

For the USCPA Exam

USCPA

Federal Taxation

(TAX) Vol.1

Taxation and Regulation (REG)

Tax Compliance and Planning (TCP)





Becker Online と同様 <u>正答率(累積)</u> <u>80~90%</u>

厳選MC525問題集

CORE: REG | 308 + | TCP | 217 = 525

Becker Online 演習ソフト収録の MC 問題のうち、出題パターンを分析し厳選した問題及び最新の傾向を基に作成した TAC & Becker 予想問題を TAC テキストの章ごとに分けて日本語ポイント解説付きで掲載したのが、この問題集です。※英語力に不安がある場合、問題文翻訳集も活用し英文解説にも目を通すようにして下さい。

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PART I: INDIVIDUAL INCOME TAXATION

| 章番号 | 学習テーマ | 問題集 | CORE REG | ТСР |
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| 第1章 | Overview of Individual Income Tax (個人所得税の概要) CORE : REG | p.2 | Q1~6 | 1 |
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| 第3章 | Filing Status(申告資格) CORE: REG | p.6 | Q7~11 (5問) | _ |
| 第4章 | Dependency Requirements (扶養家族の判定) CORE: REG | p.10 | Q12~17 (6問) | _ |
| 第5章 | Gross Income – Inclusions (総所得算入項目) CORE: REG | p.14 | Q18~51 (34問) | - |
| 第6章 | Gross Income – Exclusions (総所得除外項目) CORE: REG | p.32 | Q52~61 (10問) | - |
| 第7章 | Depreciation, Amortization, and Depletion (減価償却、無形資産の償却、減耗償却) CORE: REG | p.36 | Q62~67 (6問) | _ |
| 第8章 | Losses - Deductions and Limitations (損失の種類:控除における制限) CORE: REG TCP | p.40 | Q68~73 (6問) | Q74~82 (9問) |
| 第9章 | Above The Line Deductions (調整総所得前控除) CORE: REG | p.50 | Q83~96 (14問) | _ |
| 第10章 | Below The Line Deductions (調整総所得後控除) CORE: REG | p.58 | Q97 ~142 (46問) | - |
| 第11章 | Other Taxes (その他の税) CORE: REG TCP | p.82 | Q143 ~146 (4問) | Q147 ~152 (6問) |
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| 第13章 | Tax Procedures (税務手続き) CORE: REG | p.92 | Q160 ~170 (11問) | _ |

計155問 計15問

1. Overview (Filing) & 2. Payment of Tax

計6問

USCPA試験対策用に厳選問題を効率重視で下表の3つにランク分けしている。なお、Becker Online演習ソフトのMC問題を解かずとも、合格するために十分な演習問題数を日本語ポイント解説付きで掲載している。英文解説はBeckerが作成している。※下表はTAX用。

| A ランク | 基本問題 | |
|--------------|--------------------|--|
| | 目標正答率:100% | |
| B ランク | 合否を分ける問題 | |
| | ※複数の論点が併せて出題されている。 | |
| | ※ひねりやひっかけが含まれている。 | |
| | 目標正答率:80% | |
| Cランク | 難問、奇問、出題頻度が低い問題 | |
| | ※時間をかけないこと。 | |
| | 目標正答率:50% | |

1. MCQ-14712 □□ A

In evaluating the hierarchy of authority in tax law, which of the following carries the greatest authoritative value for tax planning of transactions?

- a. Internal Revenue Code.
- b. IRS regulations.
- c. Tax court decisions.
- d. IRS agents' reports.

2. TAC Original □□ B

Which of the following statements is true regarding the filing requirements for an individual taxpayer who dies during the current tax year?

- a. No individual income tax return need be filed for the year of their death.
- An individual income tax return should be filed prior to the end of the year (December 31) of death.
- c. An individual income tax return should be filed within 9 months of the date of death.
- d. An individual income tax return should be filed by April 15 of the year following their death.

3. MCQ-02084 □□ A

Krete, an unmarried taxpayer with income exclusively from wages, filed her initial income tax return for the 20X1 calendar year. By December 31, 20X1, Krete's employer had withheld \$16,000 in federal income taxes and Krete had made no estimated tax payments. On April 15, 20X2, Krete timely filed an extension request to file her individual tax return and paid \$300 of additional taxes. Krete's 20X1 income tax liability was \$16,500 when she timely filed her return on April 30, 20X2, and paid the remaining income tax liability balance. What amount would be subject to the penalty for the underpayment of estimated taxes?

CORE: REG Q 1~6

- a. \$0
- b. \$200
- c. \$500
- d. \$16,500

4. MCQ-02098 □□ A

Chris Baker's adjusted gross income on her 20X1 tax return was \$160,000. The amount covered a 12-month period. For the 20X2 tax year, Baker may avoid the penalty for the underpayment of estimated tax if the timely estimated tax payments equal the required annual amount of:

- I. 90% of the tax on the return for the current year paid in four equal installments.
- 110% of prior year's tax liability paid in four equal installments.
 - a. I only.
 - b. II only.
 - c. Both I and II.
 - d. Neither I nor II.

Choice "a" is correct. The Internal Revenue Coder (IRC) holds the most authoritative value. Federal tax regulations give directions on how to apply the law outlined in the IRC. Regulations have the second most force and effect, second only to IRC.

【ポイント解説】

| 出題トピック | Internal Revenue Code |
|--------|--------------------------|
| 対応する章 | Overview (Vol.1テキスト p.1) |
| | ※TAX 直前対策まとめ表紙 |

最も上位にある*Authority*(法源)は、当然ながら 内国歳入法である。

I. Internal Revenue Code: 内国歳入法

II. Federal Tax Regulation: 連邦税法施行規則 ※Treasury (IRS) Regulation: 財務省規則ともいう。 III. Tax Court Decisions: 和税裁判所等の判例

※「TAX直前対策まとめ」とは、白い表紙の薄い冊子です。問題演習1回転目はこの冊子でポイントを確認しながら解いていきましょう。分からない時にだけテキストに戻ります(テキストは索引も活用し"辞書"として使ってください)。

2. TAC Original

Choice "d" is correct. A final individual income tax must be filed on behalf of a taxpayer who dies during the tax year. It is due on the same date if the taxpayer had not died.

【ポイント解説】

| E-1-1 > 1 /JTIDUZ | |
|-------------------|-----------|
| 出題トピック | Filing |
| 対応する章 | PARTI 第1章 |

納税者が年度の途中に死亡した場合も1月1日から死亡日までの所得を計算して申告義務があれば、申告と納税が必要となり、Form1040の申告期限は通常と同じで翌年の4月15日まで(calendar year採用の場合)。 二選択肢"d"が正解となる。 〈参考〉PART VII Gift and Estate Taxation 第3章に参考として掲載しているが、連邦相続税申告書(Form 706: Estate Tax Return)の申告期限は、死亡日から9ヵ月以内となっている。

3. MCQ-02084

Choice "a" is correct. Provided the taxes due after withholdings were not over \$1,000, there is no penalty for underpayment of estimated taxes. Note that there would be a failure to pay penalty on the \$200 that was not paid until April 30.

【ポイント解説】

| 出題トピック | Estimated Tax Payment |
|--------|-----------------------|
| 対応する章 | PARTI 第2章 |

申告納税額が\$1,000未満の場合、「予定納税の過少納付(及び源泉徴収不足)による罰則金(Underpayment penalty;前払不足の罰則金)」は課せられない。なお、用語が似ているのだが、「納税不足による罰則金 (Failure-to-file penalty)」(※Tax delinquency penalty ともいう)とは異なるので注意しよう。

本問の問題設定をまとめると、以下のようになる。

- ·X1年度中の源泉徴収税額(前払い)=\$16,000。
- ·X2年4月15日に延長を申請。\$300を納税。
- ·X1年度の確定所得税額=\$16,500。
- ・X2年4月30日に申告書を提出。残\$200を納税。 本問では、確定所得税額\$16,500一源泉徴収税額 \$16,000=\$500なので、「Underpayment penalty」 は課されない。..**選択肢"a":\$0**が正解となる。 4月15日の時点での未納税額\$200に対しては、 「Failure-to-pay penalty」が原則としては課されることになる。

延長後の期限内に申告書を提出しているので、 「Failure-to-file penalty」は課されない。

4. MCQ-02098

Choice "c" is correct. Payment of lesser of the below two will provide "safe harbor" to taxpayers.

- Payment of 90% of the tax on the return for the current year avoids the penalty for underpayment of estimated tax.
- II. Payment of 110% of the prior year's tax liability avoids the penalty for underpayment of estimated tax when the taxpayer's AGI from the prior year exceeds \$150,000.

【ポイント解説】

| 出題トピック | Estimated Tax Payment |
|--------|-----------------------|
| 対応する章 | PARTI 第2章 |

前年度のAGI が15万ドルを超える高額所得者の場合、a) 当年度の納税見込額の 90% もしくは b) 前年度の納税額の110%のいずれか小さい金額まで所得税を前払いしておけば、Underpayment penalty(前払不足の罰則金)を回避することができる。本問では、Baker 氏の前年度のAGI は16万ドルであるため上記に該当する。いずれかなので、選択肢"c": Both I and II が正解となる。

5. MCQ-06884 □□ A

Sam's Year 2 taxable income was \$175,000 with a corresponding tax liability of \$30,000. For Year 3, Sam expects taxable income of \$250,000 and a tax liability of \$50,000. In order to avoid a penalty for underpayment of estimated tax, what is the minimum amount of Year 3 estimated tax payments that Sam can make?

- a. \$30,000
- b. \$33,000
- c. \$45.000
- d. \$50,000

6. TAC Original □□ A

In which of the following cases *may* a penalty be charged for underpayment of estimated taxes if their tax liability for the current year exceeds their estimated tax payments:

- a. The taxpayer had no tax liability for the prior year.
- b. The taxpayer's total estimated tax liability for the current year was less than \$1,000.
- The taxpayer had an Adjusted Gross Income of \$100,000 for the prior year, and they paid 100% of their prior year's tax liability in estimated payments.
- d. The taxpayer's Adjusted Gross Income for the prior year was \$180,000, and they paid 100% of their prior year's tax liability in estimated payments.

CORE : REG

Becker Online 演習ソフトに収録されている **直近10年分の AICPA リリース MC 問題**は、 あえて当問題集巻末に年度ごとに分けて掲載しているが、**PARTI 第182章**に対応する問題は以下となる。近年の出題の傾向を把握しよう。 また、複数年サイクルで酷似問題が出題されることがあるので、直近10年分としている。

Released 2020 (p.442 \sim) \Rightarrow Q3 Released 2024 (p.514 \sim) \Rightarrow Q9

Choice "b" is correct. If the taxpayer had AGI in excess of \$150,000 in the prior year, 110% of the prior year's tax liability is used to compute the safe harbor for estimated payments (prior year's tax \$30,000 x 110% = \$33,000).

【ポイント解説】

| 出題トピック | Estimated Tax Payment |
|--------|-----------------------|
| 対応する章 | PARTI 第2章 |

※前問の解説を参照のこと。

本問の場合、Sam 氏の前年度の AGI が15万ドルを超える(Taxable income が17.5万ドルである)ため、a)\$50,000×90%=\$45,000もしくは b)\$30,000×110%=**\$33,000**のいずれか小さい金額となるため、**選択肢"b"**が正解となる。

6. TAC Original

Choice "d" is correct.

【ポイント解説】

| 出題トピック | Estimated Tax Payment |
|--------|-----------------------|
| 対応する章 | PARTI 第2章 |

選択肢"d":納税者の前年度の AGI は18万ドルであるため前年度の納税額の110%となるが、100%しか所得税を前払いしておらず、Underpayment penalty(前払不足のペナルティ)が課される。

∴**選択肢"d"**が正解となる。

なお、選択肢"a":個人の納税者の場合、前年度の納税額がゼロであった場合にはそもそも予定納税を行う必要はない。

3. Filing Status

計5問

CORE : REG Q 7~11

7. MCQ-01404 □□ A

Which of the following is (are) among the requirements to enable a taxpayer to be classified as a "qualifying widow(er)"?

- A dependent has lived with the taxpayer for six months.
- II. The taxpayer has maintained the cost of the principal residence for six months.
 - a. I only.
 - b. II only.
 - c. Both I and II.
 - d. Neither I nor II.

8. MCQ-04765 □□ A

Parker, whose spouse died during the preceding year, has not remarried. Parker maintains a home for a dependent child. What is Parker's most advantageous filing status?

- a. Single.
- b. Head of household.
- c. Married filing separately.
- d. Qualifying widow(er) with dependent child.

9. MCQ-05278 □□ B

In which of the following situations may taxpayers file as married filing jointly?

- a. Taxpayers who were married but lived apart during the year.
- Taxpayers who were married but lived under a legal separation agreement at the end of the year.
- c. Taxpayers who were divorced during the vear.
- d. Taxpayers who were legally separated but lived together for the entire year.

Choice "d" is correct. The requirements that enable a taxpayer to be classified as a qualifying surviving spouse / qualifying widow(er) are:

- The taxpayer's spouse died in one of the two previous years and the taxpayer did not remarry in the current tax year,
- 2) The taxpayer has a child who can be claimed as a dependent,
- This child lived in the taxpayer's home for all of the current tax year,
- 4) The taxpayer paid over half the cost of keeping up a home for the child,
- 5) The taxpayer could have filed a joint return in the year the spouse died.

【ポイント解説】

| 出題トピック | Filing Status |
|--------|---------------|
| 対応する章 | PARTI 第3章 |

※次の問題の解説も参照のこと。

Qualifying surviving spouse / widow(er) の要件のなかで特に重要なのは、**『1年間』**、扶養家族である『子供』が同居していること。

Qualifying <u>Widow(er) = <u>W</u>hole year <u>Head of Household = <u>Half</u> year</u></u>

∴選択肢"d": Neither I nor II が正解となる。

8. MCQ-04765

Choice "d" is correct. A qualifying widow(er) is a taxpayer who may use the joint tax return standard deduction and rates for each of two taxable years following the year of death of his or her spouse, unless he or she remarries. The surviving spouse must maintain a household that, for the entire taxable year, was the principal place of abode of a son, stepson, daughter, or stepdaughter (whether by blood or adoption). The child must be considered either a qualifying child or a qualifying relative. Parker may file as a qualifying widow(er) because her spouse died in the previous tax year, she did not remarry, and she maintained a home for a dependent child. Because qualifying widow(er) is the most advantageous status and Parker qualifies, Parker would file as a qualifying widow(er).

【ポイント解説】

| 出題トピック | Filing Status |
|--------|---------------|
| 対応する章 | PARTI 第3章 |

Qualifying surviving spouse / widow(er) は、配偶者と死別し、次の要件をすべてを満たしている者が、配偶者の死亡年度後2年間に限って利用することができる申告資格である。夫婦合算申告(MFJ)と同じ税率表及び standard deduction を用いることができ優遇されている。

- a. Has not remarried at year end; 年度末の時点で再婚していないこと。
- b. Was qualified to file a joint return in the year of death;配偶者の死亡年度に MFJ をする資格があった
- d. Maintain principal residence for dependent <u>child</u> for the <u>whole year</u>

『1年間』、扶養家族である『子供』が同居し ていること。

Parker 氏は、前年度に配偶者が死亡しており、 上記の要件を満たしているため、**選択肢"d"**が 正解となる。

9. MCQ-05278

こと。

RULE: In order to file a joint return, the parties must be MARRIED at the end of the year. Exception: If the parties are married but are LEGALLY SEPARATED under the laws of the state in which they reside, they cannot file a joint return (they will file either under the single or head of household filing status).

Choice "a" is correct. Per the above rule, taxpayers who are married but lived apart during the year are allowed to file a joint return for the year. The fact that they did not live together during the year has no bearing on the issue.

【ポイント解説】

| 2 | |
|--------|---------------|
| 出題トピック | Filing Status |
| 対応する章 | PARTI 第3章 |

夫婦合算申告(MFJ)を用いるためには、年度末の時点で結婚している夫婦でなければならない。 離婚 (divorced)、法的に別居 (legally separated) している場合は認められない。

∴**選択肢"a"**の場合のみ、MFJを用いることができる。

10. Becker Practice □□ B

Which of the following individuals could claim Head of Household filing status?

- A 32 year-old divorced mother of two children, both of whom resided with her for the entire tax year.
- II. A 45 year-old widow whose spouse died in the prior tax year and who provided all expenses related to the principal residence of her mother for the tax year.
- III. A 56 year-old widow whose spouse died during the current tax year and who provided a household that is the principal residence of her 15-year-old daughter.
- IV. A single male who owns his own home and provides 100% of the support for his Aunt Martha, who resided with him for the entire tax year.
 - a. I and III.
 - b. I only.
 - c. II and IV.
 - d. I, II, and IV.

11. Becker Practice □□ A

A couple filed a joint return in prior tax years. During the current tax year, one spouse died. The couple has no dependent children. What is the filing status available to the surviving spouse for the first subsequent tax year?

- a. Surviving spouse.
- b. Married filing separately.
- c. Single.
- d. Head of household.

CORE: REG

直近10年分の AICPA リリース MC 問題のうち

PARTI 第3章に対応する問題は以下となる。

Released 2015 (p.354 \sim) \Rightarrow Q9

Released 2018 (p.406 \sim) \Rightarrow Q7

Released 2019 (p.420 \sim) \Rightarrow Q9

Released 2020 (p.442 \sim) \Rightarrow Q11

Released 2021 (p.462 \sim) \Rightarrow Q24

Released 2022 (p.480 \sim) \Rightarrow Q24

10. Becker Practice

Choice "d" is correct. The individual in Item I would qualify because she maintained a home that was the principal residence of her two children for more than half the tax year.

The individual in Item II would qualify because she is providing support for her mother. Note that she is not a qualifying widow because she does not maintain the household for a qualifying child. The individual in item III would file married filing joint in the year of the death of the spouse and would file as a qualifying widow for the subsequent two years.

The individual in Item IV would qualify as head of household because he maintains a household that for more than half the taxable year is the principal residence of a dependent relative who resides with him (required for dependent relatives other than father or mother).

【ポイント解説】

| 出題トピック | Filing Status |
|--------|---------------|
| 対応する章 | PARTI 第3章 |

Head of household は、次の要件をすべて満たしている者が用いることができる申告資格である。

- a. 年度末に独身(みなし独身も含む)であること。※みなし独身規定とは、子供がいる納税者が、課税年度末の時点で法的に結婚していても MFS を選択するほかない状況にあり、その配偶者と年度の後半6ヵ月間別居している場合、独身としてみなすという規定である。
- b. 米国市民または居住者であること。
- c. The individual maintains as his or her home a household that, for <u>more than half the taxable</u> <u>year</u>, is the principal residence of:

『半年』超の期間、

- (i) **Dependent** <u>Relative</u> (must **Live** with) 扶養家族である『親族』と同居していること。
- (ii) **Dependent** Child (must **Live** with) 扶養家族である子供と同居していること。
- (iii)**Dependent** Parent (*Not required to live with*) 扶養家族である親とは同居している必要は ない。

本問の4人の納税者に関して Head of household の要件を満たしているかどうかを判断する。

- I. 左記の **Dependent** Child (must **Live** with) に該当する。
- II. 左記の **Dependent** Parent (*Not required to live with*) に該当する。親とは同居している必要はない。※前年度に配偶者と死別しているが、子供がいないため、Qualifying surviving spouse / widow(er)には該当しない。
- Ⅲ. 配偶者の死亡年度は MFJ を用いることができ
- る。Head of household には該当しない。
- IV. 左記の **Dependent** <u>Relative</u> (must **Live** with) に該当する。
- ∴**選択肢"d": I, II, and IV** が正解となる。

11. Becker Practice

Choice "c" is correct. For the first subsequent tax year (and all other subsequent tax years) after the death of a spouse with no dependent children, filling status is single.

【ポイント解説】

| 出題トピック | Filing Status |
|--------|---------------|
| 対応する章 | PARTI 第3章 |

配偶者の死亡年度は、MFJを用いることができる。 本問では、配偶者の死亡年度の翌年の申告資格が 問われている。扶養家族である子供(親族)がい ないので、Qualifying Surviving spouse及び Head of householdには該当しない。:. Singleが正解と なる。

4. Dependency Requirements

計6問

CORE : REG Q 12~17

TIP 問題の設定上、"Qualifying Child(適格子供)"や"Qualifying Relative(適格親族)"のすべての要件を満たしてるかを判断するのに十分な情報が与えられていないことが多い。特に各要件に反する記述がない限り、満たしていると考えよう!

12. Becker Practice □□ A

Janet and Ted have two children, Mary (age 10) and Seth (age 12). Janet's Aunt Martha resides with the family in an apartment over the garage. Martha's only income is \$1,500 a month in Social Security benefits. Janet and Ted receive no rent payments from Martha and provide all remaining support for her living arrangements. How many dependents do Janet and Ted have under the qualifying child and qualifying relative rules?

- a. Zero
- b. One
- c. Two
- d. Three

13. Becker Practice $\Box\Box$ A

In 20X1, Smith, a divorced person, provided over one half the support for his widowed mother, Ruth, and his son, Clay, both of whom are U.S. citizens. During 20X1, Ruth did not live with Smith. She received \$9,000 nontaxable Social Security benefits. Clay, a 25 year-old full-time graduate student, and his wife lived with Smith. Clay had no income but filed a joint return for 20X1, owing an additional \$500 in taxes on his wife's income. How many people meet the definition of either qualifying child or qualifying relative for Smith?

- a. Zero
- b. One
- c. Two
- d. Three

12. Becker Practice

Choice "d" is correct. The two children meet the test for a "qualifying child". In addition, Aunt Martha, a relative, qualifies because she does not have any taxable income (social security is not taxed at this low level of income), is not filing a joint tax return with another, is a citizen of the US, and is a qualifying relative. The dependency requirements for a relative are found in the "SUPORT" mnemonic.

- S upport (over 50%) test
- U nder a specific amount of (taxable) gross income test
- P recludes dependent filing a joint tax return
- nly citizens (residents of US/Canada or Mexico) test
- R elative test OR
- T axpayer lives with the individual for entire year
- ※上記SUPORTはBecker作成のニーモニックである。

【ポイント解説】

| 出題トピック | Dependents |
|--------|------------|
| 対応する章 | PARTI 第4章 |

下記解説により、扶養家族は計3人が正解となる。

Mary (子供10歳) と Seth (子供12歳) は、19歳未満であり問題文より同居していると推測できる (特に反する記述がない) ため、"Qualifying Child (CARES)"の要件を満たしている。 ※いずれも17歳未満の子供であるため、「子供税額控除 (child tax credit) 」の対象となる。詳細はPARTI第12章で学習する。

Martha (おば=3親等以内の親族) については、 "Qualifying Relative (SINCRO)"の要件を満たしているかどうかを判断する。下表の通り、 SINCRO の要件を満たしている。

※17歳未満の子供以外の扶養家族は、「扶養家族 税額控除 (credit for other dependents)」の対象 となる。

| | Support | Income | No joint return | Citizen | Relative | OR 同居 |
|--------------|---------|--------|-----------------|---------|----------|----------|
| | S | - 1 | N | С | R | 0 |
| Martha 叔母 | 0 | O*(1) | n/a | 0 | 0 | O*(2) |

*補足解説 (1) GI テスト|所得制限|

:非課税所得は計算に含まれないので注意しよう。

社会保障給付(social security benefit)は原則として課税対象となるが、所得の大きさ(ここでは "provisional income")に応じて課税対象となる割合が異なる。低額所得者("provisional income"が\$25,000以下※試験対策上は社会保障給付しか所得がない者はこのカテゴリーに入ると考えよう)は、給付額を「全額」非課税とすることができる。詳細は、PARTI第5章で学習する。

*補足解説 (2) Relationshipテスト 関係

:3親等以内の親族である または 1年間同居していること。3親等以内の親族であれば、同居しているかどうかに関わらず、自動的にRelationship テストを満たす。それに対して、3親等以内の親族ではない場合には1年間同居していることが要件となる。

13. Becker Practice

Choice "b" is correct. Smith has one dependent. **Ruth:** YES. Ruth has \$9,000 in Social Security income during 20X1, but since that is her only income, the Social Security income is nontaxable, and not included for gross income test.

Clay: NO. Clay cannot be taken as a dependent because he filed a joint return with his wife (the joint return was filed for a purpose other than simply claiming a refund).

【ポイント解説】

| 出題トピック | Dependents |
|--------|------------|
| 対応する章 | PARTI 第4章 |

下表のように、Ruth(母親=3親等以内の親族)とClay(子供 <u>25歳</u>:※配偶者と同居)について "Qualifying Relative(SINCRO)"の要件を満た しているかどうか判断する。Ruth(母親)のみ、 SINCRO の要件を満たしている。∴<u>1人</u>が正解。

| | Support | Income | No joint return | Citizen | Relative | OR 同居 |
|------------------|---------|--------|-----------------|---------|----------|----------|
| | S | I | N | С | R | 0 |
| Ruth 母親 | 0 | O*(1) | n/a | 0 | 0 | ×*(2) |
| Clay 子供 (25歳) | 0 | 0 | ×*(3) | 0 | 0 | ×*(2) |

*補足解説 (3) Joint Return テスト

: 配偶者と MFJ をしていないこと。但し、 源泉徴収税額等の還付を受けるために、配偶者と MFJ を用いた場合には構わない。本問では、申告 時に\$500 納付する必要があり、還付を受ける目的 で MFJ を用いてはいない。従って、Clay は、 Joint return テストを満たしていない。

14. MCQ-14622 □□ A

Jim and Kay Ross contributed to the support of their two children, Dale and Kim, and Jim's widowed parent, Grant, For Year 1, Dale, a 19year-old full-time college student, earned \$4,500 as a babysitter. Kim, a 23-year-old bank teller, earned \$12,000. Grant received \$8,000 in dividend income and \$4,000 in nontaxable Social Security benefits. Grant and Kim are U.S. citizens and were over one-half supported by Jim and Kay, but neither of the two currently reside with Jim and Kay. Dale's main place of residence is with Jim and Kay, and he is currently on a temporary absence to attend school. How many people meet the definition of either qualifying child or qualifying relative on the Year 1 joint income tax return for Jim and Kay Ross?

- a. Zero
- b. One
- c. Two
- d. Three

15. TAC Original □□ C

Ted and Nancy file a joint return. They pay \$9,000 to rent an apartment for their parents, Amy and David. Amy provides \$6,000 towards her own support and David provides \$4,000. The other dependency tests are met for both Amy and David. Who qualified as a dependent for Ted and Nancy?

- a. Amy and David
- b. Amy
- c. David
- d. No One

16. TAC Original □□ A

Which of the following relatives may not be claimed as a dependent for the 20X1 tax year, given that none live with the taxpayer, but all other dependency criteria are met:

- a. An uncle
- b. A cousin
- c. A grandfather who died in January, 20X1
- d. A child born in December, 20X1

17. TAC Original □□ B

Which of the following may not be claimed as a dependent:

- An exchange student from Japan, who lives with the taxpayer for the entire year.
 The taxpayer provides 100% of the student's support.
- b. The taxpayer's daughter's husband, who does not live with the taxpayer (and who does not file a joint return). He earns \$2,500 during the tax year. The taxpayer provides more than 50% of his support.
- c. The taxpayer's daughter, who live with the taxpayer (and who does not file a joint return). She is 23 years old and a fulltime student. She earns \$5,000 during the current tax year. The taxpayer provides more than 50% of her support.
- d. The taxpayer's niece, who does not live with the taxpayer. She earns \$2,000 during the current tax year. The taxpayer provides more than 50% of her support.

CORE: REG

直近10年分の AICPA リリース MC 問題のうち PARTI 第4章に対応する問題は以下となる。

Released 2016 (p.372 \sim) \Rightarrow Q9 Released 2017 (p.388 \sim) \Rightarrow Q23

Choice "b" is correct.

Dale: YES. Dale meets all criteria of qualifying child (CARES). He is under the age limit because he is a full-time student under age 24.

Kim: NO. Kim does not meet the age test for qualifying child. She also does not meet the qualifying relative criteria. She fails the gross income limitations of qualifying relative (SINCRO).

Grant: NO. Grant does not meet the qualifying relative criteria. He fails the gross income limitations of qualifying relative (SINCRO).

【ポイント解説】

| | 出題トピック | Dependents | | |
|---|--------|------------|--|--|
| ſ | 対応する章 | PARTI 第4章 | | |

Dale (子供19歳) には\$4,500のバイト収入があるが、24歳未満のフルタイムの学生である(同居の要件: temporary absence は OK: "Qualifying Child"の要件を満たしている)ため、所得制限は適用されない。

| | С | Α | R | (E) | S |
|------------------|---|---|---|------------|---|
| Dale 子供 (19歳) | 0 | 0 | 0 | 所得制限 ナシ | 0 |

Kim (子供23歳) は、23歳ではあるがフルタイムの学生ではないため、"Qualifying Relative"の要件を満たしているかを判断する。 \$ 12,000の給与収入があり、所得制限(\$5,050: 2024)にひっかかる。

Grant (父親=3親等以内の親族) には\$8,000の 配当収入があり、所得制限にひっかかる。

| | S | I | N | С | R | 0 |
|-----------------|---|---|-----|---|---|---|
| Kim 子供 (23歳) | 0 | × | n/a | 0 | 0 | × |
| Grant 父親 | 0 | × | n/a | 0 | 0 | × |

..扶養家族となるのは Dale のみ: 1人が正解。

15. TAC Original

Choice "c" is correct.

【ポイント解説】

| 出題トピック | Dependents | | | | |
|--------|------------|--|--|--|--|
| 対応する章 | PARTI 第4章 | | | | |

本問では、両親それぞれが"Qualifying Relative (SINCRO)"のSupportテスト(納税者がその者の生活費の50%を援助していること)を満たしているかどうかが問われている。

子(Ted & Nancy夫妻)が負担した\$9,000は、 各親に均等に配分する(\$4,500ずつ)。よって、 50%超の計算は以下の通り。

Amy(母親)

自己負担 \$6,000 / 計\$10,500 = 57% 子負担 \$4,500 / 計\$10,500 = 43% <50% × **David** (父親)

自己負担 \$4,000 / 計\$8,500 = 47% 子負担 \$4,500 / 計\$8,500 = 53% >50% O

| | S | ı | N | С | R | 0 |
|------------|---|---|---|---|---|---|
| Amy 母 | × | 0 | 0 | 0 | 0 | X |
| David 父 | 0 | 0 | 0 | 0 | 0 | × |

<参考>Amy(母親)、David(父親)の自己負担分は、試験対策上、所得ではなく貯金または非課税の社会保障給付(social security benefit)から出されたものだと考える。

16. TAC Original

Choice "b" is correct.

【ポイント解説】

| 出題トピック | Dependents | | | |
|--------|------------|--|--|--|
| 対応する章 | PARTI 第4章 | | | |

"Qualifying Relative (SINCRO)"の Relationship テストにおいて、いとこ(cousin)は3親等以内の親族ではないため、1年間同居している必要がある。∴**選択肢"b"**が正解となる。

選択肢"a":おじは3親等以内の親族である。 選択肢"c"&"d":課税年度中にその扶養家族が 誕生または死亡した場合であっても、当該年度に ついて、扶養家族として申告できる(各種税額控 除の対象にもなる。控除額の月割り等も不要)。

17. TAC Original

Choice "a" is correct.

【ポイント解説】

| E-1-1 > 1 /3TH002 | | | | |
|-------------------|------------|--|--|--|
| 出題トピック | Dependents | | | |
| 対応する章 | PARTI 第4章 | | | |

選択肢"b": 3親等以内の親族には「姻戚 (in-laws)」 も含まれる。∴娘婿は、"Qualifying Relative (SINCRO)" の要件を満たしている。

選択肢"c": 納税者の娘で、24歳未満のフルタイム の学生である。 ∴娘は、"Qualifying Child (CARES)" の要件を満たしている。

選択肢"d":姪(nieces:自分の兄弟姉妹の娘)は 3親等以内の親族である。∴姪は"Qualifying Relative (SINCRO)"の要件を満たしている。 <u>消去法</u>により、**選択肢"a"**:交換留学生が正解と

<u>消去法</u>により、**選択肢"a"**:交換留学生が正解となる。〈参考〉 交換留学生は、原則米国居住者にはならないため、扶養家族として認められない。

5. Gross Income - Inclusions

計34問

CORE: REG Q 18~51

TIP@Generally, all income is included in GI unless specifically excluded.

税法で特に除外する(非課税)と規定されていない限り、原則、すべての所得が GI に含められ課税対象となる。 課税 vs. 非課税所得の判別は、問題を解く際に、TAX 直前対策まとめ p.6と p.7の左右どちらのページにあるのかをいちいち確認していくと視覚的に判別できるようになる。Simulation 問題集の TBS 基本 3 も参照のこと。

18. MCQ-01840 □□ A

A cash basis taxpayer should report gross income:

- a. Only for the year in which income is actually received in cash.
- Only for the year in which income is actually received whether in cash or in property.
- For the year in which income is either actually or constructively received in cash only.
- d. For the year in which income is either actually or constructively received, whether in cash or in property.

19. MCQ-14631 □□ A

Merrill and Joe's divorce was finalized in June of 2018. As part of the settlement, Joe received the following:

Alimony \$1,500 per month
Child support \$500 per month

Lump-sum payment as

the property settlement \$125,000

Merrill only paid a total of \$15,000 during the current year. What amount must Joe include in income on his current year Form 1040?

- a. \$9,000
- b. \$15,000
- c. \$134,000
- d. \$140.000

20. MCQ-04859 □□ B

Tom and Sharlene had the following items of income and expense during the taxable year:

| Tom's wages from his job | \$ 67,000 |
|------------------------------|-----------|
| Interest from money market | \$ 1,500 |
| Gain from sale of securities | |
| owned for 3 months | \$ 15,000 |
| Self-Employment Activity | |
| Gross income | \$ 35,000 |
| Business license fees | \$ 500 |
| Marketing expenses | \$ 2,000 |
| Salary paid to Sharlene | \$ 10,000 |

What is Tom & Sharlene's gross income before adjustments?

- a. \$106,000
- b. \$116,000
- c. \$128,500
- d. \$131,500

Choice "d" is correct. A cash basis taxpayer should report gross income for the year in which income is either <u>actually or constructively received</u>, whether in cash or in property.

【ポイント解説】

| 出題トピック | Overall Accounting Method |
|--------|---------------------------|
| 対応する章 | PARTI 第5章 |

現金主義採用の納税者は、実際に現金や現物 (property) を受領した年度またはみなし受領した 年度に所得を認識する。二**選択肢"d"**が正解。

19. MCQ-14631

Choice "a" is correct. Because this divorce was finalized in 2018, the alimony is included in gross income. Joe was to receive \$1,500 per month in alimony, for a total of \$18,000. Child support is non-taxable as are lump-sum property settlements made pursuant to a divorce. When total payments received do not equal the total due, the amounts are first allocated to child support. Thus, of the \$15,000 paid by Merrill, \$6,000 is first allocated to child support. The remaining \$9,000 would constitute alimony and would be taxable.

【ポイント解説】

Child support

| 出題トピック | Payment Pursuant to Divorce | | | | | | |
|--------|-----------------------------|--|--|--|--|--|--|
| 対応する章 | PARTI 第5章 | | | | | | |

2018年12月31日までに締結した離婚同意書に従って受領した Alimony は課税対象となるが、Child support と Property settlement は非課税。 ※現金一括払いは財産分与 (property settlement) として扱われるので注意しよう。

注(2): Child support と Alimony 両方が支払われる場合で、「全額」支払いがなされなかった場合には、まず、Child support にあてられ、残りをAlimony として扱う。

本問の Joe 氏は、当年度中に Alimony と Child support として合計 \$24,000を Merrill 氏から受領 するはずだったが、合計\$15,000しか受領できなかった。 Child support が優先されるため、Alimony として扱われるのは、**\$9,000**となる。

Alimony $$1,500 \times 12$ ヵ月 = \$18,000 \rightarrow \$9,000

\$500×12ヵ月 = \$ 6,000

\$24,000 → \$15,000

20. MCQ-04859 Choice "b" is correct.

| Tom &Sharlene's gross income | <u>\$116,000</u> |
|------------------------------|------------------|
| Business income(事業所得) | 32,500 |
| Gain from sale(売却益) | 15,000 |
| Interest(利子収入) | 1,500 |
| Tom's wages(給与収入) | \$67,000 |

Note: Sharlene's salary is considered an owner's draw and is not an allowable business deduction against the gross business income.

【ポイント解説】

| 出題トピック | Business Income or Loss | | | |
|--------|-------------------------|--|--|--|
| 対応する章 | PARTI 第5章 | | | |

自営業の事業所得は Schedule C で計算されるが、Business income \$35,000—Business expenses (\$500+\$2,000)=**\$32,500**となる。

【注】自営業者(個人事業主)自身に対する 支払いは一切控除不可。「事業主による資本の 引き出し(owner's draw)」となるから。 本問では、Salaries paid to Sharlene \$10,000が これに該当し一切控除不可。

<補足解説> 個人事業の場合は、事業主である 自身へ「給料※」を支払うことはなく、売上一売上 原価一事業経費=「純利益」が自身の取り分とな る。自身の取り分は、当然ながら、期末にならない と分からない。なお、個人事業が最終的に赤字とな った場合には事業主の取り分はゼロである。

※本試験では、本問のように自営業者(個人事業主)自身への支払いを Salaries と表現していることがあるので注意が必要である。

■ 会社(普通法人)の役員と個人事業主の違い

会社:売上一売上原価一事業経費(役員報酬を含む)=純利益に対して法人税が課される。役員報酬を受領する経営者の場合、その報酬に対して個人所得税が課される。役員報酬が経営者の取り分である。個人事業主:Schedule C で計算される売上一売上原価一事業経費=純利益が事業主(経営者)の取り分となり、この金額に対して個人所得税が課される。

■ Owner's draw とは?

会社の場合その資本は株主(出資者;所有者)のものなので経営者が会社の資金を勝手に引き出すことはできないが、個人事業主は事業主取り分を期中に引き出せる(生活費にあてるため)。これが Owner's drawである。Owner's drawは(人件費:従業員に対する給与のように)事業経費にはならず、事業主の所得でもない。事業主が事業主の取り分を"前借り"したようなイメージである。※日本では「事業主借」「事業主貸」という勘定で記帳しているのが一般的である。

21. MCQ-04861 □□ A

Seth Silver had the following items of income during the taxable year:

Interest income from a checking
account \$ 1,000
Interest income from a money market
account 2,050
Interest income from a municipal bond
he purchased during the current year
Interest income from federal bonds he
purchased two years ago 750

On his current year tax return, what amount is taxable income?

- a. \$3,050
- b. \$3,300
- c. \$3.800
- d. \$4.050

22. Becker Practice $\Box\Box$ A

Stella Corporation's information is as follows:

Prior year's earnings and profits \$ 75,000 Current year's earnings and profits \$ 0 Capital invested by shareholders \$ 25,000

At the end of the current year, Stella Corporation paid its shareholders a total of \$150,000 in dividends. What amount is taxable, either as ordinary income or capital gain, to the shareholders in total?

- a. \$0
- b. \$75,000
- c. \$100,000
- d. \$125,000

23. MCQ-14690 □□ A

Barkley owns a vacation cabin that was rented to unrelated parties for 10 days during the year for \$2,500. The cabin was used personally by Barkley for three months and left vacant for the rest of the year. Expenses for the cabin were as follows:

Real estate taxes \$1,000 Maintenance and utilities \$2,000

How much rental income (loss) is included in Barkley's adjusted gross income?

- a. \$0
- b. \$500
- c. \$(500)
- d. \$(1,500)

24. MCQ-01428 □□ B

Adams owns a second residence that is used for both personal and rental purposes. During the current year, Adams used the second residence for 50 days and rented the residence for 200 days. Which of the following statements is *correct?*

- a. Depreciation may not be deducted on the property under any circumstances.
- b. A rental loss may be deducted if rentalrelated expenses exceed rental income.
- Utilities and maintenance on the property must be divided between personal and rental use.
- d. All mortgage interest and taxes on the property will be deducted to determine the property's net income or loss.

Choice "c" is correct. Taxable interest includes amounts received from general investment accounts as well as interest on federal obligations. Interest received from state and municipal bonds is not taxable.

【ポイント解説】

| 出題トピック | Interest Income |
|--------|-----------------|
| 対応する章 | PARTI 第5章 |

連邦債(federal bond)の利息は、原則として、 課税対象である。一方、地方債(municipal bond) の利息は、原則非課税。

本問の場合、課税対象となる利息は、 地方債の利息を除き、\$1,000+\$2,050+\$750 =**計\$3,800**である。

<参考>Money market account とは、市場金利に連動した金利がつく預金口座のこと。

22. Becker Practice

Choice "d" is correct. The taxability of dividends paid by a corporation to its shareholders is dependent upon the amount of the corporation's earnings and profits and the amount of capital invested by the shareholders.

To the extent of current E&P Ordinary Income
To the extent of accumulated E&P Ordinary Income
To the extent of investment

(return of capital) Non-taxable
In excess of capital investment Capital Gain

【ポイント解説】

| 出題トピック | Dividend Income | | | |
|--------|-----------------------|--|--|--|
| 対応する章 | PARTI 第5章, PARTIV 第6章 | | | |

普通法人(C Corp)からの通常の分配において、 留保利益: E&P(CEP 及び AEP)からの分配を 「*Dividend* (利益の配当) = Ordinary income (通常所得)」として扱う。

···\$75,000+50,000=計\$125,000

| ſ | 残り | > | (c) Capital gain | \$50,000 |
|-----------|-------------|----------|-----------------------|----------|
| 分配額 | Stock basis | > | (b) Return of capital | \$25,000 |
| \$150,000 | E&P | → | (a) Dividend | \$75,000 |

※各州の会社法により、一般に Retained earnings を超える配当は規制されているため、Capital(資本)の払戻しを超えて Capital gain が生じることはごく稀であるが、上記税法の規定が設けられている。

23. MCQ-14690

Choice "a" is correct. if a vacation residence is rented for less than 15 days per year, it is treated as a personal residence. The rental income (\$2,500 in this case) is excluded from income, and mortgage interest (first or second home) and real estate taxes are allowed as itemized deductions. Depreciation, utilities, and repairs are not deductible.

【ポイント解説】

| 出題トピック | Rental Income or Loss |
|--------|-----------------------|
| 対応する章 | PARTI 第5章 |

別荘の賃貸(rental of vacation home)について。 賃貸した期間が年間15日に満たない(10 days) ため、「個人使用の住宅(personal residence)」 として扱われ、賃借料\$2,500を申告する必要はない。自宅・別荘の修繕費、水道光熱費、減価償却 費等は控除不可。※但し、自宅・別荘の固定資産 税と住宅取得ローンの支払利息は AGI の下 (Itemized deduction)で控除可。

∴本問のBarkly氏の不動産賃貸所得は**\$0**となる。

24. MCQ-01428

Choice "c" is correct. Because the second property was personally used more than 14 days, any net loss from the rental of the property will be disallowed. All related expenses must be prorated between the personal use portion and the rental activity portion. Prorated depreciation is permitted for the rental activity.

【ポイント解説】

| 出題トピック | Rental Income or Loss |
|--------|-----------------------|
| 対応する章 | PARTI 第5章 |

別荘の賃貸(rental of vacation home)について。 まず、自己使用が年間14日超(50 days)である。 別荘を賃貸した期間が15日以上(200 days)であ るため、その賃貸収入を Schedule E にて申告す る。別荘に関して支払った費用のうち、賃貸活動 の経費となる費用項目(例:修繕費、水道光熱費、 減価償却費)は期間按分し、"賃貸使用分"のみ Schedule E にて控除可。∴選択肢"a"と"d"は誤り。 **選択肢"c"**は正しい。

なお、賃貸使用分 (rental use expenses) は、 その年度の賃貸収入 (rental income) を上限とし て控除が認められる。二選択肢"b"は誤り。

25. MCQ-14627 □□ A

Which of the following conditions must be present in a divorce agreement executed on or before December 31, 2018, for a payment to qualify as deductible alimony?

- I. Payments must be in cash or its equivalent.
- II. The payments must end at the recipient's death.
 - a. I only.
 - b. II only.
 - c. Both I and II.
 - d. Neither I nor II.

26. Becker Practice B

Which of the following costs is *not* included in inventory under the Uniform Capitalization rules for goods manufactured by the taxpayer?

- a. Marketing.
- b. Warehousing costs.
- c. Quality control.
- d. Taxes excluding income taxes.

27. MCQ-01472 □□ B

Baker, a sole proprietor CPA, has several clients that do business in Spain. While on a four-week vacation in Spain, Baker took a five-day seminar on Spanish business practices that cost \$700. Baker's round-trip airfare to Spain was \$600. While in Spain, Baker spent an average of \$100 per day on accommodations, local travel, and other incidental expenses, for total expenses of \$2,800. What amount of expense can Baker deduct on Form 1040 Schedule C, "Profit or Loss From Business"?

- a. \$700
- b. \$1,200
- c. \$1,800
- d. \$4,100

28. MCQ-12704 □□ A

What are the treatment options for a net operating loss that arise in 2021 and beyond?

- Two-year carryback and 20-year carryforward
- b. No carryback and 20-year carryforward
- c. No carryback and indefinite carryforward
- Two-year carryback and indefinite carryforward

Choice "c" is correct. Among the requirement for payments to be classified as alimony are:

- 1. Payment must be in cash or its equivalent.
- 2. Payments cannot extend beyond the death of the payee-spouse.

【ポイント解説】

| 出題トピック | Payment Pursuant to Divorce |
|--------|-----------------------------|
| 対応する章 | PARTI 第5章 |

2018年12月31日までに締結した離婚同意書に 従って支払う Alimony は、AGI の上(Above the line deduction)で控除可。その代わり、Alimony の受領者は課税される。

税法上 Alimony として扱われるための要件として、 以下の2つは必ずおさえておこう。

- ・定期的な現金による支払いであること。
- ・受領者である配偶者の死亡により、支払いが 終了すること。
- ∴選択肢"c": Both I and II が正解となる。

26. Becker Practice

Choice "a" is correct. Uniform Capitalization rules provide guidelines with respect to capitalizing or expensing certain costs. With regard to inventory, direct materials, direct labor, and factory overhead should be capitalized as part of the cost of inventory. Warehousing costs, quality control, and taxes, excluding income taxes, are all considered factory overhead items. The marketing expenses should be expensed.

【ポイント解説】

| 出題トピック | Business Income or Loss |
|--------|-------------------------|
| 対応する章 | PARTI 第5章 |

Uniform Capitalization (UNICAP) Rule とは、主に 製造業者の製造コストや販売業者の仕入コストに ついて、資産化するのか費用化するのかのガイド ラインを示したものである。

Capitalized as Inventory

Direct materials ·(直接材料費)

· Direct labor (直接労務費)

· Factory overhead (製造間接費)

Period Expense

· SGA

(販売費、一般管理費)

- · Marketing **.. 選択肢"a"** (マーケティング費)
- · Advertising (広告宣伝費)

27. MCQ-01472

Choice "b" is correct. Baker can deduct \$1,200 as educational expenses on Form 1040 Schedule C. calculated as follows:

Direct educational expenses \$ 700 [cost of the course]

Daily expenses for 5-day seminar 500 [\$100 per day x 5]

Total educational expenses \$ 1,200

Rule: If foreign travel is primarily for personal in nature (e.g., a vacation), none of the travel expenses (e.g., round trip airfare) incurred will be allowable business deductions, even if the taxpayer was involved in business activities while in the foreign country.

【ポイント解説】

| 出題トピック | Business Income or Loss |
|--------|-------------------------|
| 対応する章 | PARTI 第5章 |

自営業者は、事業に関連した教育費を Schedule C において事業経費として控除可。

本問はビジネス出張とプライベート旅行を合わせて行ったケースであるが、旅費交通費の取扱い: "国内出張"の場合、その主たる目的が事業活動でなければ、旅費交通費を一切控除できない。

"海外出張"の場合、プライベート旅行が一部含まれていたとしても、旅費交通費の事業関連部分(※按分要)が控除の対象となる。

ただ、Backer 氏のケースは主たる目的がプライベート旅行だといえるため、飛行機代は一切控除しないという解答になっている(上記計算)。

28. MCQ-12704

Choice "c" is correct. Net operating losses arising in 2021 and beyond can be carried forward indefinitely.

【ポイント解説】

| 出題トピック | Business Income or Loss |
|--------|-------------------------|
| 対応する章 | PARTI 第5章 |

2021年度及び以降に生じた NOL は、翌年以降、「無期限」に繰越しが可能で、将来の課税所得(taxable income)と相殺することができる(将来の課税所得の計算上控除をとり将来の税額を減少させることができる)。但し、繰越された年度の課税所得(当該 NOL 繰越控除前)の80%が上限として控除(相殺)することが認められる。

※本試験でも、本問のように"年度"が与えられ 税法上の取扱いを判別することになる。

29. MCQ-01564 □□ A

In a tax year where the taxpayer pays qualified education expenses, interest income on the redemption of qualified U.S. Series EE Bonds may be excluded from gross income. The exclusion is subject to a modified gross income limitation and a limit of aggregate bond proceeds in excess of qualified higher education expenses. Which of the following is (are) true?

- The exclusion applies for education expenses incurred by the taxpayer, the taxpayer's spouse, or any person whom the taxpayer may claim as a dependent for the year.
- II. "Otherwise qualified higher education expenses" must be reduced by qualified scholarships not includible in gross income.
 - a. I only.
 - b. II only.
 - c. Both I and II.
 - d. Neither I nor II.

30. MCQ-01568 □□ A

During the year Kay received interest income as follows:

| On U.S. Treasury certificates | \$4,000 |
|-------------------------------|---------|
| On refund of prior year's | |
| federal income tax | 500 |

The total amount of interest subject to tax in Kay's current year tax return is:

- a. \$4,500
- b. \$4,000
- c. \$500
- d. \$0

31. MCQ-01609 □□ A

Perle, a dentist, billed Wood \$600 for dental services. Wood paid Perle \$200 cash and built a bookcase for Perle's office in full settlement of the bill. Wood sells comparable bookcases for \$350. What amount should Perle include in taxable income as a result of this transaction?

- a. \$0
- b. \$200
- c. \$550
- d. \$600

32. MCQ-01571 □□ B

With regard to the inclusion of social security benefits in gross income, for the current tax year, which of the following statements is correct?

- The social security benefits in excess of modified adjusted gross income are included in gross income.
- The social security benefits in excess of one half the modified adjusted gross income are included in gross income.
- Eighty-five percent of the social security benefits is the maximum amount of benefits to be included in gross income.
- d. The social security benefits in excess of the modified adjusted gross income over a threshold amount are included in gross income

33. Becker Practice B

Rich is a cash basis self-employed air-conditioning repairman with the current year's gross business receipts of \$20,000. Rich's cash disbursements were as follows:

| Air conditioning parts | \$2,500 |
|--|---------|
| Yellow Pages listing | 2,000 |
| Estimated federal income taxes on | |
| self-employment income | 1,000 |
| Business long-distance telephone calls | 400 |
| Charitable contributions | 200 |

What amount should Rich report as net selfemployment income?

- a. \$15,100
- b. \$14,900
- c. \$14,100
- d. \$13,900

Choice "c" is correct. Interest earned on Series EE bonds may qualify for exclusion. One requirement is that the interest is used to pay tuition and fees for the taxpayer, spouse, or dependent enrolled in higher education. The interest exclusion is reduced by qualified scholarships that are exempt from tax.

【ポイント解説】

| K-1- 1 > 1 /JTH/02 | |
|--------------------|-----------------|
| 出題トピック | Interest Income |
| 対応する章 | PARTI 第5章 |

シリーズ EE 教育費貯蓄債券 (Series EE savings bonds) の利息は、その償還金(利息を含む)を「納税者本人、配偶者、扶養家族の適格高等教育費の支払いにあてること」等を条件として原則非課税扱いが認められている。非課税の奨学金 (scholarship) 等を受領したため償還金を「全額」適格高等教育費に用いなかった場合、その金額に対応する利息部分は非課税扱いが受けられないので注意しよう。

∴選択肢"c": Both I and II は正しい。

30. MCQ-01568

Choice "a" is correct. Interest income from U.S. obligations is generally taxable. Interest income on a federal tax refund is taxable, even though the refund itself is not taxed.

【ポイント解説】

| 出題トピック | Interest Income |
|--------|-----------------|
| 対応する章 | PARTI 第5章 |

連邦債 (federal bond) の利息は、原則として、 課税対象となる。※頭に U.S.が付いているので、 連邦債(国債) だと分かる。

還付金に付される利息は、連邦所得税(federal income tax)の還付金に付される利息であろうが、州の所得税(state income tax)の還付金に付される利息であろうが、いずれも課税対象となるので注意しよう。本問の場合、課税対象となる利息は、\$4,000+\$500=計\$4,500である。

31. MCQ-01609

Choice "c" is correct. The \$200 cash received plus the \$350 fair market value of the bookcase received must be included in income by Perle, for a total of \$550. The income is based on the value in money or fair market value of property received by Perle, not the \$600 billed.

【ポイント解説】

| 出題トピック | Compensation for Services |
|--------|---------------------------|
| 対応する章 | PARTI 第5章 |

報酬を現物(property)で受領した場合、受領日における **FMV** で評価され、課税対象となる。 現金**\$**200+現物**\$**350=**計\$550**が正解である。 請求額の**\$**600ではないので注意しよう。

32. MCQ-01571

Choice "c" is correct. 85% of the benefits is the maximum amount of benefits that may be included in gross income.

【ポイント解説】

| 出題トピック | Social Security Benefit |
|--------|-------------------------|
| 対応する章 | PARTI 第5章 |

社会保障給付金 (social security benefits) は、AGI に一定の調整を加えた"provisional income" (=AGI+tax-exempt interest + 50% of social security benefits) の大きさに応じて課税対象となる割合(%)が定められている。どんなに高額所得者であろうとも、最高で給付額の85%が課税対象となる。∴**選択肢"c"**は正しい。

33. Becker Practice

Choice "a" is correct. Estimated federal income taxes are not an expense. Charitable contributions by an individual are only deductible as an itemized deduction on Schedule A.

| Schedule C Net income | <u>\$ 15,100</u> |
|-----------------------|------------------|
| Telephone | (400) |
| Listing | (2,000) |
| Parts | (2,500) |
| Gross receipts | \$ 20,000 |

【ポイント解説】

| 出題トピック | Business Income or Loss |
|--------|-------------------------|
| 対応する章 | PARTI 第5章 |

自営業者の事業所得は、Schedule C において計算される。自営業者の費用については、まず、Schedule C の事業経費として控除できるかどうかを判別することがポイントであるが、Schedule C ではなく Above the line deduction、Itemized deductionで控除できる費用もあるので注意が必要である。特に以下の項目に要注意!

- 連邦所得税(federal income tax)は控除不可。
- 自営業者が行った適格団体への寄付は、 Schedule Cではなく、Schedule Aで控除可。

34. MCQ-01614 / 05979 $\square\square$ A

Nare, an accrual-basis taxpayer, owns a building which was rented to Mott under a 10-year lease expiring August 31, Year 8. On January 2, Year 2, Mott paid \$30,000 as consideration for canceling the lease. On November 1, Year 2, Nare leased the building to Pine under a five-year lease. Pine paid Nare \$10,000 rent for the two months of November and December, and an additional \$5,000 for the last month's rent. What amount of rental income should Nare report in its Year 2 income tax return?

- a. \$10.000
- b. \$15,000
- c. \$40,000
- d. \$45,000

35. MCQ-01620 □□ A

John and Mary were divorced in 2017. The divorce decree (executed 6/30/2017) provides that John pay alimony of \$10,000 per year, to be reduced by 20% on their child's 18th birthday. During the current year, the \$10,000 was paid in the following way: John paid \$7,000 directly to Mary and \$3,000 to Spring College for Mary's tuition. What amount of these payments should be reported as income in Mary's current year income tax return?

- a. \$5,600
- b. \$8,000
- c. \$8.600
- d. \$10,000

36. MCQ-01636 □□ A

Clark took a standard deduction for 20X1 taxable year. In July 20X2, Clark received a state income tax refund of \$900 plus interest of \$10, for overpayment of 20X1 state income tax. What amount of the state tax refund and interest is taxable in Clark's 20X2 federal income tax return?

- a. \$0
- b. \$10
- c. \$900
- d. \$910

37. MCQ-15038 □□ A

During the current year, Adler had the following cash receipts:

Wages \$18,000
Interest Income from investments
in municipal bonds 400
Unemployment compensation 3,900

What is the total amount that must be included in gross income on Adler's current year income tax return?

- a. \$18.000
- b. \$18,400
- c. \$21,900
- d. \$22,300

34. MCQ-01614 / 05979

Choice "d" is correct. Prepaid rent is income when received even for an accrual-basis taxpayer. The \$30,000 received as consideration for canceling the lease is in substitution for rental payments and is thus rental income. The \$5,000 prepaid for the last month's rent is rental income.

【ポイント解説】

| 出題トピック | Rental Income or Loss |
|--------|-----------------------|
| 対応する章 | PARTI 第5章 |

Nare 氏は11月1日に Pine 氏とリース契約を締結し、11月・12月分の家賃とリース期間の最終月の家賃(前受家賃)を受領している。

前受家賃 (prepaid rent) は、たとえ発生主義を採用している納税者であっても、現金受領年度の賃貸収入に含められ課税対象となる。

なお、リース契約の解約料 (lease cancellation payment) は、賃貸収入として課税対象となる。 ∴\$30,000+\$10,000+\$5,000=**計\$45,000**

35. MCQ-01620

Choice "b" is correct. Funds qualify as child support only if 1) a specific amount is fixed or is contingent on the child's status (e.g., reaching a certain age); 2) it is paid solely for the support of minor children; and 3) it is payable by decree, instrument, or agreement. The actual use of the funds is irrelevant to the issue. In this case, \$2,000 (20% × \$10,000) qualifies as child support. The other \$8,000 is alimony, which would be income to Mary.

【ポイント解説】

| | Payments Pursuant to Divorce |
|-------|------------------------------|
| 対応する章 | PARTI 第5章 |

2018年12月31日までに締結した離婚同意書に 従って受領した Alimony は課税対象となるが、 Child support は非課税である。

注(1): 離婚同意書において Child support の額が明記されていない場合であっても(または、Alimony と Child support が区別されずに支払われている場合であっても)、未成年の子供が特定の年齢に達する、結婚する、就職する等によって減額する等の条件が付されている場合には、その減額されることになっている部分を、税法上 Child support として扱うことになる。

本問では、Mary 氏が元夫から受領した\$10,000のうち、子供が18歳に達した時点で減額されること

になっている\$2,000 (\$10,000×20%) は、Child support となる。残り**\$8,000**が Alimony として 課税対象となる。※支払いの内容で判断しよう!

36. MCQ-01636

Choice "b" is correct. Except for interest from state and local government bonds, interest income is fully taxable, so the \$10 is included in income. Clark did not itemize last year, and therefore, did not deduct any state income taxes last year. Under the tax benefit rule, the refund is not taxable this year since Clark did not deduct the tax last year.

【ポイント解説】

| _ : ::::== | | |
|------------|--------|-------------|
| | 出題トピック | Tax Refund |
| | 対応する章 | PARTI 第5章 |

前年度に Standard deduction を選択していた場合 戻ってきた前年度の州の所得税の還付金を当年度 の GI に含める必要はない。なぜなら、前年度に Standard deduction を選択しているため前年度に 納めた州の所得税を控除しておらず、前年度の 税額を減らしていないから。

※もし前年度に Itemized deduction を選択し州の所 得税を全額控除していた場合、戻ってきた前年度の 州の所得税の還付金は GI に含められ課税対象となる。 州の所得税の還付金自体は、「タックス・ベネフィット・ルール(tax benefit rule)」によりその扱いが異なるので注意しよう。

一方、還付金に付される利息は、連邦所得税の還付金に付される利息であろうが、州所得税の還付金に付される利息であろうが、いずれも、GIに含められ課税対象となる。∴本問の場合、課税対象となるのは利息**\$10**のみである。

37. MCQ-15038

Choice "c" is correct. The wages of \$18,000 and unemployment compensation of \$3,900 are both includable in gross income on Adler's current year income tax return.

【ポイント解説】

| 出題トピック | Unemployment Compensation |
|--------|---------------------------|
| 対応する章 | PARTI 第5章, 第6章 |

失業保険給付金(unemployment compensation)は、「全額」課税対象となる。本問の場合、地方債の利息を除き、\$18,000+\$3,900=**計\$21,900**が課税対象となる。

38. MCQ-04756 □□ B

DAC Foundation awarded Kent \$75,000 in recognition of lifelong literary achievement. Kent was not required to render future services as a condition to receive the \$75,000. What condition(s) must have been met for the award to be excluded from Kent's gross income?

- Kent was selected for the award by DAC without any action on Kent's part.
- II. Pursuant to Kent's designation, DAC paid the amount of the award either to a governmental unit or to a charitable organization.
 - a. I only.
 - b. II only.
 - c. Both I and II.
 - d. Neither I nor II.

39. MCQ-14689 □□ A

Mosh, a sole proprietor, uses the cash basis of accounting. At the beginning of the current year, accounts receivable were \$25,000. During the year, Mosh collected \$100,000 from customers. At the end of the year, accounts receivable were \$15,000. What was Mosh's gross taxable income for the current year?

- a. \$75.000
- b. \$90.000
- c. \$100,000
- d. \$110,000

40. MCQ-15040 □□ A

Porter was unemployed for part of the year. Porter received \$35,000 of wages, \$6,400 from a state unemployment compensation plan, and \$2,000 from his former employer's company-paid supplemental unemployment benefit plan. What is the amount of Porter's gross income?

- a. \$35.000
- b. \$37,000
- c. \$41,400
- d. \$43.400

41. MCQ-05279 □□ A

Which one of the following will result in an accruable expense for an accrual-basis taxpayer?

- a. An invoice dated prior to year end but the repair completed after year end.
- A repair completed prior to year end but not invoiced.
- c. A repair completed prior to year end and paid upon completion.
- d. A signed contract for repair work to be done and the work is to be completed at a later date.

Choice "c" is correct. Generally, the fair market value of prizes and awards is taxable income. However, an exclusion from income for certain prizes and awards applies where the winner is selected for the award without entering into a contest (i.e., without any action on their part) and then assigns the award directly to a governmental unit or charitable organization. So, conditions "I" and "II" must be met in order for Ken to exclude the award from his gross income.

【ポイント解説】

| | 出題トピック | Prize & Awards |
|--|--------|----------------|
| | 対応する章 | PARTI 第5章 |

一定の功績に対する賞金は、政府組織または慈善団体等に「直接」寄付されたのであれば、非課税。さらに非課税の要件として、受賞者が何ら行動することなく受賞したこと(例えば、受領者がコンテスト等に参加して受賞したものではないこと)。
∴選択肢"c": Both I and II が正解となる。

39. MCQ-14689

Choice "c" is correct. The facts state that cash collections from customers were \$100,000 and as a cash basis taxpayer this is the amount of Mosh's gross taxable income for the year.

Beginning A/R \$ 25,000

Add - Sales <u>90,000</u> 発生主義のTaxable income 115.000

Subtract - Cash

collections (100,000) 現金主義のTaxable income

Ending A/R \$ 15,000

【ポイント解説】

| 出題トピック | Business Income or Loss |
|--------|-------------------------|
| 対応する章 | PARTI 第5章 |

自営業者の事業所得は現金主義を採用しているため、当年度の現金受領額**\$100,000**が正解となる。 上記計算は財務会計(FAR)で学習したが、仮に 発生主義を採用していた場合には\$90,000が正解 となる。

40. MCQ-15040

Choice "d" is correct. Wages and all unemployment compensation are not excluded from being taxable; therefore, there are included in the taxpayer's gross income for tax purposes.

Wages received (給与賃金) \$ 35,000

State unemployment compensation (州の失業保険給付金)

6,400

Employer's unemployment benefits

(雇用主からの失業手当)

2,000 **\$ 43,400**

Gross income 【ポイント解説】

| 出題トピック | Unemployment Compensation |
|--------|---------------------------|
| 対応する章 | PARTI 第5章, 第6章 |

大原則として、特に除外する(非課税)と規定されていない限り、原則すべての所得が GI に含められ課税対象となる。

失業保険給付金 (unemployment compensation) は、「全額」課税対象となる。

一方、労災補償(worker's compensation)は、 原則非課税なので注意しよう。

41. MCQ-05279

Choice "b" is correct. An accruable expense is one which the services have been received/performed but have not been paid for by the end of the reporting period.

The facts indicate that a repair was completed prior to year end but not yet invoiced. If it has not yet been invoiced, it is assumed that it has also not yet been paid for. Therefore, this is a situation in which the repair expense would be accrued at year end. Services have been performed, but they have not been paid for, as they have not even been invoiced yet.

【ポイント解説】

| 出題トピック | Overall Accounting Method |
|--------|---------------------------|
| 対応する章 | PARTI 第5章 |

期末における未払費用に関する問題であるが、 財務会計(FAR)で学習したとおりである。 発生主義における未払費用となるのは**選択肢"b"** である。

42. MCQ-08457 □□ A

Nan, a cash basis taxpayer, borrowed money from a bank and signed a 10-year interest-bearing note on business property on January 1 of the current year. The cash flow from Nan's business enabled Nan to prepay the first three years of interest attributable to the note on December 31 of the current year. How should Nan treat the prepayment of interest for tax purposes?

- Deduct the entire amount as a current expense.
- b. Deduct the current year's interest and amortize the balance over the next two years.
- c. Capitalize the interest and amortize the balance over the 10-year loan period.
- d. Capitalize the interest as part of the basis of the business property.

43. MCQ-01823 □□ C

Clark bought Series EE U.S. Savings Bonds after 1989. Redemption proceeds will be used for payment of college tuition for Clark's dependent child. One of the conditions that must be met for tax exemption of accumulated interest on these bonds is that the:

- Purchaser of the bonds must be the sole owner of the bonds (or joint owner with his or her spouse).
- Bonds must be bought by a parent (or both parents) and put in the name of the dependent child.
- Bonds must be bought by the owner of the bonds before the owner reaches the age of 24.
- d. Bonds must be transferred to the college for redemption by the college rather than by the owner of the bonds.

44. Becker Practice □□ A

The uniform capitalization method must be used by:

- I. Manufacturers of tangible personal property.
- II. Retailers of personal property with \$2 million in average annual gross receipts for the three preceding years.
 - a. I only.
 - b. II only.
 - c. Both I and II.
 - d. Neither I nor II.

45. MCQ-08202 □□ B

A corporate taxpayer plans to switch from the FIFO method to the LIFO method of valuing inventory. Which of the following statements is accurate regarding the use of the LIFO method?

- a. In periods of rising prices, the LIFO method results in a lower cost of sales and higher taxable income, when compared to the FIFO method.
- The taxpayer is required to receive permission each year from the Internal Revenue Service to continue the use of the LIFO method.
- The LIFO method can be used for tax purposes even if the FIFO method is used for financial statement purposes.
- d. Under the LIFO method, the inventory on hand at the end of the year is treated as being composed of the earliest acquired goods.

Choice "b" is correct. Interest paid in advance by a cash basis taxpayer on business loans cannot be deducted until the tax period to which the interest relates. In other words, the interest must be both paid and incurred in order to be deducted.

【ポイント解説】

| 出題トピック | Business Income or Loss |
|--------|-------------------------|
| 対応する章 | PARTI 第5章, 第10章 |

第10章(Vol.1テキスト187ページ)で詳しく解説 するが、前払利息の特例に注意が必要である。 前払利息 (prepaid interest expense) は、現金主 義を採用している納税者であっても、期間配分し なければならない。

本問では、当年度末の時点で最初の3年分の利息 を支払っている。当年度分の利息は当年度控除で きるが、残り2年分は前払利息として期間配分が 必要となる。二**選択肢"b"**が正解である。

43. MCQ-01823

Choice "a" is correct. One of the conditions that must be met for tax exemption of accumulated interest on the bonds is that the purchaser of the bonds must be the sole owner of the bonds (or joint owner with his or her spouse).

【ポイント解説】

| I | 出題トピック | Interest Income |
|---|--------|-----------------|
| | 対応する章 | PARTI 第5章 |

シリーズ EE 教育費貯蓄債券 (Series EE savings bonds)の利息は、その償還金(利息を含む)を 「納税者本人、配偶者、扶養家族の高等教育費の 支払いにあてること」等を条件として、原則非課 税扱いが認められている。

さらに下記のような条件がある。

- · There is taxpayer or joint ownership (spouse) 納税者本人が所有、または配偶者との共同 所有であること。二**選択肢"a"**が正解となる。
- The taxpayer is over age 24 when the bonds are issued 債券の発行時において、購入者が24歳以上で あること。
- Married taxpayers must file a joint return. 夫婦は、MFJを選択していること。

44. Becker Practice

Choice "a" is correct. I only.

The uniform capitalization rules apply to the:

- 1. Real or tangible personal property produced by the taxpayer for use in a trade or business.
- 2. Real or tangible personal property produced by the taxpayer for sale to customers.
- 3. Real or personal property acquired by the taxpayer for resale.
- 4. However, the uniform capitalization rules do not apply to property acquired for resale if the taxpayer's annual gross receipts for the preceding three tax years do not exceed \$30 million (not \$2 million) in 2024.

【ポイント解説】

| 出是 | 夏トピック | Business Income or Loss |
|----|-------|-------------------------|
| 対原 | たする章 | PARTI 第5章 |

UNICAP ルールは主に「製造業者」や「販売業 者」の棚卸資産に適用される。但し、直近3年間 の平均年間総収入が3,000万ドル(**\$30 million**) を超えない小規模事業者には、このルールは適用 されない。二選択肢"a":Ionly が正解となる。

45. MCQ-08202

Choice "d" is correct. Under the LIFO method, the inventory on hand at the end of the year is treated as being composed of the earliest acquired goods.

【ポイント解説】

| 出題トピック | Inventory Valuation |
|--------|---------------------|
| 対応する章 | PARTI 第5章 |

LIFO(後入先出法)に関する記述のうち、正し い選択肢を選ぶ問題である。

選択肢"d": LIFO(後入先出法)とは、最も後 に仕入れた新しい棚卸資産から順次払出しが行わ れ、期末棚卸資産は最も早く仕入れた古いものか らなるとみなして期末棚卸資産の価額を算定する 方法をいう。∴正しい。**選択肢"d"**が正解である。 選択肢"a":物価上昇時には、売上原価が高く 計算されるLIFOを用いたほうが(FIFOに比べ) 課税所得が小さくなるため、節税という観点から は好ましい選択であるといえる。二誤り。 選択肢"b"&"c": 税務上、LIFOを使用するには、 財務会計上での使用が要求され採用時に申請 (Form 970の提出) が必要になる。

∴選択肢"b"と"c"はいずれも誤り。

46. MCQ-08784 □□ A

Which of the following amounts represents an adjustment to adjusted gross income (AGI) for the current tax year?

- a. Child support paid to a former spouse pursuant to a divorce agreement executed in 2018.
- b. Child support paid to a former spouse pursuant to a divorce agreement executed in 2019.
- c. Alimony paid to a former spouse pursuant to a divorce agreement executed in 2019.
- d. Alimony paid to a former spouse pursuant to a divorce agreement executed in 2018.

47. MCQ-01999 □□ A

Mock operates a retail business selling illegal narcotic substances. Which of the following item(s) may Mock deduct in calculating business income?

- I. Cost of merchandise.
- Business expenses other than the cost of merchandise.
 - a. I only.
 - b. II only.
 - c. Both I and II.
 - d. Neither I nor II.

48. TAC Original □□ B

Helen Chan received the following dividends:

- on common stock held in Wai
 Systems Ltd., a public company \$1,400
- on common stock held in WOW
 Cleaners, Inc., a private company owned 90% by Chan
 \$16,000
- on preferred stock held in Ace
 Airlines, Ltd., a public company

 \$500
- on Chan's life insurance policy from Good Life Insurance (Total dividends received have not exceeded accumulated premiums paid.)

On Chan's income tax return, she should report dividend income of

- a. \$1,900
- b. \$17,400
- c. \$17,900
- d. \$18,000

49. TAC Original □□ A

Mr. West must pay his former spouse \$20,000 annually under a divorce decree (executed in June 2018) in the following amounts:

- \$1,250 a month for tuition fees paid to a private school until their son attains the age of 18 or leaves the school prior to age 18
- \$5,000-a-year cash payment to the former Mrs. West
- In addition to the above amounts, the former Mrs. West also received a lump-sum amount of \$150,000 from the sale of their other marital assets

What is the amount of Mr. West's alimony deductions?

- a. \$20.000
- b. \$155,000
- c. \$8,000
- d. \$5,000

50. TAC Original □□ A

How do stock dividends received affect taxable income?

- a. By always increasing taxable income by the fair market value of the stock at the time of distribution.
- b. If all common shareholders receive preferred stock as a dividend.
- If the shareholder has an option to receive a dividend as either cash or stock.
- d. None of the above.

Choice "d" is correct. Alimony paid to a former spouse based on a divorce agreement executed on or before 12/31/18 is an adjustment to gross income.

【ポイント解説】

| 出題トピック | Payments Pursuant to Divorce |
|--------|------------------------------|
| 対応する章 | PARTI 第5章, 第9章 |

2018年12月31日までに締結した離婚同意書に 従って支払うAlimonyはAGIの上で控除の対象と なるが、Child supportとProperty settlementは 控除できない。**二選択肢"d"**が正解となる。

(注) 2019年1月1日以降に締結または改定した 離婚同意書に従って支払うAlimonyは控除できず、受領者は非課税となる(要は、Child support とProperty settlementと同じ扱いとなる)。

※本試験でも、本問のように"年度"が与えられ 税法上の取扱いを判別することになる。

47. MCQ-01999

Choice "a" is correct. A gain from an illegal activity is includible in income. To determine the gain, a deduction is permitted for cost of merchandise. Business expenses for operating an illegal business, other than the cost of merchandise, are not permitted as deduction.

【ポイント解説】

| 出題トピック | Illegal Income |
|--------|----------------|
| 対応する章 | PARTI 第5章 |

違法な所得(illegal income)であっても課税される。違法な麻薬取引からの所得を計算する上で、 売上原価以外の事業経費は控除することはできない。∴**選択肢"a":Ionly** が正解となる。

48. TAC Original

Choice "c" is correct. All of the dividends received from stock holdings are part of dividend income. Whether the stocks are common or preferred; whether the dividends are from a public or a private company, is irrelevant. The dividend from the insurance company is treated as a reduction in the cost of insurance (i.e., premium return). Therefore, dividend income is \$17,900 (\$1,400 + \$16,000 + \$500).

【ポイント解説】

| 出題トピック | Dividend Income |
|--------|-----------------|
| 対応する章 | PARTI 第5章 |

満期前の生命保険契約からの配当は、払い込んだ保険料の合計額に達するまで「保険料の払戻し(premium return; return of capital)」とみなされ、非(不)課税。

本問では、\$100の生命保険契約からの配当を除き、\$1,400+\$16,000+\$500=**計\$17,900**が正解となる。

49. TAC Original

Choice "d" is correct. Alimony must be paid in cash and be received by the ex-spouse or his/her representative. Lump-sum cash payment is not alimony.

【ポイント解説】

| 出題トピック | Alimony |
|--------|-----------|
| 対応する章 | PARTI 第5章 |

税法上、Alimony として扱われるための要件の1つ として、定期的な現金による支払いであること。

- ※ 現金一括払いは Alimony ではない。
- ※ 元配偶者のための第三者への定期的な支払いも、他の要件を満たしていれば、Alimonyとして扱われる。例:元配偶者の大学の授業料本問では、元配偶者への年間現金支払額**\$5,000**のみが Alimony として扱われる。

<u>息子</u>の授業料の支払いは Child support となる。 現金一括払いは Property settlement となる。

50. TAC Original

Choice "c" is correct. Stock dividends are not generally included in taxable income. However, if a shareholder has the option of receiving either cash or stock, the dividend must be included in taxable income even if they elect to receive the stock dividend.

【ポイント解説】

| 出題トピック | Dividend Income |
|--------|-----------------|
| 対応する章 | PARTI 第5章 |

株式配当は、原則非課税。但し、株主に現金配当などを受領する選択権(option)があった場合には、受領した株式配当のFMVで課税対象となる。
∴選択肢"c"が正解となる。

51. TAC Original □□ B

Paula is a self-employed, cash-method

taxpayer. During 20X3 she has the following transactions:

Cash received for 20X3 services
Cash received in 20X3 for year 20X2 services
Cash received in 20X4, for year 20X3 services
Salaries paid in 20X3
Salaries accrued in 20X3, paid in 20X4
Interest paid and incurred in 20X3
Salaries accrued in 20X3

Interest pre-paid in 20X3 for 20X4 \$1,000
 Other operating expenses incurred and paid for during 20X3 \$5,000

- 1) What is Paul's total business *income* during 20X3?
 - a. \$150,000
 - b. \$140,000
 - c. \$120,000
 - d. \$90,000
- 2) What are Paula's total business expenses during 20X3?
 - a. \$27,000
 - b. \$28,000
 - c. \$29,000
 - d. \$30,000

CORE: REG

直近10年分の AICPA リリース MC 問題のうち

PARTI 第5章に対応する問題は以下となる。

Released 2015 (p.354 \sim) \Rightarrow Q8, 14, 20

Released 2016 (p.372 \sim) \Rightarrow Q13, 22

Released 2017 (p.388 \sim) \Rightarrow Q21

Released 2018 (p.406 \sim) \Rightarrow Q5, 16

Released 2019 (p.420 \sim) \Rightarrow Q7, 25, 26

Released 2020 (p.442 \sim) \Rightarrow Q24, 27

Released 2021 (p.462 \sim) \Rightarrow Q7

Released 2022 (p.480 \sim) \Rightarrow Q21

51. TAC Original

【ポイント解説】

| 出題トピック | Business Income or Loss | |
|--------|-------------------------|--|
| 対応する章 | PARTI 第5章, 第10章 | |

現金主義採用の自営業者の設定である。自営業者の事業所得は、Schedule C で計算される。

1) Choice "b" is correct. As a cash-method taxpayer, Paula must recognize all cash received in 20X3. Therefore, she must recognize all cash received for services completed during the prior year, as well as for those completed during the current year. However, she need not recognize any income for services for which she has not been paid (that is, for which she does not have constructive receipt of payment) at the end of the tax year.

現金主義:事業収入合計(20X3年受領分)

- =\$120,000
- +\$20,000
- =\$140.000
- 2) Choice "a" is correct. Generally, payments are deductible in the year in which they are paid. Therefore the salaries paid in 20X3 and are deductible in the current year, but those incurred but not paid until 20X4 will not be deductible until the following tax year. Interest expense paid in advance is not generally deductible until the interest expense is actually incurred. Therefore, the amount of interest expense which is pre-paid for the following year is not deductible until 20X4. 現金主義:事業経費合計(20X3年支払い分)
- =人件費\$20,000
- +支払利息\$2,000 ※前払利息\$1,000を除く。
- +その他経費\$5,000

=\$27,000

※前払利息は、現金主義・発生主義に関わらず、 対応する期に配分して控除する(Vol.1テキスト 187ページ)。

※「事業上の支払利息 (business interest expense) に対する控除制限」は、直近3年間の平均年間総収入が3,000万ドル(**\$30 million**)を超えない小規模事業者には適用されない(つまり、事業上の借入金の支払利息を全額控除可)。詳細は、PARTIV: Corporation で学習する。

6. Gross Income - Exclusions

計10問

CORE : REG | Q 52~61

52. Becker Practice □□ A

Which of the following would **not** be includible in income?

- a. \$5,000 received from a radio station for winning a call in a contest.
- b. \$1,000 of interest income generated by a certificate of deposit.
- \$4,000 bonus received in recognition of outstanding performance in sales for the month.
- d. \$12,000 received from a foundation and used to pay for college tuition by a degree-seeking student.

53. Becker Practice B

Michelle Keaton received the following during the current taxable year:

| 1. | Refund of previously deducted | |
|----|---------------------------------|--------------|
| | state income tax | \$ 1,500 |
| 2. | Employee compensation | \$ 37,000 |
| 3. | Interest from U.S. Treasury | |
| | certificates | \$ 250 |
| 4. | Proceeds from her mother's life | |
| | insurance | \$ 20,000 |
| 5. | Employer paid premiums on | |
| | \$37,000 of life insurance | \$ 250 |
| 6. | Employer reimbursement for | |
| | graduate level courses | \$ 8,000 |

What amount must Michelle include in her gross income on Form 1040?

- a. \$41.500
- b. \$61,750
- c. \$37,250
- d. \$38,750

54. MCQ-01387 □□ A

Darr, an employee of Sorce C corporation, is not a shareholder. Which of the following would be included in a taxpayer's gross income?

- a. Employer-provided medical insurance coverage under a health plan.
- b. A \$10,000 gift from the taxpayer's grandparents.
- c. The fair market value of land that the taxpayer inherited from an uncle.
- d. The dividend income on shares of stock that the taxpayer received for services rendered.

55. MCQ-01442 □□ A

During the current year, Ash had the following cash receipts:

| Wages \$ | 13,000 | |
|--|--------|--|
| Interest income from U.S. Treasury bonds | 350 | |
| Workers' compensation following | | |
| a job related injury | 8,500 | |

What is the total amount that must be included in gross income on Ash's current year income tax return?

- a. \$13,000
- b. \$13,350
- c. \$21,500
- d. \$21,850

52. Becker Practice

Choice "d" is correct. Scholarship monies used for qualified expenditures such as tuition, books, fees and supplies (not room and board) are excludable from income, provided the student is degree-seeking.

【ポイント解説】

| 出題トピック | Scholarship |
|--------|----------------|
| 対応する章 | PARTI 第5章, 第6章 |

学位取得(degree)のための奨学金は、授業料、 書籍代、その他関連費用に使用した割合分だけ (NOT room & board)、非課税。

選択肢"a":賞金は原則課税対象となる。

選択肢"b": 定期預金の利息は課税対象である。

選択肢"c": 賞与は課税対象である。

選択肢"d": 学位取得のための奨学金\$12,000は 授業料の支払いに使用するので、全額非課税。

∴**選択肢"d"**が正解となる。

53. Becker Practice Choice "a" is correct.

Refund of state taxes \$ 1,500 Compensation \$ 37,000 Interest from U.S. Treasury cert. \$ 250

Excess reimbursement \$ 2,750 [\$8,000 - \$5,250

maximum]

\$ 41,500

【ポイント解説】

| 出題トピック | GI 全般 |
|--------|----------------|
| 対応する章 | PARTI 第5章, 第6章 |

6つの項目について、課税対象 vs.非課税を判別 する。特に注意が必要な点は下記のとおり。

- 1. 前年度に控除をとった州の所得税の還付金は、タックス・ベネフィット・ルール(tax benefit rule)により、課税対象となる。
- 2. 給与は課税対象である。
- 3. 連邦債の利息は課税対象である。
- **4.** 死亡を原因として受領した生命保険金(life insurance proceed)は、原則非課税。
- **5.** 雇用主により支払われた団体生命保険料(life insurance premium)は、<u>\$50,000</u>までの保険金に対応する保険料部分に限り非課税。
- 6. 雇用主により支払われた教育費は、年間 \$5,250を限度に非課税。

よって、\$1,500+\$37,000+\$250+(\$8,000-\$5,250) =**計\$41,500**が正解となる。

54. MCQ-01387

Choice "d" is correct. An individual receiving common stock for services rendered must recognize the fair market value as ordinary income. Any dividends received on that stock would also result in income recognition.

【ポイント解説】

| 出題トピック | GI 全般 |
|--------|----------------|
| 対応する章 | PARTI 第5章, 第6章 |

選択肢"a":雇用主により支払われた医療保険料 (medical insurance premium)は、原則非課税。

選択肢"b":贈与による資産の受領は、GIから除外される。贈与により資産を取得しても、受領者側(donee)で所得税が課されることはない。

※ TCP の出題範囲となるが、連邦贈与税(federal gift tax)は、生存中に行った資産の移転に対して課される税金である。贈与者(donor)が連邦贈与税を支払うことになる。

選択肢"c": 相続による資産の受領は、GI から除外される。相続により資産を取得しても、受領者側(donee)で所得税が課されることはない。

※ 連邦相続税も、死亡時における資産の移転に対して課される税金である。故人(decedent)の代わりに、遺産財団の代表者(例:executor)が連邦相続税を支払うことになる。

選択肢"d":配当収入 (dividend income) は、GI に含められ課税対象となる。**∴選択肢"d"**が正解 となる。

55. MCQ-01442

Choice "b" is correct. The total amount that must be included in gross income is \$13,350 (\$13,000 in wages plus \$350 in interest income on U.S. Treasury bonds).

Workers' compensation for a job-related injury are specifically excluded from gross income.

【ポイント解説】

| 出題トピック | GI 全般 |
|--------|----------------|
| 対応する章 | PARTI 第5章, 第6章 |

労災補償(worker's compensation)は、原則 非課税なので注意しよう。

労災とは、雇用主が従業員の職務中(※職場の 敷地内に限定されない)の事故、病気、死亡など に備えて加入する保険をいう。

∴給与\$13,000+連邦債の利息\$350=計\$13,350

56. MCQ-01482 □□ A

Klein, a master's degree candidate at Briar University, was awarded a \$12,000 scholarship from Briar in Year1. The scholarship was used to pay Klein's Year 1 university tuition and fees. Also in Year 1, Klein received \$5,000 for teaching two courses at a nearby college. What amount is includible in Klein's Year 1 gross income?

- a. \$0
- b. \$5.000
- c. \$12,000
- d. \$17,000

57. MCQ-01485 □□ A

Which payment(s) is(are) included in a recipient's gross income?

- Payment to a graduate assistant for a parttime teaching assignment at a university.
 Teaching is not a requirement toward obtaining the degree.
- II. A grant to a Ph.D. candidate for his participation in a university-sponsored research project for the benefit of the university.
 - a. I only.
 - b. II only.
 - c. Both I and II.
 - d. Neither I nor II.

58. MCQ-01794 □□ A

Under a \$150,000 insurance policy on her deceased father's life, May Green is to receive \$12,000 per year for 15 years. Of the \$12,000 received in current year, the amount subject to income tax is:

- a. \$0
- b. \$1,000
- c. \$2.000
- d. \$12,000

59. TAC Original □□ A

Unrealized income is not included in taxable income for which of the following:

- Cash method taxpayers
- II. Accrual method taxpayers
 - a. I only
 - b. II only
 - c. I and II
 - d. Neither I nor II (it is taxable to both of them)

60. TAC Original □□ A

Keiko receives a scholarship to study at the University of Nevada. The scholarship, based on academic achievement, pays \$2,000 towards tuition fees and \$1,000 towards accommodation in the university dormitory. How much of the scholarship must Keiko include in her Adjusted Gross Income?

- a. \$3,000
- b. \$2,000
- c. \$1,000
- d. None. Scholarships are not taxable.

61. TAC Original □□ B

Ichiban Corporation has a group life insurance policy, which it offers to all employees, based on their current salary. Ichiban corporation provides Julia (age 31) with a group life insurance policy, valued at \$100,000. The life insurance premium for each \$1,000 of group term life insurance for someone aged 30 to 34 is \$0.08 per month. How much must Julia include in her Adjusted Gross Income as a result of this life insurance policy?

- a. \$48
- b. \$96
- c. \$4
- d. \$0

CORE: REG

直近10年分の AICPA リリース MC 問題のうち PARTI 第6章に対応する問題は以下となる。

Released 2017 (p.388 \sim) \Rightarrow Q20

Released 2019 (p.420 \sim) \Rightarrow Q24

Released 2020 (p.442 \sim) \Rightarrow Q8

Released 2024 (p.514 \sim) \Rightarrow Q7

Choice "b" is correct. Scholarships are nontaxable for degree seeking students to the extent that the proceeds are spent on tuition, fees, books and supplies. The \$5,000 for teaching courses is taxable compensation for services delivered.

【ポイント解説】

| 2 | |
|--------|-------------|
| 出題トピック | Scholarship |
| 対応する章 | PARTI 第6章 |

学位取得(degree)のための奨学金は、授業料、 書籍代、その他関連費用に使用した割合分だけ (not room & board)、非課税。

本問の場合、授業料の支払いに使用した\$12,000 の奨学金は非課税。一方、労働の対価として受領した\$5,000については、たとえ名目上は奨学金であったとしても、給与所得として課税される。

57. MCQ-01485

Choice "c" is correct.

- A payment to a student for a part-time teaching assignment is taxable income just as a payment for any other campus job would be. This is not a scholarship or fellowship.
- II. There is no exclusion in the tax law for amounts paid to a degree candidate for participation in university-sponsored research.

【ポイント解説】

| 2 | |
|--------|-------------|
| 出題トピック | Scholarship |
| 対応する章 | PARTI 第6章 |

- I. 労働の対価として受領した支払いは給与所得 として課税される。
- II. 研究活動の対価として受領した支払いも、 上記 I.と同様である。
- ∴選択肢"d": Both I and II が正解となる。

58. MCQ-01794

Choice "c" is correct.

Life insurance proceeds

| Elle illedialice procede | Ψ 100,000 |
|---------------------------------|-----------|
| Amount received in current year | \$ 12,000 |
| Less: Return of principal | |
| (\$150,000 ÷ 15 years) | (10,000) |
| Taxable interest | \$ 2,000 |

【ポイント解説】

| 出題トピック | Insurance Proceeds |
|--------|--------------------|
| 対応する章 | PARTI 第6章 |

死亡を原因として受領した生命保険金(life insurance proceed)は、原則「全額」非課税。 但し、生命保険金を分割で受領する場合、その 利息部分は課税対象となる。

本問の場合、当年度に受領した\$12,000(分割1年分)のうち、元本に相当する\$10,000(生命保険金\$150,000÷15年)は非課税となり、残り**\$2.000**が利息として課税される。

59. TAC Original

Choice "c" is correct.

【ポイント解説】

| 出題トピック | Unrealized Income |
|--------|-------------------|
| 対応する章 | PARTI 第6章 |

(現金主義であろうが発生主義であろうが、) 未実現利益(例:株式の含み益)は、原則として、 GIから除外される。※税法上の実現・認識の 概念と、現金主義・発生主義は別物である。 Vol.1テキスト104ページを復習しておこう。

∴**選択肢"c":Both I and II** が正解となる。

60. TAC Original

Choice "c" is correct.

【ポイント解説】

| 出題トピック | Scholarship |
|--------|-------------|
| 対応する章 | PARTI 第6章 |

学位取得(degree)のための奨学金は、授業料、 書籍代、その他関連費用に使用した割合分だけ (not room & board)、非課税。

本問の場合、授業料の支払いに使用する\$2,000は 非課税。一方、寮費の支払いに使用する**\$1,000**は 課税対象となる。

61. TAC Original

Choice "a" is correct.

【ポイント解説】

| 出題トピック | Employee Fringe Benefit |
|--------|-------------------------|
| 対応する章 | PARTI 第6章 |

雇用主により支払われた団体生命保険料は、 \$50,000までの保険金に対応する保険料部分に 限り、非課税。

本問では、\$50,000を超える部分に対応する保険料を計算する必要がある。問題文に、保険金\$1,000ごとの月額保険料は\$0.08と与えられている。課税対象となる年間保険料は(\$50,000超過分÷\$1,000)×\$0.08×12ヵ月=\$48と計算される。

\$ 150 000

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