

Tax Cuts and Jobs Act of 2017: What Taxpayers Need to Know

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On December 22, 2017, the President signed the Tax Cuts and Jobs Act of 2017 (the act or TCJA). The legislation makes significant changes to the Internal Revenue Code (IRC), including individual, corporate, and gift and estate taxation.

Individual income tax changes

Although the act maintains seven tax brackets, these brackets will change.

Current tax rates

Tax Rate	Single	Married/Jointly	Head of Household	Married/Separately
10%	\$0–\$9,525	\$0–\$19,050	\$0–\$13,600	\$0–\$9,525
15%	\$9,525–\$38,700	\$19,050–\$77,400	\$13,600–\$51,850	\$9,525–\$38,700
25%	\$38,700–\$93,700	\$77,400–\$156,150	\$51,850–\$133,850	\$38,700–\$78,075
28%	\$93,700–\$195,450	\$156,150–\$237,950	\$133,850–\$216,700	\$78,075–\$118,975
33%	\$195,450–\$424,950	\$237,950–\$424,950	\$216,700–\$424,950	\$118,975–\$212,475
35%	\$424,950–\$426,700	\$424,950–\$480,050	\$424,950–\$453,350	\$212,475–\$240,025
39.6%	Over \$426,700	Over \$480,050	Over \$453,350	Over \$240,025

New tax rates under the TCJA

Tax Rate	Single	Married/Jointly	Head of Household	Married/Separately
10%	\$0–\$9,525	\$0–\$19,050	\$0–\$13,600	\$0–\$9,525
12%	\$9,525–\$38,700	\$19,050–\$77,400	\$13,600–\$51,800	\$9,525–\$38,700
22%	\$38,700–\$82,500	\$77,400–\$165,000	\$51,800–\$82,500	\$38,700–\$82,500
24%	\$82,500–\$157,500	\$165,000–\$315,000	\$82,500–\$157,500	\$82,500–\$157,500
32%	\$157,500–\$200,000	\$315,000–\$400,000	\$157,500–\$200,000	\$157,500–\$200,000
35%	\$200,000–\$500,000	\$400,000–\$600,000	\$200,000–\$500,000	\$200,000–\$300,000
37%	Over \$500,000	Over \$600,000	Over \$500,000	Over \$600,000

In addition to the changes made to the tax brackets, many exemptions and deductions for individual income tax will be repealed or modified.

- The personal exemption of \$4,150 per taxpayer and dependent will be eliminated.
- The standard deduction for individuals will go from \$6,500 for individuals and \$13,000 for married couples to \$12,000 for individual taxpayers and \$24,000 for married couples who file jointly. This near doubling of the standard deduction will result in more taxpayers taking it instead of itemizing.
- The legislation also places limits on several itemized deductions, listed in the table below.

Specific itemized deductions that will be eliminated or modified

	2017 Tax Year	As of 2018
State and local income tax, property tax	State and local income and property tax fully deductible	All deductions for state and local income tax, as well as property tax, limited to a maximum of \$10,000
Mortgage interest deduction	Interest payments on mortgage debt deductible up to \$1 million in indebtedness	Debt limitation lowered to \$750,000
Medical expenses	Deductible to the extent they exceed 10% of adjusted gross income (AGI)	Deductible to the extent they exceed 7.5% of AGI
Moving expenses	Personal moving expenses deductible, including employer-sponsored reimbursements	No longer deductible at the personal or employer level, except for military
Miscellaneous itemized deductions	Certain miscellaneous itemized deductions may be taken to the extent they exceed 2% of taxpayer's AGI	Miscellaneous itemized deductions repealed; no longer deductible
Income phase-out for itemizing deductions	Itemized deductions limited by phase-out beginning at \$266,700 (single) and \$320,000 (married)	No phase-out for itemizing deductions

Miscellaneous individual income tax changes

In addition to the major modifications discussed above, several other changes in the bill may affect your financial decisions going forward. These are:

Family tax credits. The child tax credit will be doubled, from \$1,000 to \$2,000, and the refundable portion of that credit will be allowable up to \$1,400. The act also will grant a new credit of \$500 for other dependents. These will phase out at income limits of \$200,000 (single) and \$400,000 (married).

Estate and gift taxes. Effective January 1, 2018, the individual unified gift and estate tax exemption will be raised to \$11.2 million (up from what was set to be \$5.6 million), and, with portability remaining intact, \$22.4 million for a married couple. The top rate will remain 40 percent. The new rates are set to expire—and return to 2017 levels—at the end of calendar year 2025.

Cash donations to charity. Under 2017 law, gifts of cash to charity offer a taxpayer the ability to deduct the contribution, up to 50 percent of AGI. The TCJA will increase the limitation to 60 percent of the taxpayer's AGI.

Education planning. The TCJA includes an expansion of 529 savings plans that will allow families to save for K–12 expenses, in addition to college expenses. 529 plans will also be able to use qualified distributions for elementary and secondary school expenses, up to \$10,000 per year, per student.

1031 exchanges. Beginning January 1, 2018, 1031 exchanges will be limited to real property.

Affordable Care Act individual mandate. The TCJA will eliminate the penalty imposed under the IRC for individuals who do not maintain individual health care coverage.

Individual alternative minimum tax (AMT). The individual AMT exemption amount will increase to \$70,300 for individual filers and \$109,400 for joint filers. The phase-out for the AMT exemption will increase to \$500,000 for individuals and \$1 million for married couples. With enactment of the new act, fewer Americans will be subject to the AMT.

Retirement recharacterizations. The TCJA will eliminate the ability for a taxpayer to unwind a Roth conversion and “recharacterize” back to a traditional IRA. This will begin for conversions occurring after January 1, 2018. Be sure to speak with your financial advisor before considering any new recharacterizations, as there is current debate as to whether Roth conversions that occurred in 2017 may still be characterized in 2018.

Pass-through business income

Under law in effect for the 2017 tax year, all pass-through business income is taxed at the individual taxpayer’s marginal rate, as is most ordinary income. Under the TCJA, qualified pass-through business income will be addressed in a new IRC Section 199A as follows:

- Deduction of 20 percent of the non-wage allocation of qualified business income from the trade or business
- Deduction limited to 50 percent of W-2 wage income (The limitation was set in an effort to prevent abuse in classifying wage income as business income in order to receive a lower rate for income that should be taxed at ordinary income rates.):
 - **For individuals:** Income earned over \$157,000
 - **For married couples:** Income earned over \$315,000
 - Certain service professionals (e.g., attorneys, accountants, financial professionals) will be excluded from taking the deduction for income above \$157,000 for an individual and \$315,000 for a married couple.

Please note: The changes to pass-through business income taxation sunset at the end of calendar year 2025, as written in the TCJA.

Corporate taxation

Although the changes to how individual income is taxed are set to expire at the end of 2025, the corporate tax changes provided for in the TCJA will be permanent. One of the largest tax cuts in the legislation will lower the corporate tax rate from 35 percent to 21 percent, effective January 1, 2018. Furthermore, the TCJA will completely repeal the corporate AMT. The act will also impose some limitations on certain corporate tax deductions, including those for net operating loss, business interest, and R&D expenditures.