

51A Middle Street, Newburyport, MA 01950 Phone: 800-588-7039

contact@bhfe.com www.bhfe.com

# **Course Information**

Course Title: Pass-Through Business Deduction

#496724

Recommended CPE credit hours for this course

In accordance with the standards of the CFP Board, the National Registry of CPE Sponsors and the IRS, CPE credits have been granted based on a 50-minute hour.

CFP® 1 CFP Board sponsor number: 1008.

**EA/OTRP 2** IRS: Qualified Sponsor number: *FWKKO*.

**CPA 2** Accepted in all states.

National Registry of CPE Sponsors ID Number: 107615. Sponsor numbers for states requiring sponsor registration:

Florida Division of Certified Public Accountancy: 0004761 (Ethics #0011467)

Hawaii Board of Public Accountancy: 14003

New York State Board of Accountancy (for ethics): 002146

Ohio State Board of Accountancy: CPE .51 PSR Pennsylvania Board of Accountancy: PX 178025 Texas State Board of Accountancy: 009349

# **Course Description**

The Tax Cuts and Jobs Act (P.L. 115-97), enacted Dec. 22, 2017, created, under §199A, a new deduction for up to 20% of qualified business income (QBI) from partnerships, limited liability companies (LLCs), S corporations, trusts, estates, and sole proprietorships for tax years beginning after Dec. 31, 2017. However, determining the §199A deduction amount and availability is a very complex multi-step process that may phase out some or all of the deduction.

In the face of this complexity, the text provides a selected overview of the basic components of this below-the-line deduction. Qualified business income, taxpayer's taxable income, wage/capital limit, specified services trade or businesses, and other key

components are not only defined and calculated but their interaction is demonstrated and exampled.

### **Course Content**

Publication/Revision Date: 3/19/2024.

Author: Danny Santuccci, J.D.

Final exam (online): Fifteen questions (multiple-choice).

**Program Delivery Method:** Self-Study (NASBA QAS Self-Study/interactive)

# **Subject Codes/Field of Study**

NASBA (CPA), CFP Board of Standards, Inc.: Taxes.

IRS (EA, OTRP): Federal Tax Law.

NAPFA: Taxes

# Course Level, Prerequisites, and Advance Preparation Requirements

Program Level: CFP Board: Intermediate; NASBA/CPA, IRS: Overview.

This program is appropriate for professionals at all organizational levels.

Prerequisites: Basic familiarity with federal taxation

Advance Preparation: None

# **Instructions for Taking This Course**

Log in to your secure account at www.bhfe.com. Go to "My Account."

- You must complete this course within one year of purchase (If the course is "Expired," contact us and we will add the latest edition of the course to your account (no charge).
- To retain the course-PDF after completion (for future reference) and to enable enhanced navigation: From "My Account," Download and save the course-PDF to your computer. This will enable the search function (Menu: Edit>Find) and bookmarks (icon on left side of document window).
- Complete the course by following the learning objectives listed for the course, studying the text, and, if included, studying the review questions at the end of each major section (or at the end of the course).
- Once you have completed studying the course and you are confident that the learning objectives have been met, answer the final exam questions (online).

# **Instructions for Taking the Online Exam**

- Log in to your secure account at www.bhfe.com. Go to "My Account."
- A passing grade of at least **70%** is required on the exam for this course.
- You will have three attempts to pass the exam (call or email us after three unsuccessful attempts for instructions).
- The exam is not timed, and it does not need to be completed in one session.
- For a printed copy of the exam questions, open the exam and press "Print Exam."
- Once you pass the exam, the results (correct/incorrect answers) and certificate of completion appear in "My Account." A confirmation email is also sent.
- CFP Board and IRS credit hours, if applicable, are reported on Tuesdays and at the end of the month.

Have a question? Call us at 800-588-7039 or email us at contact@bhfe.com.

# **Learning Assignment & Objectives**

As a result of studying the assigned materials, you should be able to meet the objectives listed below.

## ASSIGNMENT

At the start of the materials, participants should identify the following topics for study:

- \* Deduction amount
- \* Wage/capital limit
- \* Qualified business income
- \* Qualified trade or business
- \* Specify service trade or business
- \* De minimis regulatory rule
- \* Domestic business

# **Learning Objectives**

After reading the materials, participants will be able to:

- 1. Recognize §199A's limited effective time period, its complex calculation process and the general exclusions, limits, and restrictions applicable to the provision.
- 2. Determine the §199A deduction amount, the type of W-2 wages used in calculating the wage/capital limit and specify how the limit impacts the amount and availability of the deduction.
- **3.** Identify qualified business income and loss, its basic components and the ability of a taxpayer to aggregate businesses in its determination.
- **4.** Recognize the specified services trade or business exclusion, the listed excluded services and the important exceptions provided by the regulatory de minimis rule. Identify a domestic trade or business.

### **Notice**

This course and test have been adapted from materials and information contained in the above text and any supplemental material provided. This course is sold with the understanding that the publisher is not engaged in rendering legal, accounting, or other professional advice and assumes no liability whatsoever in connection with its use. Since laws are constantly changing, and are subject to differing interpretations, we urge you to do additional research and consult appropriate experts before relying on the information contained in this course to render professional advice.



# Passthrough Business Deduction

Section 199A Selected Overview

By Danny C. Santucci

The author is not engaged by this text, any accompanying electronic media, or lecture in the rendering of legal, tax, accounting, or similar professional services. While the legal, tax, and accounting issues discussed in this material have been reviewed with sources believed to be reliable, concepts discussed can be affected by changes in the law or in the interpretation of such laws since this text was printed. For that reason, the accuracy and completeness of this information and the author's opinions based thereon cannot be guaranteed. In addition, state or local tax laws and procedural rules may have a material impact on the general discussion. As a result, the strategies suggested may not be suitable for every individual. Before taking any action, all references and citations should be checked and updated accordingly.

This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. It is sold with the understanding that the publisher is not engaged in rendering legal, accounting, or other professional service. If legal advice or other expert advice is required, the services of a competent professional person should be sought.

—-From a Declaration of Principles jointly adopted by a committee of the American Bar Association and a Committee of Publishers and Associations.

Copyright March 2024 Danny Santucci

# **Table of Contents**

Section 199A	1
Overview	1
Two Deductions	2
Passthrough Entities Deduction - 199A(a)	2
Definition	3
Agricultural & Horticultural Cooperatives Deduction - §199A(g)	3
Specified Cooperative Definition	3
Exclusions, Limits, & Restrictions	
Specified Service Trade or Business Exclusion	4
Wage/Capital Limit	4
Overall Ceiling Limit - The Final Frontier	5
Restrictions & Special Rules	5
Deduction Amount - §199A(a)	
Overall Ceiling Limit	
Combined Qualified Business Income Amount - §199A(b)	
Deductible Amount Under §199A(b)(2)	
Wage/Capital Limit	
Income Equal to or Less Than Threshold - §§199A(b)(3)(A)	
Income Above Threshold but Below Addition - §199A(b)(3)(B)	
Income Above Threshold Plus Addition - §199A(b)(2)	
W-2 Wages	
Qualified Property	
Qualified Business Income (QBI) - §199A(c)(1)	
Carryover of Losses for Negative Total QBI - §199A(c)(2)	
Qualified Items of Income, Gain, Deduction, & Loss - §199A(c)(3)	
Exclusions from Qualified Items - §199A(c)(3)(B)	
Reasonable Compensation & Guaranteed Payments - §199A(c)(4)	
REIT Dividends & Publicly Traded Partnership Income	
Qualified Trade or Business - §199A(d)	
Definition of Trade or Business - §1.199A-1(b)(14)	
Rental Real Estate Activities as a Trade or Business	
Safe Harbor	
Notice 2019-07	
Revenue Procedure 2019-38	
Aggregation - Grouping Multiple Activities	
Specified Service Trade or Business Exclusion from Definition	
Application of the Exclusion - Three Results	
Below the Threshold Amount	
Calculation Review	
In Excess of the Threshold Amount Plus \$50,000 or \$100,000	
Within the Phase-in Range	
Phase-in Range	
Applicable Percentage - §199A(d)(3)(B)	
De Minimis Exclusion for Small Amounts of Specified Service	
Agricultural & Horticultural Cooperatives - §199A(g)	
Cooperative Definition	32

Domestic Business - 199A(c)(3)(A)(i)	.33