S Corporations: Tax Practice and Analysis, 2nd Edition

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M. Kevin Bryant

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and complex situations In areas where authorities do not provide clear guidance the author constructs plausible courses of action with appropriate analysis Published annually S Corporation Taxation focuses on the rules of Subchapter S of the Internal Revenue Code and integrates these rules with other portions of the tax law that can have substantial impact on S corporations and their shareholders At the end of each chapter are pertinent checklists worksheets and sample election letters to help apply the concepts discussed to the reader's actual work **S Corporation Taxation (2020)** Robert W Jamison, 2019-12-17 S corporations at present are the largest tax filer in the United States of America This book provides in a single volume a complete guide and reference tool for the tax practitioner to solve the many problems arising in regard to S corporate taxation Code Sec 199A generally allows shareholders of an S corporation a 20% deduction on S corporate income plus special rules for tangible property acquisitions Because there were ambiguities in the statute on August 8 2018 the Treasury issued proposed regulations to interpret Code Sec 199A This 8th edition at 725 provides an extensive detailed discussion of the proposed regulations with many examples to explain the operation of Code Sec 199A While this book does not cover every single case ruling or procedure on a particular point the reader is provided with the main case or point in a particular area so that this situation can be understood quickly To assist the reader tax planning situations are presented throughout the book As an example Majestic Star Casino 2013 1 USTC 50 338 3rd Cir 2013 discussed at various points in the book held that the S election is a personal right in bankruptcy not a property right thus if the shareholders of an S corporation revoke the S election just before filing the corporation s bankruptcy petition it is not a transfer in fraud of creditors and the shareholders are not responsible for the S corporation's debts unless they personally guaranteed them In re Health Diagnostic Laboratory Inc 578 B R 552 126 AFTR 2d 2017 6736 Bankr ED Va 2017 sustained this same result in the 4th Circuit Scott Singer Installations Inc TC Memo 2016 161 discussed at 904 10 involved a case where a shareholder claimed his contributions of cash into his S corporation were loans but there was no documentation of the loans on the corporate books The contributions were made during a period of both corporate profitability and loss The Court felt that during profitable periods the contributions were loans but during losses were contributions to capital This book is organized into sixteen chapters Chapter 1 discusses the tax considerations in electing S corporate status as well as the advantages and disadvantages of S corporate taxation Chapters 2 10 detail operations of an S corporation discussing the statutory requirements to be an S corporation the types of taxpayer who can qualify as shareholders considerations that one must make before converting a C corporation to S status etc Chapter 11 sets forth income and estate planning situations for S corporations Chapter 12 covers changes which could occur in the life of an S corporation namely termination and revocation of the S corporate status sale of S corporate stock reorganization of the corporation etc Chapter 13 provides the reader with a comparison of S corporations to other business entities such as one person limited liability companies partnerships and C corporations Chapter 14 discusses S corporation subsidiaries Chapter 15 employee stock ownership plans ESOPs for S

corporations and Chapter 16 a detailed discussion of the final and proposed regulations under Code Sec 1411 The author attempts to keep this book current and up to date Thus 724 in Chapter 7 discusses the final tangible property regulations which went into effect as of January 1 2014 and as aforesaid 725 discusses in detail Code Sec 199A and its proposed regulations Further the Appendices provide practical information for the tax practitioner to utilize in his or her practice This book is not intended to apply to all circumstances and the Forms contained herein may not be applicable in every situation Further the law is constantly changing in the field of S corporations Accordingly it is strongly urged that the current status of all statutes case law rulings regulations revenue procedures announcements notices Forms and or applications thereof be confirmed before relying on the information set forth in this book It should be noted that in writing this book the author has attempted to make the table of contents read like an index The reader has three easy means to solve a problem or locate a topic the Contents Contents in Detail on page xiii and the Index In addition the author has provided a table of cases statutes treasury regulations rulings and procedures so that the reader will have an easy to use method to solve a specific problem To assist the reader in practice the Appendices supply sample language for various situations regarding S corporations This book is intended to remove some of the mystery surrounding S corporations and their complexities Because of its thoroughness multitudinous examples and tax pointers this book should provide the reader with a unique resource tool to be utilized as a major addition to a tax library **Federal Income Taxation of S Corporations** John K. McNulty, 2015 Softbound New softbound print book S Corporation Tax Practice Manual Ira Fox,1991-11-01 The S Corporation Answer Book Sydney S. Traum, Judith Rood Traum, 1994-01-27 This quick reference manual lets you help clients take full advantage of their S Corporation status minimize their taxes It leads you directly to authoritative information on every aspect of the S corporation enabling you to Take full advantage of the 1997 Taxpayer Relief Act Arm the S corporation against the potential tax traps hidden in the Small Business Tax Protection Act Maximize the tax benefits of S corporation status Identify dispositions that will trigger the built in gains tax Avoid added tax liability or loss of S corporation status from passive investment income Capitalize on the permissible differences in stock rights to facilitate estate planning ownership transfers Determine allocation of income losses deductions in the termination year of the S corporation Plus there are citations to the controlling rules regulations court decisions that will save you hours of research

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