer income by delaying billing notices so the payment won't be received until early next year.
- As an accrual method taxpayer, you might defer income by delaying the shipment of products or provision of services until the beginning of your 2023 tax year.
- Also look for opportunities to defer certain advance payments received for services and the sale of goods. (Requirements apply.)

Time bonus payments. If your company intends to pay employees bonuses for 2022, consider the timing of those payments.

- As a cash method business, your company may want to pay bonuses before the end of the year to gain a 2022 deduction for the expense.
- You have a little more flexibility if your business uses the accrual method. A 2022 deduction will be available for bonus payments made to unrelated employees if paid by the timely filing date (including extensions) of the related tax return, provided the liability to pay the bonuses is both fixed and determinable by the end of that tax year.

Business bad debts. Business bad debts represent another potential deduction your business should consider if it extends credit to customers. A deduction is available for any debt that is wholly or partially "worthless," assuming your company has already included the amount in income. However, businesses that use the cash method of accounting can't write off uncollectible amounts as bad debts because they don't recognize sales revenue until it is received.

- Review accounts receivable reports before year-end to identify uncollectible accounts that may be written off as bad debts.

ASSET PURCHASES

The TCJA's provisions regarding tax depreciation and expensing have made it possible for businesses to approach planning for purchases of machinery, equipment, and other fixed assets with more certainty regarding the tax results. Several significant tax breaks are potentially available.

Use Section 179 expensing. A popular provision among small businesses, the Section 179 election allows a business to expense a portion of eligible asset purchases in the year the assets are placed in service, in lieu of depreciating the assets over several years. The expense election is reduced (dollar for dollar) once qualifying asset purchases exceed the investment ceiling. Eligible Section 179 property includes:

- New and used machinery, equipment, vehicles, and other tangible non-real estate property
- Computer software purchased off the shelf
- Qualified improvement property (eligible for both Section 179 expensing and bonus depreciation)
- For 2022, the expensing election is increased to $1,080,000 and the investment ceiling to $2,700,000. The amounts will be indexed for inflation going forward. Additionally, the election is limited to taxable income from any of your active trades or businesses.
- Section 179 expensing can be used for specific kinds of real property that is normally depreciated over 39 years. This includes roofs, HVAC systems, fire protection and alarm systems, and security systems for nonresidential real property (e.g., a commercial building but not an apartment complex).

Deduct bonus depreciation. You will also want to consider taking advantage of bonus depreciation, which allows a business to take an immediate write-off of 100% of an asset's cost, beginning with assets purchased and placed in service after September 27, 2017. Currently, this applies to new and used property. The write-off amount is reduced to 80% in 2023, 60% in 2024, 40% in 2025, and 20% in 2026 before disappearing in 2027.

Only certain types of depreciable property can qualify, including tangible property with a recovery period of 20 years or fewer under the Modified Accelerated Cost Recovery System (MACRS).

DEPRECIATION ASSET CLASSES

PROPERTY CLASS	ASSETS INCLUDED
3-year	Tractor units for over-the-road use
5-year	Automobiles, trucks, computers, peripheral equipment
7-year	Office furniture and fixtures, farm machinery and equipment
10-year	Vessels, barges, tugs
15-year	Qualified improvement property
20-year	Farm buildings (other than certain single-purpose structures)
Residential Rental Property (27.5-year)	Apartment buildings, single-family rental properties
Nonresidential Real Property (39-year)	Office buildings, stores, warehouses

The lists of property included in each class aren't all-inclusive.

- Because bonus depreciation isn't limited to taxable income, the deduction can contribute to or create a net operating loss (NOL). However, post-2017 NOLs for corporate and other taxpayers are no longer subject to carryback but rather carryforward. Additionally, there is an 80% limitation applicable to losses arising in tax years beginning after December 31, 2017.
- If your business intends to elect Section 179 expensing and bonus depreciation for only some of its asset acquisitions and regular depreciation for others, consider using the Section 179 election for the assets with the longest lives.

Expense lower cost purchases. In addition to the Section 179 and bonus depreciation elections, also consider the election that is available for "de minimis" asset purchases if certain requirements are met.

S CORPORATION STRATEGIES

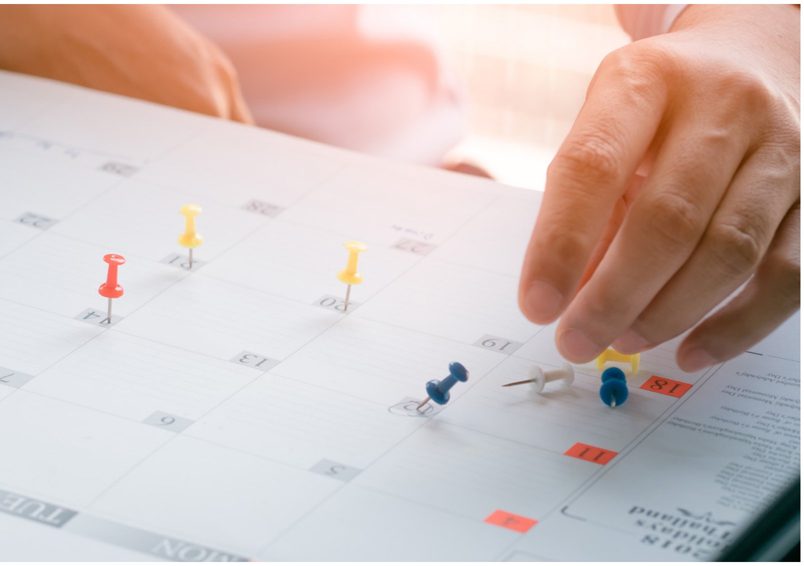
Is your business organized as an S corporation? If so, you and your individual shareholders will pay taxes on your proportionate share of corporate income at rates as high as 37%. As a result, steps taken to lower your S corporation's business income before year-end can help reduce your income tax burden. As we noted, Subchapter S income may be able to take advantage of the 20% qualified business income deduction.

Review shareholder compensation. Although employee salaries and bonuses (and the related employment taxes) are generally deductible corporate expenses, it is usually best for S corporation shareholders/employees to draw only "reasonable" compensation from their companies. The reason: any additional nonwage distributions or corporate earnings escape Social Security, Medicare, and self-employment taxes.

- Review the amount you are taking as a salary from your S corporation to make sure it is reasonable for the services you perform for the company, but don't overpay yourself. If desired, the company can distribute additional earnings to you and any other shareholders free of employment taxes. Wages to yourself may also reduce the 20% of business income deduction.

Know your basis. Special tax planning may be called for if an S corporation expects to generate an NOL for the year. Very generally, a shareholder's loss deduction is limited to the shareholder's investment in the company, as reflected in a figure known as adjusted basis. The adjusted basis figure changes each year to account for any money flowing between the company and the shareholder—distributions, capital contributions, loans, and loan repayments—as well as for the shareholder's allocated share of corporate income or loss.

- If you anticipate that your S corporation will show a loss this year, check to see if you have enough basis to deduct it. If not, you can increase your basis either by loaning the company money or making an additional capital contribution before year-end to potentially save on taxes by deducting the loss individually.



ADDITIONAL PLANNING TIPS

Below are more strategies that can prove useful in lowering business taxes.

Consider the pass-through entity tax. In response to the TCJA's limitation of the state and local tax (SALT) deduction to $10,000, a number of states have enacted a new pass-through entity tax. This permits entities to pay state taxes at the entity level, instead of the partners, members, or shareholders paying state taxes. The pass-through entity taxes are taken as a partnership or S corporation deduction, which flows through to the partners without limitation.

The partners, members, or shareholders of the pass-through entity will either receive a credit against their state individual income tax liability, or deduct their distributive share of income from the adusted gross income when determining their state income tax liability. Each state's pass-through entity tax regime is different, so the benefits of electing into the pass-through entity tax will depend on the entity's geographic footprint, income profile, business needs, and other factors.

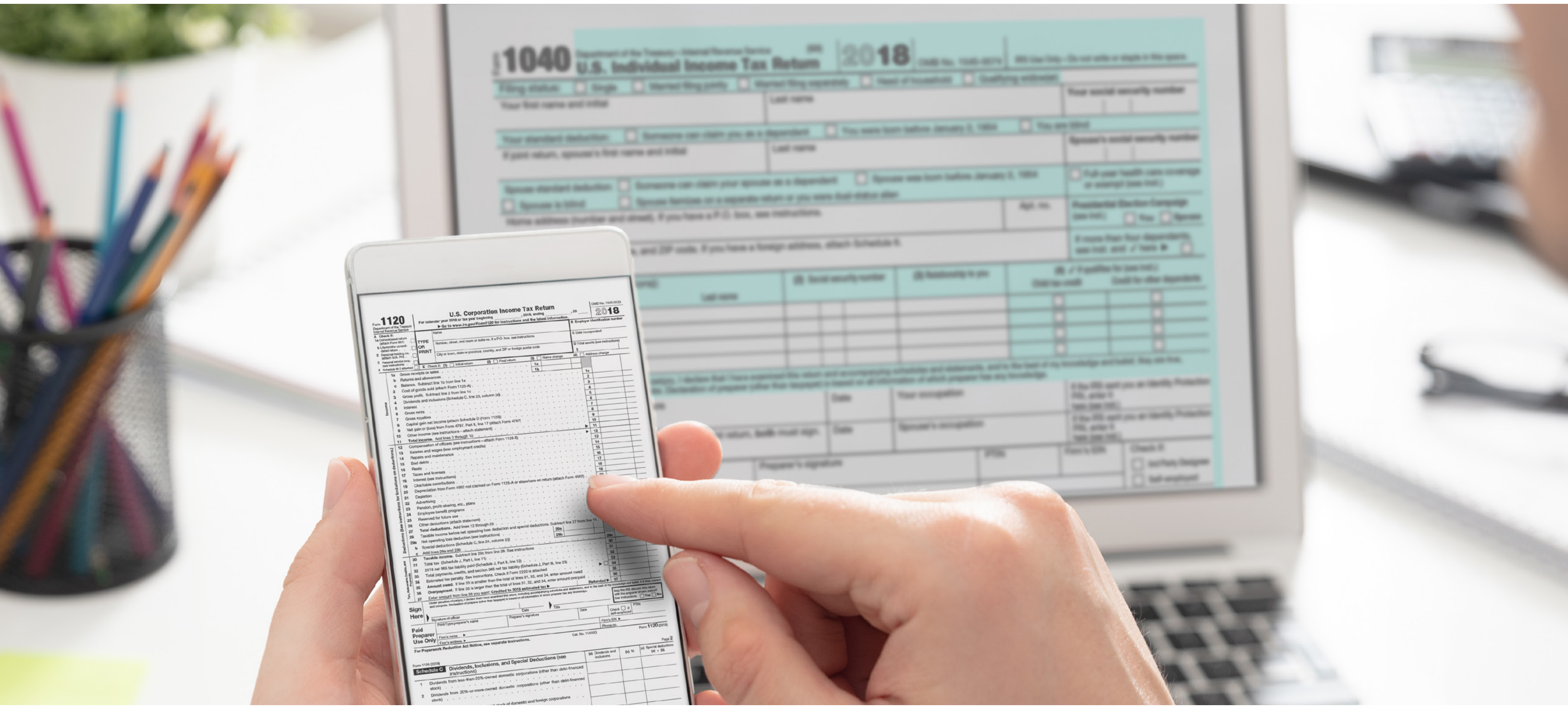
Deduct retirement plan contributions. Maximizing tax-deductible contributions to a retirement plan for yourself and any eligible employees can lower your business taxes and help you accumulate funds for your retirement. The table below shows the 2022 contribution limits for different types of plans.

2022 RETIREMENT PLAN CONTRIBUTIONS

Plan Type	Maximum Addition to a Plan Participant's Account
401(k)*	Lesser of $61,000 or 100% of compensation
Profit sharing	Lesser of $61,000 or 100% of compensation
SEP-IRA	Lesser of $61,000 or 25% of compensation
SIMPLE IRA	Up to $14,000 of employee salary deferrals plus employer contributions (3% match or 2% nonelective contributions)

See page 6 for the applicable limits on employee salary deferrals.

Some plans allow participants age 50 and older to make additional catch-up contributions, which would not be subject to the limits set forth above.



Know the health care reform rules. If your business is considered to be an "applicable large employer," you must offer minimum essential health care coverage that is "affordable" and that provides "minimum value" to your full-time employees (and their dependents) or potentially be required to make a shared responsibility payment to the IRS. You'll also have reporting responsibilities. Generally, a business that had an average of at least 50 full-time employees (including full-time equivalent employees) during 2017 is considered an applicable large employer for 2022.

Deduct start-up expenditures. If you are involved in a new business venture in 2022, you may elect to deduct up to $5,000 of your business start-up expenditures, such as travel expenses incurred in lining up prospective distributors or supplies and advertising costs paid or incurred before the new business began operating. (Remaining costs are deductible over a 180-month period.) The $5,000 deduction is reduced by the amount your start-up costs exceed $50,000. To claim the deduction for 2022, your new business must be up and running by year-end.

Hire your child. Paying your child to do legitimate work for your business can be a tax saver if you are self-employed. You may deduct reasonable wages paid to your child as a business expense. The income will be taxed to your child, but the standard deduction can shield as much as $12,950 from tax (in 2022). Any earnings over that amount will be taxed at your child's rate—which is probably much lower than yours. Wages you pay your child will be exempt from FICA taxes until your child turns 18, assuming your business is unincorporated.

Take credit. Eligible businesses can use tax credits to lower their tax liabilities. The next table shows some of the tax credits available for 2022.

SEE IF YOUR BUSINESS QUALIFIES FOR TAX CREDITS

Employer-Provided Child Care

25% of expenses to buy, build, rehabilitate, or expand property that will be used as part of an employer's child care facility, plus 10% of the amount paid under a contract to provide child care resource and referral services to employees, up to a maximum credit of $150,000 a year

FICA Tip

Amount of employer's FICA taxes paid on employee tips in excess of the amount treated as wages in satisfaction of minimum wage requirements (food and beverage establishments only)

Small Employer Pension Plan Start-Up Costs

50% of administration and retirement-related education expenses for the first three plan years, up to a maximum credit of $5,000 a year

Research

Generally, 20% of the amount by which qualified research expenses exceed a base amount

Employer Wage Differential

20% up to $20,000 of wage differential payments paid for each employee called to active military service

Work Opportunity

For hiring members of targeted groups—generally 40% of up to $6,000 of first-year wages paid per employee. This credit was extended by the Consolidated Appropriation Act, 2021, until December 31, 2025.

Small Employer Health Insurance

Up to 50% of employer contributions for employee health insurance (available for two consecutive years only)

Disabled Access

50% of eligible access expenditures over $250 and not more than $10,250 (eligible small businesses only)

H.R. 5376: The Inflation Reduction Act

On August 16, President Biden signed H.R. 5376, a reconciliation bill dubbed the Inflation Reduction Act (IRA), into law. According to the Congressional Budget Office, the IRA will reduce deficits by $238 billion over the next decade.

The IRA specifically addresses the following areas: climate change and energy security, Medicare and prescription drug pricing reform, tax reform, and Affordable Care Act (ACA) extension.

According to Senate Democrats, the IRA's climate change and energy security investments represent the single biggest climate investment in US history. These investments will put the US on a path to a **40% reduction in emissions by 2030**.

Following is a detailed breakdown of the components of the Inflation Reduction Act.

CLIMATE CHANGE AND ENERGY SECURITY

The IRA contains direct consumer incentives for energy-efficient retrofits and electrification. These include:

- Extension of the Energy Efficient Home Improvement Credit through 2032. Starting in 2023, this tax credit is equal to 30% of the costs of all eligible home improvements made during the year, up to $1,200 per year.
- Extension of the Residential Clean Energy Credit through 2034. The Act also increased the amount of this credit as follows:

30% for 2023–2032

26% for 2033

22% for 2034

- Extension of the Clean Vehicle Credit through 2032. The Act also creates new tax credits for previously owned clean vehicles and qualified commercial clean vehicles.

The IRA contains provisions designed to boost American energy security and domestic manufacturing. These include:

- Production tax credits to accelerate manufacturing of solar panels, wind turbines, batteries, and critical minerals processing in the US
- An investment tax credit to build clean technology manufacturing facilities in the US
- Grants to retool existing automobile manufacturing plants to build clean vehicles

The IRA contains provisions designed to decarbonize the US economy. These include tax credits and grants for:

- Clean sources of electricity and energy storage
- Clean fuels and commercial vehicles
- Industrial manufacturing emissions reductions
- Procurement of American-made clean technologies to create a stable market for clean products

The IRA makes investments in communities and environmental justice. These include:

- Environmental and climate justice block grants
- Neighborhood access and equity grants
- Grants to reduce air pollution at US ports
- Investments in clean heavy-duty vehicles such as school buses, transit buses, and garbage trucks

The IRA makes investments in farmers, forestland owners, and resilient rural communities. These include grants and tax credits to support:

- Fire-resilient forests
- Forest conservation
- Urban tree planting
- Climate-smart agricultural practices
- Conservation and restoration of coastal habitats and protection of communities that depend on them
- Domestic production of biofuels
- Infrastructure needed for sustainable aviation fuel

Total climate change and energy security investments **$369 billion**

MEDICARE AND PRESCRIPTION DRUG PRICING REFORM

The IRA empowers Medicare to start negotiating directly for prescription drug prices beginning in 2023. It also caps the out-of-pocket costs of prescription drugs for Medicare patients at $2,000 per year. Patients have the option of breaking this amount into affordable monthly payments if they choose. The Act also:

- Implements a new inflation rebate under Medicare
- Expands premium and co-pay prescription drug assistance for low-income families and individuals
- Places more financial responsibility on insurance and drug companies to keep prices low

Total Medicare and prescription drug pricing reform investments **$0**

TAX REFORM

The tax reform provisions of the IRA are effective for tax years beginning after December 31, 2022. They include:

- Ten-year funding of the IRS that will go toward taxpayer services, tax enforcement, operations support, and modernization of business systems
- A 15% minimum corporate tax rate for businesses with more than $1 billion in net income
- A 1% excise tax on corporate share buybacks

Total tax reform investments **$80 billion**

EXTENSION OF AFFORDABLE CARE ACT SUBSIDIES

The IRA extends ACA health insurance subsidies through the end of 2025. These subsidies, which were originally scheduled to expire at the end of 2022, will allow low-income individuals and families to continue buying low-cost health insurance through the federal government's Health Insurance Marketplace.

Total ACA extension investments **$64 billion**

Talk to Us

As skilled CPAs, we have the knowledge and experience to help you with planning needs. Please contact us for more information about any of our services.

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