Is the Taxpayer Subject to the Corporate Minimum Tax (§59(k))?

- **Tax applies**
- **Tax doesn’t apply**

Is the taxpayer a corporation?¹

- **YES**
- **NO**

Is the taxpayer an S corporation, a regulated investment company (RIC), or a real estate investment trust (REIT)?

- **YES**
- **NO**

Is the taxpayer a member of a foreign-parented multinational group?²

- **YES**
- **NO**

Does the taxpayer, when including the AFSI of its foreign-parented multinational group, meet the ASFI test (after adjustments)?⁴

- **YES**
- **NO**

For any taxable year that ends after December 31, 2021, and precedes the year in question, does the taxpayer’s average annual AFSI for the three-taxable-year period ending with the year in question equal or exceed $100 million (after adjustments)?⁵

- **YES**
- **NO**

Has the taxpayer had a change in ownership or had a specified number of consecutive taxable years (including the most recent taxable year) in which the taxpayer does not meet the average annual AFSI test?⁶

- **YES**
- **NO**

Has the Treasury Department determined that it would not be appropriate to continue treating the taxpayer as an applicable corporation subject to the tax?⁷

- **YES**
- **NO**

Did the taxpayer meet the average annual AFSI test in any taxable year beginning after the first taxable year the Treasury Department made the determination?⁸

- **YES**
- **NO**

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1. IRC §59(K)(1)(A)
2. §59(K)(2)
3. §59(K)(1)(B)(I)
4. §59(K)(1)(B)(II)(I)
5. §59(K)(1)(B)(II)(II)
6. §59(K)(1)(C)(I)
7. §59(K)(1)(C)(II)
8. §59(K)(1)(C)