

San José State University
Lucas College and Graduate School of Business
BUS 227C

Tax Symposium: Tax Reform Under the Build
Back Better Act

Semester: Early Spring
Year: 2022

Lead Instructor:	Joel Busch, CPA, Esq.
Office Location:	Lucas Graduate School of Business
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Office Hours:	Flexible (via Zoom) - please email for an appointment
Class Days/Time:	Wednesdays, 1/5, 1/12 and 1/19 - 6:00 – 10:00P
Classroom:	Via Zoom (Virtual)
Prerequisites:	Graduate standing in the MST Program or enrolled via Open University

Course Description

Tax Reform! While we continue to implement provisions of the Tax Cuts and Jobs Act, President Biden and lawmakers proposed the Build Back Better Act plus tax provisions of an infrastructure bill. This seminar covers these new provisions along with upcoming changes built into the TCJA. If the BBB is not enacted by start of class, tax reform proposals will be analyzed along with TCJA ongoing considerations.

MST Program Administrative Guidelines

- Please see the 2021/2022 New Student Handbook available in the MS Taxation Students Canvas Course.

Assignments and Grading Policy

READING ASSIGNMENTS:

Class readings for each class session will be posted on the Canvas website and/or provided in class. Students are to read the assigned materials *before* the beginning of the applicable class session. No formal textbook is required for this course.

EXAM:

There is a final exam which will take place for a part of the last class session.

Details of the format of the exam will be announced in class and/or in Canvas on or shortly before or after the second class session.

CANVAS ONLINE QUIZZES

There will be two quizzes that will be taken on the Canvas website outside of class hours. Each quiz is to be completed *individually*. The quizzes will be undertaken online via the course Canvas website.

The due dates for the two take-home Canvas quizzes are as follows:

- Quiz #1 - Wednesday, January 12, 2022 @ 6:00 p.m.
- Quiz #2 - Wednesday, January 19, 2022 @ 6:00 p.m.

A significant loss of points may apply for quizzes submitted after the deadline.

POINTS:	Quizzes	40 (20 points each x 2)
	Final	<u>60</u>
	Total	100

GRADING POLICY:

Grades will follow the pattern of 90% or higher for an A, 80% or higher for a B, 70% or higher for a C, etc.. Plus and minus grades will be used for scores within two percentage points (rounded) of the grade breakpoint. I may lower the percentage required to earn a certain grade, however, the percentage needed to earn a certain grade will not be increased.

Class Participation: While you are encouraged to ask or answer questions in class, points will not be awarded for class participation.

University Policies

Per University Policy S16-9, university-wide policy information relevant to all courses, such as academic integrity, accommodations, etc. will be available on Office of Graduate and Undergraduate Programs' [Syllabus Information web page](http://www.sjsu.edu/gup/syllabusinfo/) at: <http://www.sjsu.edu/gup/syllabusinfo/>

Lucas College and Graduate School of Business:

Course Learning Outcomes

Upon completion of this course students will be able to:

CLO 1: Understand the core provisions, for both individuals and business entities, of the Build Back Better (BBB) Act.

CLO 2: Recognize the public policy issues raised by various politicians, organizations, and practitioners on the BBB.

CLO 3: State the current upcoming Federal tax law changes in 2022 and future years under the Tax Cuts and Jobs Act (P.L. 115-97) and other Acts.

CLO 4: Have a basic understanding of the state income tax conformity / lack of conformity to the 2022 and future Federal tax law changes.

LCoB Mission Statement

We are the *institution of opportunity* in *Silicon Valley*, educating future leaders through *experiential learning* and character development in a *global business community* and by conducting *research* that contributes to business theory, practice and education.

MST Program Learning Goals

1	Global Economy	Evaluate tax compliance and planning issues within the context of our global economy.
2	Research	Prepare tax research reports based on primary authority.
3	Communication	Demonstrate effective written and oral communication skills for tax compliance and planning.
4	Tax Policy	Explain policy principles for existing tax law and proposals for change.
5	Ethics	Evaluate appropriate approaches to the ethical issues of tax compliance and planning.
6	Professional Development	Demonstrate skills for effective and inclusive tax practice to excel in the tax profession.

Schedule

(Subject to Change with Fair Notice)

Topic	P	Time (Est.)
Wednesday January 5, 2022		
Introduction to the Course	Joel Busch, San Jose	6:00 – 6:20
(See next page for assigned readings and topics)	Annette Nellen, CPA, Esq., MST Director, San Jose State University	6:20 – 10:00 p.m.

Primary Topics

The Build Back Better Act and the historical legal and tax policy aspects of the Act.

Assigned Readings/Videos:

- 1) Changes to IRC §164 (deduction for state and local taxes as an itemized deduction) made under the TCJA (also make sure to read the references to the 1944 law referenced in the TCJA – link embedded)

[Researched and assembled by Annette Nellen]:

https://www.sjsu.edu/people/annette.nellen/164_AmendedByPL115-97.pdf

- 2) Tax policy article about the SALT deduction [Annette Nellen]:

https://web.archive.org/web/20160105121846/http://www.cpa2biz.com/Content/media/PRODUCER_CONTENT/Newsletters/Articles_2008/Tax/goodbye.jsp

- 3) The implications on the SALT deduction limitation for pass-through entities and their owners – including IRS Notice 2020-75 [Annette Nellen]:

<http://21stcenturytaxation.blogspot.com/2021/11/passthrough-entity-salt-cap-workaround.html>

- 4) SALT payments before year end a priority for passthroughs (P. Bonner, Journal of Accountancy, 12/20/21):

<https://www.journalofaccountancy.com/news/2021/dec/salt-payments-before-year-end-priority-passthroughs.html>

- 5) (Pages 77-81 [Pages 98-101 of the .pdf] of the 1984 Treasury Department Report on Tax Reform – the areas dealing with the recommended elimination of the SALT itemized deduction):

<https://home.treasury.gov/system/files/131/Report-Tax-Reform-v1-1984.pdf>

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(Symposium Session #2 on the Following Page)

Wednesday January 12, 2022

*** (Online Canvas Quiz #1 Due at 6:00 p.m.) ***

Joel Busch, San Jose State University

6:00 – 9:45 p.m.

Primary Topics

1. Review of the topics in the first class session
2. Upcoming changes for the 2022 tax year – including items related to the CARES and American Rescue Plan Acts
3. Survey of state tax conformity to Federal 2022 changes

Assigned Readings for Class Session #2:

1. (Premium Tax Credit Changes - Paychex):

<https://www.paychex.com/articles/compliance/american-rescue-plan-impact-premium-tax-credit>

2. CARES Act Summary (Akin Gump):

<https://www.akingump.com/en/experience/industries/national-security/covid-19-resource-center/cares-act-summary-tax.html>

3. State Conformity to Federal Pandemic-Related Tax Provisions in CARES and ARPA (Tax Foundation)

<https://files.taxfoundation.org/20210401095826/State-Conformity-to-Federal-Pandemic-Related-Tax-Provisions-in-CARES-Act-and-American-Rescue-Plan-Act.pdf>

4. Supplemental Reading (to be Posted in Canvas)

