

ANDERS REAL ESTATE AND CONSTRUCTION GROUP

# RESEARCH AND DEVELOPMENT (R&D) TAX CREDIT FACT SHEET

## WHAT IS THE R&D TAX CREDIT?

The R&D (Experimentation) Tax Credit is a general business tax credit available to companies who incur R&D costs in the United States. The credit is generally calculated based on a percentage of qualified R&D costs incurred during the year.

It's important to claim these credits even if you don't think you can benefit this year. Any unused credit can be carried forward for 20 years until it is completely utilized.

## WHAT QUALIFIES?

There are a wide variety of companies/industries that qualify for the credit. Some examples include:

- Companies who continually manufacture/research/engineer new processes and products
- Businesses designing and developing product alternatives and more efficient designs
- Companies improving techniques, formulas, inventions, and software
- Businesses that employ engineers, scientists, software programmers, etc.

Qualified R&D expenses may include wages and supplies. Both in-house and subcontracted R&D expenses can be used to figure the credit. However, certain subcontracted expenses yield less credit than others. An Anders advisor can help in choosing a research contractor.

## HOW IS THE CREDIT CALCULATED?

There are two different ways to calculate the credit, the regular method and the alternative simplified method. The regular method requires access to detailed historical records and may be required in certain circumstances. When allowed, the alternative simplified method is easier to calculate and often the preferred method.

Taxpayers are allowed to amend tax returns to utilize the R&D tax credit. As of recently both calculation methods are allowed on amended returns. Regardless of which method is used, the allowable credit should be calculated by a professional.

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Robert L. Berger, CPA/CGMA  
314-655-5570 | [rberger@anderscpa.com](mailto:rberger@anderscpa.com)

## MORE TAXPAYERS CAN BENEFIT FROM NOW PERMANENT R&D TAX CREDIT

The Research & Experimentation Tax Credit (R&D) is now a permanent tax law, making it easier and more efficient for businesses to do year-end tax planning. Until the Protecting Americans from Tax Hikes (PATH) Act went into effect in December 2015, the R&D Tax Credit had always been temporary and part of the annual Tax Extenders Legislation.

PATH provides businesses with less than \$50 million in gross receipts the ability to claim the R&D Tax Credit against the alternative minimum tax (AMT). This is similar to a provision originally enacted in 2010 which benefits a significant number of closely-held businesses and their owners.

Additionally, startup companies can apply the R&D tax credit against an employer's payroll tax liability.

- To qualify, the startup company must be within their first five years of operations and have less than \$5 million of revenue. The annual cap on the amount of payroll tax liability that can be offset is \$250,000.

