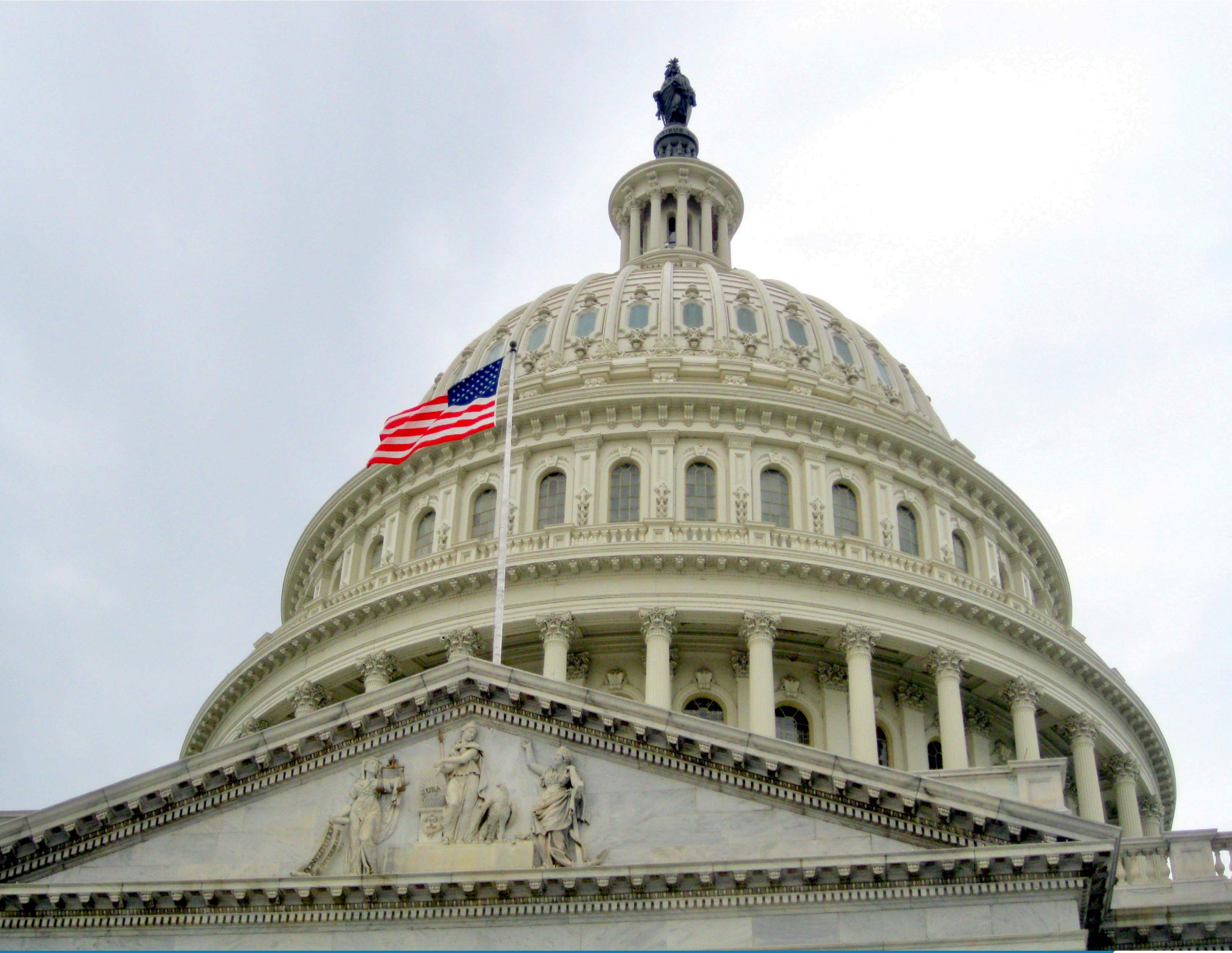
Larson Gross
CPAs & Consultants



The American Families Plan

On April 28, 2021, President Biden introduced the American Families Plan, a $1.8 trillion spending plan that includes tax increases on high-income taxpayers to help offset its costs. This document covers potential changes to the tax law that, if enacted, may affect you and your family.

Increases Top Federal Tax Rate

Overall, President Biden has indicated that nobody earning $400,000 or less would see any increase in taxes, and therefore the proposed tax changes are focused on high-income taxpayers.

For ordinary income, the American Families Plan would increase the top federal tax rate from 37% to 39.6%. It is unknown whether or not there would be any changes to any of the tax bracket thresholds.

Expands the 3.8% Medicare Tax

High-income taxpayers generally pay a 3.8% Medicare tax on self-employment income and Net Investment Income. It also applies to wages but is shared by the employer. Because the application of the tax is inconsistent across taxpayers and types of income, the American Families Plan would call for applying the tax to all income for those making over $400,000.

Increases the Long-Term Capital Gains Rate

Gains on the sale of assets held for more than one year are taxed at the long-term capital gains tax rate, which currently tops out at 20%. The American Families Plan proposes to increase the top rate from 20% to 39.6% for households with earnings of $1 million or more. When combined with the 3.8% surtax on Net Investment Income, total federal tax on long-term capital gains would reach 43.4%.

Limits 1031 Exchanges

Real estate owners currently benefit from Section 1031 of the IRS code that allows an owner to defer taxes on the gain from the sale of a property by purchasing a similar property shortly after the sale. The American Families Plan seeks to eliminate the ability for owners to apply the 1031 exchange deferral when the gain on a property sale exceeds $500,000.

Limits the Step-up in Basis

Under current law, heirs to an estate benefit from a step-up in basis on certain assets. Basically, the cost of an asset is readjusted to the current fair market value and enables heirs to avoid paying taxes on the appreciation of the asset. The American Families Plan proposes to eliminate the step-up in basis on gains that exceed $1 million, or $2.5 million per couple when combined with existing real estate exemptions. Donations to charity would not be subject to the rule, nor would family-owned businesses and farms that are passed to heirs who will continue to run those businesses.

Closes the "Carried Interest Loophole"

The American Families Plan seeks to close the "carried interest loophole" that allows taxpayers who receive partnership interests in exchange for services to be taxed at the long-term capital gains rate instead of ordinary income rate on those proceeds. President Biden called out hedge fund managers who benefit most from the current tax treatment.

Limits Excess Business Losses

The 2017 Tax Cuts and Jobs Act limited the amount of excess business losses that a taxpayer may deduct to $250,000 for single filers and $500,000 for married filing jointly. These limits were set to expire on December 31, 2026, but the American Families Plan seeks to make these limits permanent.

Increases IRS Enforcement

The American Families Plan, along with the American Jobs Plan, seeks to increase IRS enforcement on wealthy taxpayers and corporations. For instance, the proposals direct an additional $80 billion to the IRS over the next decade to improve technology and increase the number of IRS auditors.

Final Thoughts

The American Families Plan would of course need to be passed by Congress in order to become law. There will certainly be negotiations and changes to the plan through the legislative process, and it is unknown what may be enacted into law. If you would like to discuss tax planning for your unique situation, please feel free to call our office.

About Larson Gross

Ted Larson and Dennis Gross founded our firm in 1949. They built the business based on excellence, passion, integrity, trust and pro-action — values still important to us more than seven decades later.

Even well into their retirement years, Ted Larson and Dennis Gross continued to have the best interest of the firm at heart. Mr. Larson would come into the office on a regular basis to meet every new face and make a personal connection with each of our team members. He remembered the name of every employee, as well as the names of their spouses and children, and would greet clients by name as he passed by the reception desk. Sometimes, you'd even find a newspaper clipping on your desk that Mr. Larson dropped off, highlighting that your son made the honor roll. This is the example of a genuine relationship we strive to embody with our people and clients.

Today, we're led by ten partners who are growing our firm with respect for where we've come from and a new vision for future success. Our 120-plus team members and three offices located in Bellingham, Lynden and Burlington make us the 10th largest public accounting firm in the Puget Sound region. While we're determined to expand our impact and help strengthen as many businesses and individuals as we can, we're also committed to remaining a locally-owned organization. We're incredibly proud of where we've come from and look forward to a future of possibility

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