



2024 INTERMEDIATE/ADVANCED SALES & USE TAX SCHOOL
May 19-23, 2024
Georgia Tech Conference
Atlanta, GA

(04/1/24)

Sunday, May 19, 2024	
6:00 – 8:00	Registration, Dinner and Evening Fun
Monday, May 20, 2024	
7:45 – 8:30	<p>Welcome and Introduction Patrick Reynolds, COST Executive Director Arthur Parham, Retired General Tax Advisor of Entergy Services LLC Charles Drury, COST VP/Chief Operating Officer</p>
8:30 – 10:30	<p>Constitutional Issues Up to date information on limitations of a state to impose sales and use taxes, including an in depth discussion of the Due Process and Commerce Clauses along with other constitutional provisions such as Freedom of Speech, Establishment Clause, Full Faith and Credit, Supremacy Clause and Tonnage Clause. Recent affiliated nexus and reporting laws enacted by the states are also covered.</p> <p>Instructors: Karen Currie, EY* Fredrick Nicely, COST</p>
10:30 – 10:45	Refreshment Break/Networking
10:45 – 12:15	<p>Situs: Who Can Tax the Transaction? With nexus generally a non-issue, especially after <i>Wayfair</i>, situsing sales for sales tax purposes becomes of utmost importance for both buyers and sellers. This concept becomes especially complex when dealing with drop shipments and goods other than tangible personal property. This session will examine the consistent and inconsistent ways states source for tax purposes the sales of tangible and other than tangible property. .</p> <p>Instructors: Samantha Breslow, Kilpatrick Townsend & Stockton* Jordan Goodman, Kilpatrick Townsend & Stockton*</p>
12:15 – 1:15	Lunch/Networking
1:15 – 2:15	<p>Streamlined Sales Tax – Changing the Sales Tax Landscape The Streamlined Sales and Use Tax Project is more than a decade old. Whether you are experienced with the project or a novice, you will learn more about both this project and its importance in a post <i>Wayfair</i> world.</p> <p>Instructors: Fredrick Nicely, COST Patrick Reynolds, COST</p>
2:15 – 2:30	Refreshment Break/Networking
2:30 – 4:15	<p>Gross Receipts Taxes In an effort to raise revenue states have turned to the enactment of gross receipts taxes. This session will discuss gross receipts taxes, identifying the issues and potential planning opportunities.</p> <p>Instructors: Duane Dobson, Ryan* John Trippier, Zaino Hall & Firrin*</p>
4:15 – 5:15	<p>Questions and Answers - Breakout to Review Today's Concepts The final session of the day will be a breakout and question and answer period for students to review and apply the concepts presented today.</p>
6:30 – 8:30	Vegas Night with COST – Sponsored by <i>Blank Rome</i>

Tuesday, May 21, 2024	
8:30 – 11:15 8:30 – 10:00 Lecture 10:00 – 10:15 – Refreshment Break/Networking 10:15 – 11:30 Lecture	Acquisitions, Mergers and Divestitures Due diligence may be your least favorite project, but failing to conduct comprehensive due diligence when your company faces an acquisition, merger or other significant type of business restructuring can be costly to both you and your company. You will spend a informative morning learning the do’s and don’ts of a due diligence review, verifying that documents are drafted correctly, mitigating successor liability issues, and considering issues after the transaction. Instructors: William Backstrom, Jones Walker* Michael Jacobs, Reed Smith*
11:30 – 12:30	Transaction Tax Accounting Practices - Due Diligence/Reserve Issues Under FAS 141R and Litigation Reserves Under ASC 450(FAS 5) Your business must comply with both states’ tax laws and GAAP financial reporting requirements. This session will familiarize you with due diligence and GAAP tax reserve issues that impact transactional taxes. Instructor: Lauren Kuperman, KPMG* Justin Stringfield, KPMG*
12:30 – 1:30	Lunch/Networking
1:30 - 4:15 3:00 – 3:15 – Refreshment Break/Networking	Audit Strategies for Statistical Sampling While some states still use block sampling, the trend is for more states to use random statistical sampling. This session does not require you to be a statistician, but will provide insights and strategies to use in defending your company against auditors using sampling methodologies that do not comply with state law or proper statistical sampling techniques. In addition, the instructors will discuss the impact of AI on statistical sampling and the audit process in general. Instructors: Nicole Hofmeyer, RMS* Jason McGlamery, Ryan*
4:15 – 5:15	Questions and Answers - Breakout to Review Today’s Concepts The final session of the day will be a breakout and question and answer period for students to review and apply the concepts presented today.
6:15 – 8:15	Game Night with COST
Wednesday, May 22, 2024	
8:30 – 10:15	Taxing Bits and Bytes – Taxation of Electronic Information Services, Digital Products, and Access to Software (including Outsourcing to the Cloud) You are not alone if you are in the fog about the states’ taxation of electronic information, digital goods and accessing software without physically downloading that software. This session will provide a baseline and explain what those terms mean, and will also provide some comfort (or discomfort) in learning that the states are having the same problems. With changes to state tax law moving slower than the technology to which it applies, this session addresses the issues the states are having when they attempt to tax the “cloud.” The presenters will also discuss planning opportunities. Instructors: Carolynn Kranz, Industry Sales Tax Solutions* Justin Stringfield, KPMG*
10:15 – 10:30	Refreshment Break/Networking
10:30 – 12:00	Services Sales and Use Tax Issues The states seeking additional revenue have broadened the revenue base by taxing more services. Often, the burden of the expanded tax base falls squarely on the business sector. This session will help you understand the different sales and use taxes imposed on services that impact business and assist you in minimizing your company’s exposure to these taxes. Instructors: Adam Beckerink, Duane Morris* Michael Wynne, Jones Day*
12:00 – 1:00	Lunch/Networking

1:00 – 2:30	<p>Retailing Sales and Use Tax Issues Whether you work for a retailer or not, this session will provide pointers to ensure you collect (or pay) the correct amount of tax and know what to do when something goes wrong.</p> <p>Instructor: Michael Garcia, Ryan* TBD, Ryan*</p>
2:30 – 2:45	Refreshment Break/Networking
2:45 – 4:15	<p>Manufacturing/Construction Sales and Use Tax Issues Knowing that it is difficult to obtain a refund after overpaying tax, this session will guide you through the differences in the states' laws in how they determine what constitutes "manufacturing" and what is taxable in a "construction contract."</p> <p>Instructors: Jonathan Feldman, Eversheds Sutherland (US)* Trevor Mauck, Baker & McKenzie*</p>
4:15 – 5:15	<p>Questions and Answers Breakout to Review Today's Concepts The final session of the day will be a breakout and question and answer period for students to review and apply the concepts presented today.</p>
Thursday, May 23, 2024	
8:30 – 9:45	<p>Preparing for Audit Challenge and Controversy <i>(joint session with Income Tax School)</i> Successfully handling a state tax audit requires that a taxpayer both understand substantive state tax law and develop successful audit strategies. This session will prepare students for state tax audits by offering helpful tips to efficiently and successfully deal with difficult audits.</p> <p>Instructors: Brent Beissel, Reed Smith* Nikki Crighton-Vescio, KPMG* Daniel Stanley, Honigman*</p>
9:50 – 11:00	<p>Emerging Issues Associated with Unclaimed Property <i>(joint session with Income Tax School)</i> States are very aggressive in the unclaimed property area. They are shortening dormancy periods, asserting claims to new types of obligations, and hiring contingent fee auditors. Some states consider unclaimed property a source of revenue rather than acting as trustee for the true owners. While unclaimed property is not a tax, a company's tax function frequently handles the audit. Just when you thought dealing with a state income or transactional tax audit can be burdensome, wait until you wrestle with an unclaimed property audit with no statute of limitations or uniform procedures, limited protest rights, and very little guidance. This session will provide an overview of the states' unclaimed property practices and cover recent unclaimed property legislation and litigation. The session will bring you up to date on the latest unclaimed property issues.</p> <p>Instructor: Michael Giovannini, Alston & Bird*</p>
11:00 – 11:15	Refreshment Break/Networking & Check Out
11:15 – 12:30	<p>A Taste of COST and Ask the Experts <i>(joint session with Income Tax School)</i> The speakers in this session will discuss and demonstrate the Audit Sessions that are a unique feature of COST's conferences, the Forums available on the COST website, and how gray areas of state taxation provide opportunities for tax planners. The session will close with an Ask The Experts session to enable attendees to request guidance from COST Practitioners on timely state tax issues.</p> <p>Instructors: Doug Lindholm, COST Fred Nicely, COST Arthur Parham, Retired General Tax Advisor of Entergy Services LLC Pat Reynolds, COST</p>
12:30 – 1:30	Lunch/Networking
1:30	School Adjourns

* Denotes COST Practitioner Member