



51A Middle Street, Newburyport, MA 01950

Phone: 800-588-7039

contact@bhfe.com

www.bhfe.com

Course Information

Course Title: *Estate, Gift, and Generation-Skipping Transfer Tax #700424*

Recommended CPE credit hours for this course

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

CPA 8 (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: PX178025

Texas State Board of Accountancy: 009349

EA, OTRP 8 IRS: Qualified Sponsor number: FWKKO.

Course Description

The IRS has a unified wealth transfer taxation system to ensure that any assets transferred by means of gifts, deaths, and gifts that skip a generation are taxed accordingly. This course will discuss estate planning and estate taxes, gift taxes, and generation-skipping transfer taxes in detail. This course will describe the tools that are available for estate planning and will define the benefits of using each tool. This course will describe how to identify what is included in the gross estate and demonstrate how to calculate the gross estate amounts. This course will also identify the conditions under which filing a gift tax return is required. Finally, this course will identify and discuss the different types of generation-skipping transfers and how each are taxed by the IRS. This course has been updated to reflect all current changes to tax law and amounts for 2024.

Course Content

Publication/Revision date: 6/19/2024.

Course book: by Andrew Clark, EA

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

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

Subject Codes/Field of Study

NASBA (CPA): Taxes.

IRS (EA, OTRP): Federal Tax Law.

Course Level, Prerequisites, and Advance Preparation Requirements

Program Level: NASBA/CPA, IRS: Intermediate.

Prerequisites: Basic understanding of federal income taxation and estate concepts.

Advance Preparation: None

Learning Objectives

At the end of this course, students will be able to:

- Describe estate taxes and the purpose of estate taxes according to the Internal Revenue Code (IRC),
- Identify the various types of trusts that can be used for estate planning,
- Recognize what is included in the gross estate of a decedent,
- Calculate the gross estate of a decedent,
- Recognize the various deductions and credits available when calculating the gross estate of a decedent, and
- Describe the purpose of Generation Skipping Transfers and the Generation Skipping Transfer Tax according to the IRC.

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.

Copyright 2024 by Tax CE Publishing.

All rights reserved. No part of this work may be used, reproduced, or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without prior agreement and written permission from Tax CE Publishing and Andrew Clark Enterprises. The contents of this program are subject to revision without notice due to the continued evolution of the U.S. Tax Code. This program is presented as is, without warranty of any kind, including but not limited to implied warranties of the workbook's quality, performance, merchantability, or fitness for any particular purpose. Tax CE Publishing shall not be liable to the purchaser or any other entity with respect to liability, loss, or damage caused directly or indirectly by using this program. All brand names, trademarks, and registered trademarks are the property of their respective holders. Tax CE Publishing, 1890 Junction Blvd., Apt. 2515, Roseville, CA 95747.

Table of Contents

Course Information	i
Learning Objectives.....	ii
Part 1 – Estates, Estate Taxes and Estate Planning Tools	1
Estate Tax Defined	1
Estate Planning.....	1
Attorney	1
Accountant.....	2
Insurance Agents.....	2
Financial Planner.....	2
Administration	2
Internal Revenue Service (IRS).....	2
Intestacy.....	3
Probate Court.....	3
Trustee	3
Executor / Executrix	3
Family Responsibilities.....	4
Tools and Techniques for Estate Planning	5
The Probate Process	5
Disposing of Property using a Will	5
Disposing of Property without a Will	6
Non-Probate Transfers.....	6
Joint Tenancy with Right of Survivorship.....	6
Tenancy in Common	7
Retirement Accounts	7
Payable on Death Accounts (POD).....	7
Life Insurance of a Decedent	7
Gifts Completed	8
Transfers Executed by Means of a Trust.....	8
Trusts.....	9
Trusts Defined.....	9
Reasons for Using a Trust.....	9
Living vs. Testamentary Trusts.....	10

Building Blocks of a Trust	10
Trusts - Revocable.....	10
Trusts - Living	11
Reversion Defined.....	11
Living Trust Advantages	11
Living Trust Disadvantages.....	11
Pour-Over Will.....	11
Trusts - Irrevocable	12
Trusts - Testamentary	12
The Taxation of Trusts.....	12
Grantor Trusts.....	13
Grantor Retained Income Trusts.....	14
Using Revocable Trusts	14
Estates Compared to Living Trusts.....	14
Using Irrevocable Trusts	15
2024 Trust Income Tax Rates.....	16
2023 Trust Income Tax Rates.....	16
2022 Trust Income Tax Rates.....	16
Capital Gains Treatment in Trusts.....	16
Deduction of Estate Planning Expenses.....	17
Deduction of Expenses.....	17
Gift Tax with Respect to Trusts	17
Estate Tax with Respect to Trusts	17
Unlimited Marital Deduction	18
Marital Deduction Trust.....	18
Qualified Terminable Interest Property (QTIP) Trust.....	18
“A-B” Trusts.....	19
“A-B-C” (QTIP) Trust.....	20
Tax Basis.....	21
Alternative Valuation	21
Revocable Living Trust Clauses	21
Identification Clause	22
Trustee Clause.....	22

Property Transfer Clause	22
Revocation and Amendment Clause.....	22
Income and Principle Clause.....	22
Recital Clause	22
Trustee Requirements	22
Advantages of Hiring Corporate Trustees.....	23
Advantages of Hiring Individual Trustees	23
Trust Termination Clause.....	24
Life Insurance Trust.....	24
Annual gift tax exclusion.....	24
Unlimited Donees	24
Gifts Exceeding \$18,000.....	24
Lifetime Exclusion for an Estate.....	25
Unlimited Marital Deduction	25
Gift Splitting	26
Consent to Gift Split Applies to All Gifts	26
IRC Reference.....	27
Gift Splitting Requirements.....	28
Community Property States.....	28
5-year Deferral and 10-year Installment Payment	28
Installment Sale to Family Members	28
Self-Canceling Installment Notes	29
Private Annuities.....	29
Crummey Trusts.....	29
Charitable Remainder Trusts	30
Minor Trusts.....	30
Family Limited Partnerships.....	30
Qualified Personal Residence Trusts (QPRTs).....	31
Grantor Retained Annuity Trust.....	31
Grantor Retained Unitrusts (GRUTs).....	31
Past and Present Exemptions and Estate Tax Rates	32
Estate Planning Goals.....	32
Estate Plan Outcomes	33

Types of Estate Taxes.....	33
Part 2 - Estate Tax Calculation	34
The Gross Estate	34
Liabilities of the Decedent	35
Administration Expenses	35
<i>Court decree</i>	35
<i>Consent decree</i>	36
For example	36
Debts	36
IRC Reference.....	37
Dower, Curtesy, or Statutory Share of the Living Spouse.....	38
Power of Appointment	38
Joint Tenants with Right to Survivorship	38
Transferred property in which the decedent retained an interest.....	40
Government Obligations.....	40
Life Insurance Proceeds	40
Annuities and Survivor Benefits.....	41
Medical Insurance Expenses	42
Medical Insurance Reimbursements	42
Gifts within 3 Years of Death	42
IRC Reference.....	43
IRC Reference.....	43
Example.....	44
Gifts of Life Insurance	44
“Inter Vivos” Transfers.....	45
Community Property.....	45
IRC Reference.....	46
Qualified Terminable Interest Property (QTIP).....	47
IRC Reference.....	48
Part 3 - Valuing the Gross Estate	49
Deductions for the Gross Estate	51
Expenses	51
IRC Reference.....	53

IRC Reference.....	54
Charitable Contributions.....	54
Marital Transfers.....	55
State Death Tax Deduction	58
Gross Estate Credits	59
Applicable credit amount (ACA).....	59
Portability of unused applicable exclusion amount.....	59
Portability provisions	59
IRC Reference.....	61
Irrevocable Election of Portability	62
Individuals who can Make a Portability Election for an Estate.....	62
Portability Examples	63
Portability Provisions to the Surviving Spouse's Estate.....	63
IRC Reference.....	64
Portability Provisions when Surviving Spouse is Not a US Citizen.....	66
IRC Reference.....	67
Examine returns of deceased spouses.....	68
Estates of nonresidents who are not citizens DSUE amounts	68
Federal estate tax paid on prior transfers	68
Foreign Death Taxes.....	68
Credit for gift taxes on pre-1977 gifts.....	69
IRC Reference.....	70
Estate Tax Payment and Return.....	71
Reporting of value not required for certain property	71
Return Due Dates.....	72
IRC Reference.....	74
Alternate Valuation Method Recapture	74
Assessment Period.....	75
Basis reporting requirement.....	75
Portability election for unused applicable exclusion amount	75
IRC Reference.....	76
Tax charged to property	77
Estate taxation on nonresident aliens	78

IRC Reference.....	79
Part 4 – Gift Taxes and Generation Skipping Taxes	81
Gift Tax Defined	81
Unified Transfer Tax System	82
Lifetime Exclusion for an Estate.....	82
Why Gift Taxes are Required	83
Timing of a Gift.....	83
Gifts to an Entity	84
Crummey Trusts.....	84
Gifts to Minors	84
Outright gifts.....	85
Tax Cuts and Jobs Act Trust Income Tax Rates	85
2024 Trust Income Tax Rates.....	85
Guardianship.....	85
Custodial arrangements.....	86
Present Interest of Gifts to a Minor.....	86
Qualified State Tuition Programs.....	86
Not all Gifts are Subject to Gift Tax.....	86
Gifts that do not exceed annual exclusion.....	87
Gifts to a Spouse	87
Charitable Gifts	87
Transfers to charitable organizations not subject to federal gift tax.	87
Political Contributions.....	88
Qualified Tuition Payments.....	88
Medical Costs	88
Annual Exclusion Amount	88
Unlimited Donees	88
Gifts Exceeding \$18,000.....	89
Present Interest vs. Future Interest.....	89
Gift Splitting	90
Consent to Gift Split Applies to All Gifts	90
Gift Splitting Requirements.....	92
Community Property States.....	93

Gift Tax Return	94
Gift Tax Return Due Date:	96
Valuation	96
Real Estate	98
Valuation Understatement	98
Computing Gift Tax	99
Generation Skipping Transfers.....	101
Transfer Types.....	101
Exemption Amount	102
How to compute generation skipping transfer tax.....	102
Generation Skipping Terminations Tax (GSTT)	102
Generation Skipping Distribution Tax (GSDT).....	103
Direct Skip Gift Tax (DSGT).....	103
Direct Skip Estate Tax (DSET)	103
Filing the return and paying the GSTT	103
Gifts and bequests from expatriates	104
Tax Cuts and Jobs Act – Changes related to Estate, Gift, and Generation-Skipping Transfers Taxes.....	107
Modifications to Estate, Gift, and Generation-Skipping Transfers Taxes	107
I. Other Provisions.....	114
1. Temporarily allow increased contributions to ABLE accounts, and allow contributions to be eligible for saver's credit	114
Glossary.....	119
Index.....	122