

10/12/21

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**COST has determined that the best and safest way to proceed with the Annual Meeting is to require all “in-person” attendees to be fully COVID-19 vaccinated or have a negative COVID PCR Test taken within 72 hours of arriving of meeting. For those who can’t make it to the meeting “in-person” they will have the option to participate virtually.**


Please note that all attendees are welcome to attend any session except for the Audit Sessions. These sessions, as always, are open to COST industry member professionals only.

**Green columns – In-Person Only Sessions**

**Blue Column – Virtual and In-Person Sessions**


**ALL TIMES ARE PACIFIC TIMES**

| <b>SUNDAY, OCTOBER 17<sup>th</sup></b> |  |
|--|--|
| 24 Hours                               | <b>Meeting Room Internet</b> – Sponsored by <b>Bradley*</b>  |
| 24 Hours                               | <b>COST Event App</b> – Sponsored by <b>HMB Legal Counsel *</b>  |
|  | <b>In-Person Meeting Survival Kit</b> – Sponsored by <b>Eversheds-Sutherland (US)*</b>   |
|  | <b>Welcome Letter</b> – Sponsored by <b>Duff &amp; Phelps a Kroll Business*</b>  |
| 24 Hours                               | <b>Charging Station</b> – Sponsored by <b>Mayer Brown*</b>   |
| 1:00 – 7:00 p.m.                       | <b>Registration</b> – <i>Bellagio Ballroom Foyer</i>   |
| 2:00 – 5:00 p.m.                       | <b>Legislative/Government Relations (In-Person and Virtual)</b> – <i>Bellagio Ballroom 2</i><br>State Chamber of Commerce Executives and COST Member Government Affairs and Tax Policy Professionals will discuss and share information regarding COST tax priorities for the new 2021/2022 legislative cycle as well as provide COST advocacy materials.<br><br>Speakers:<br>COST’s Advocacy Team<br>Deborah Bierbaum, AT&T, Bedminster, NJ<br>Kelli Murphy, Ford Motor Company, Dearborn, MI |
| 5:30 – 7:00 p.m.                       | <b>Welcome Reception</b> - hosted by <b>EY*</b> and <b>Pillsbury*</b> – <i>Monet Ballroom 4</i>  |
| <b>MONDAY, OCTOBER 18<sup>th</sup></b> |  |
| 24 Hours                               | <b>Meeting Room Internet</b> – Sponsored by <b>Baker &amp; McKenzie*</b>   |
| 24 Hours                               | <b>Charging Station</b> – Sponsored by <b>Foley &amp; Lardner*</b>   |
| 24 Hours                               | <b>COST Event App</b> – Sponsored by <b>HMB Legal Counsel *</b>  |
| 11:00 a.m. – 3:00 p.m.                 | <b>Massage Chair Sponsorship</b> – <b>Blank Rome*</b>  |
| 7:30 a.m. – 5:10 p.m.                  | <b>Registration</b> – <i>Bellagio Ballroom Foyer</i>   |
| 7:30 – 8:30 a.m.                       | <b>Breakfast &amp; Networking</b> – Sponsored by <b>Avalara*</b> – <i>Bellagio Ballroom Foyer</i>  |
| 8:30 – 9:00 a.m.                       | <b>Welcome &amp; Opening Remarks</b> – <b>COST’s 52<sup>nd</sup> Annual Meeting of the Membership: Election of New Directors (In-Person and Virtual)</b> – <i>Bellagio Ballroom 2</i><br>Douglas Lindholm, COST, President & Executive Director, Washington, DC<br>Robert Tuinstra, COST Chair, Corteva Agriscience, Wilmington, DE<br>Charles Drury, COST Vice President & COO, Washington, DC  |

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| 9:00 – 10:00 a.m.  | <p><b>The Biden Administration's Corporate Tax Reform Proposals (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b></p> <p>The Biden administration has proposed sweeping corporate tax reform, much of it to undo the impact of the TCJA. Among the key proposals are a corporate tax rate increase, tax rate and base expansion of GILTI, a replacement tax for BEAT, and a minimum tax on book income. This panel will discuss differences between the TCJA and Biden administration approaches to corporate income taxation, and their implications for state corporate income tax conformity.</p> <p>Moderator: Karl Frieden, COST</p> <p>Panelists:<br/>         Nikki Dobay, Eversheds Sutherland (US)*, Sacramento, CA<br/>         Justin Hill, KPMG*, Dallas, TX<br/>         Michael Jacobs, Reed Smith*, Philadelphia, PA<br/>         Sarah Murray, Deloitte*, Houston, TX</p>   |   |  |
| 10:00 – 10:15 a.m.   | <p><b>Refreshment Break &amp; Networking</b></p>   |   |  |
|  <p>10:15 – 11:05 a.m.</p> | <p><b>Resale Exemptions: Can These Apply to Non-TPP Sales? (In-Person Only) – <i>Bellagio Ballroom 3/4</i></b></p> <p>The only consistent exemption across all states is the resale exemption. For manufacturers and retailers, this is usually pretty easy to figure out. But can these apply to sales of services? What about purchases of tangible items that are provided with a taxable service? The ability to claim a resale exemption on purchases can result in some serious cost savings. The challenge is that depending on the type of product or service you sell, it can be difficult to determine whether your inputs qualify for the exemption. This session will cover the types of situations and purchases for which you can claim a resale exemption. The speakers will dive into the implications for giveaways, complimentary items, taxable services, business services, and beyond so you are more confident in claiming resale exemptions for your business activities.</p> <p>Speakers:<br/>         Nicole Bryant, Grant Thornton*, Seattle, WA<br/>         Diane Yetter, YETTER*, Chicago, IL</p> | <p><b>GILTI and Renewed State Efforts to Tax Foreign Source Income (In-Person Only) – <i>Bellagio Ballroom 7</i></b></p> <p>State tax conformity with GILTI has been one of the most controversial state tax issues arising from the TCJA. This panel will review state conformity and decoupling from GILTI as well as emerging compliance and apportionment issues. The panelists will also discuss the implications of the Biden administration's proposals to expand the taxation of GILTI. Finally, the panel will address the potential for renewed state efforts to impose mandatory worldwide combination.</p> <p>Moderator: Karl Frieden, COST</p> <p>Speakers:<br/>         Jessica Morgan, EY*, Cleveland, OH<br/>         Mitchell Newmark, Blank Rome*, New York, NY</p> | <p><b>Handling Tax Controversies to Win (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b></p> <p>This session will provide the attendees with best practices in achieving a fair and equitable settlement with state agencies, as well the strategic considerations to be balanced along with financial reporting implications. It will include the nuts and bolts of key considerations, including future year impact and financial considerations</p> <p>Speakers:<br/>         John Fletcher, Jones Walker*, Jackson, MS<br/>         Lynn Gandhi, Foley &amp; Lardner*, Detroit, MI</p> |

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| <p>11:10 a.m. – 12:00 p.m.</p>  | <p><b>Economic Presence in Sales and Income Taxes (In-Person Only) – <i>Bellagio Ballroom 3/4</i></b></p> <p><i>Wayfair</i> overturned the physical presence nexus standard for sales tax purposes, but did its impact stop there? What implications and impacts has that change had on other state and local taxes, notably the income tax and gross receipts tax nexus standards. The speakers in this session will cover these impacts and the similarities and differences between the various nexus standards.</p> <p>Speakers:<br/>         Kyle Brehm, Fredrikson &amp; Byron*, Minneapolis, MN<br/>         Robert Kruger, The Huntington Bank, Minnetonka, MN<br/>         Stephen Long, Baker &amp; McKenzie*, Dallas, TX</p> | <p><b>An Update on ASC 740 (In-Person Only) – <i>Bellagio Ballroom 7</i></b></p> <p>The speakers in this session will provide insights into and interpretations of the income tax accounting guidance in ASC 740 and the differences between that standard and International (IFRS) Standards. The income tax accounting framework has been in place for many years; however, views on the application of that framework to current transactions continue to evolve because structures and tax laws are continually changing. The speakers will guide you through the maze.</p> <p>Speakers:<br/>         Veronica Caputo, Grant Thornton*, Atlanta, GA<br/>         Justin Hill, KPMG*, Dallas, TX</p> | <p><b>A Deep Dive into the Taxation of Digital Goods and PITFA- Not Just For ISPs (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b></p> <p>The speakers in this session will discuss the trend to broaden sales tax bases to include digital products and services. The panel will discuss related issues such as business to business exemptions and the Permanent Internet Tax Freedom Act (PITFA) that affect sellers and purchasers of digital goods and services. As part of this discussion, the panelists will focus on PITFA's prohibition of multiple or discriminatory taxes on general business, as well as address constitutional concerns on the viability of PITFA stemming from the <i>Murphy</i> decision.</p> <p>Speakers:<br/>         Matt Hedstrom, Alston &amp; Bird*, New York, NY<br/>         Charles Kearns, Eversheds Sutherland (US)*, Washington, DC</p> |
| <p>12:00 – 1:25 p.m.</p>   | <p>Lunch &amp; Networking – <i>Bellagio Ballroom 1/5</i></p> <p><b>Announcement of COST Directors &amp; Officers for 2021/2022</b></p>  |   |   |
| <p>1:25 – 2:15 p.m.</p>  | <p><b>Post-Wayfair Update from the Home Rule States (In-Person Only) – <i>Bellagio Ballroom 3/4</i></b></p> <p>As if it was not already tough enough to comply with local sales tax obligations in the home rule states, in the post-<i>Wayfair</i> world we live in, it is now more troublesome than ever because more taxpayers than ever now have filing obligations in home rule states and many state/local differences and complications remain.</p> <p>Speakers:</p>   | <p><b>Taxes on Wealth and Capital Gains (In-Person Only) – <i>Bellagio Ballroom 7</i></b></p> <p>Federal and state proposals to increase taxes on wealth, capital gains, executive pay, and high-income households have increased significantly in recent years. This panel will survey the trends in federal and state taxation of high net worth and high-income households, and discuss their implications for state corporate and individual income taxation. The panelists will focus on wealth taxes, mark-to-market on securities, capital gains tax increases,</p>  | <p><b>Foreign Factor Representation (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b></p> <p>Historically, states that tax foreign source income such as foreign dividends and GILTI have provided minimal or no foreign factor representation in state apportionment formulas. This panel will explore state apportionment of foreign source income and prior litigation on the constitutionality of state tax approaches. The panelists will also discuss the likelihood and potential outcome of future litigation challenging</p>  |




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|                  | James G. Busby, Jr., The Cavanaugh Law Firm*, Phoenix, AZ<br>Jaye Calhoun, Kean Miller*, New Orleans, LA<br>Bruce Ely, Bradley*, Birmingham, AL  | executive pay ratio legislation, and estate tax law changes.<br><br>Speakers:<br>Nicole Ford, Baker & McKenzie*, New York, NY<br>Michael Wynne, Jones Day*, Chicago, IL   | state's limitation of foreign factor representation.<br><br>Moderator:<br>Karl Frieden, COST<br><br>Speakers:<br>Daniel De Jong, KPMG*, Washington, DC<br>Sheila Holt, PwC*, Minneapolis, MN  |
| 2:20 – 3:10 p.m. |  <p><b>Report from the Front Lines: Southeast States Chamber Roundtable Discussion on Business Taxes – 2021 Recap &amp; 2022 Predictions (In-Person Only) – <i>Bellagio Ballroom 3/4</i></b></p> <p>Tax policy professionals from key state business associations will prognosticate on significant tax policy issues in the southeast states' upcoming legislative sessions, viewed through the prism of this year's accomplishments and setbacks.</p> <p>Moderator:<br/>Patrick Reynolds, COST, Washington, DC</p> <p>Speakers:<br/>Mark Coggins, North Carolina Chamber of Commerce, Raleigh, NC<br/>Dale Craymer, Texas Taxpayers and Research Association, Austin, TX<br/>Jason DeCuir, Louisiana Association of Business and Industry, Advantous Consulting, Baton Rouge, LA<br/>Bruce Ely, Business Council of Alabama/Birmingham Business Alliance, Bradley*, Birmingham, AL<br/>Marshall Guest, Metro Atlanta Chamber, Atlanta, GA<br/>Swati Patel, South Carolina Chamber of Commerce, Columbia, SC<br/>Kate Shanks, Kentucky Chamber of Commerce, Frankfort, KY</p> | <p><b>Managing Sales/Use Taxes with Lease Transactions – True, Conditional and Synthetic (In-Person Only) – <i>Bellagio Ballroom 7</i></b></p> <p>The speakers in this session will discuss the quirky sales/use tax rules that apply to lease transactions, including mobile assets (motor vehicles, aircraft). The transaction taxes can vary state by state, depending on the type of asset, the term, the buy-out amount (if any), trade-ins, the use thereof (e.g., interstate commerce), as well as various types of exemptions. There are also special rules with lease re-writes (changes to the lease contract). We'll help you flag exposures and navigate saving opportunities!</p> <p>Speakers:<br/>Eric Fader, BDO*, Chicago, IL<br/>David Machemer, HMB Legal Counsel*, Chicago, IL</p> | <p><b>Marketplace Facilitator Laws: Emerging Issues, Law Changes, and Interpretations (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b></p> <p>While almost every state with a generally applicable sales tax has adopted marketplace facilitator collection provisions, the laws vary significantly. Key issues such as who is liable for the tax and how marketplace facilitators and sellers can navigate their potential dual collection responsibilities are still being answered. This session will examine continuing and emerging issues, recent law changes, and administrative guidance impacting marketplace facilitators, sellers, and purchasers.</p> <p>Moderator:<br/>Fredrick Nicely, COST, Washington, DC</p> <p>Speakers:<br/>Dorothy Lo, PwC*, San Francisco/San Jose, CA<br/>Scott Peterson, Avalara CertCapture*, Nashville, TN</p> |
| 3:10 – 3:25 p.m. | <b>Refreshment Break &amp; Networking</b>  |   |   |


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| <p>3:25 – 4:15 p.m.</p> | <p><b>Audit Session: Southeast Region and Puerto Rico SALT Developments &amp; Audit Reports (COST Industry Members Only) (In-Person Only) – <i>Bellagio Ballroom 3/4</i></b></p> <p>Alabama, Arkansas, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia and Puerto Rico Audits.</p> <p>Moderators:<br/>TBD</p> | <p><b>Unemployment Taxes &amp; Who is an Employee v. Contractor (In-Person Only) – <i>Bellagio Ballroom 7</i></b></p> <p>This session will provide updates on the states' unemployment taxes and issues related to COVID-19 pandemic. The states' strategies to address shortages in their unemployment funds along with issues of who is an employee versus an independent contractor will be discussed. While you may not be a payroll tax expert, this session will keep you in the know on what to expect with your company's unemployment taxes in the near future.</p> <p>Speakers:<br/>Tom Crowley, ADP, San Dimas, CA<br/>Jeff Swerdlow, Alvarez &amp; Marsal Taxand*, Greenwood Village, CO</p> | <p><b>Wayfair's Impact on ASC 450 (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b></p> <p>Wayfair impacted sales/use tax laws, including new compliance obligations and marketplace facilitator laws. The panelists in this session will explain the proper reflection of these changes and the impact of other issues, such as the belief that customers may be self-assessing tax or have exemptions to claim, that may (or may not) have a bearing on GAAP reporting.</p> <p>Speakers:<br/>Sandra Jacobs, KPMG*, San Francisco, CA<br/>Rachel Quintana, EY*, Denver, CO</p>   |
| <p>4:20 – 5:10 p.m.</p> |   | <p><b>Unclaimed Property: A Peek Behind the Curtain (In-Person Only) – <i>Bellagio Ballroom 7</i></b></p> <p>In years past, Delaware has been a main focus for practitioners looking to get a handle on unclaimed property developments but these days, there may be more than one wizard behind the curtain. Join us as we cover the basics as well as developments in other states regarding legislation and enforcement initiatives.</p> <p>Speakers:<br/>Patrick Reynolds, COST, Washington, DC<br/>P.J. Sheets, Crowe*, Houston, TX</p>   | <p><b>Combined/Unitary Reporting – States' Increasing but Varied Adoption (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b></p> <p>Every year additional states consider switching from separate reporting to combined reporting statutes. This session will provide an update on new state combined reporting legislation. The panelists will also discuss evolving issues relating to current combined reporting statutes, including treatment of 80-20 companies and other tax base and apportionment considerations.</p> <p>Speakers:<br/>Craig Fields, Blank Rome*, New York, NY<br/>Todd Lard, Eversheds Sutherland (US)*, Washington, DC</p> |
| <p>5:15 – 7:15 p.m.</p> | <p><b>Reception – Sponsored by Blank Rome* and PwC* – <i>Monet Ballroom 4</i></b></p>   |  |  |

| TUESDAY, OCTOBER 19 <sup>th</sup> |   |  |   |
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| 24 Hours                          | <b>Meeting Room Internet</b> – Sponsored by <b>Blank Rome*</b>  |  |   |
| 24 Hours                          | <b>Charging Station</b> – Sponsored by <b>Vallejo, Antolin, Agarwal &amp; Kanter*</b>   |  |   |
| 24 Hours                          | <b>COST Event App</b> – Sponsored by <b>HMB Legal Counsel*</b>  |  |   |
| 6:45 a.m. – 5:25 p.m.             | <b>Registration</b> – <i>Bellagio Ballroom Foyer</i>  |  |   |
| 11:00 a.m. – 3:00 p.m.            | <b>Massage Chair Sponsorship</b> – Jones Walker*  |  |   |
| 6:45 – 8:00 a.m.                  | <b>Continental Breakfast &amp; Networking</b> – <i>Bellagio Ballroom 1/5</i>  |  |   |
| 7:00 – 8:00 a.m.                  | <p><b>Early Morning Ethics Coffee Talk - Ethical &amp; Professional Challenges Facing State Tax Professionals (In-Person and Virtual)</b> – <i>Bellagio Ballroom 2</i></p> <p>Rise and shine and enjoy an entertaining, informative hour on the latest ethics developments relevant to state tax professionals. This presentation will serve as your “wake up” for Tuesday morning. However, there’s much more to this session than getting an hour of Ethics CPE/CLE. Tax professionals and government affairs professionals must navigate a host of ethical issues on a daily basis. Some issues are obvious, others may not be. The speakers will discuss how to spot ethical issues and deal with them in a thoughtful and effective manner. <b>(PLEASE NOTE – THERE WILL BE A SEPARATE REGISTRATION SIGN IN SHEET FOR THIS SESSION AND ATTENDEES MUST ARRIVE AND SIGN IN BY 7:00 AM. IN ORDER TO OBTAIN CPE.)</b></p> <p>Speakers:<br/>Lance Jacobs, Crowe*, Washington, DC<br/>Glenn McCoy, Ryan*, New York, NY</p> |  |   |
| 8:10 – 9:00 a.m.                  | <p><b>Report from the Front Lines: Northeast States Chamber Roundtable Discussion on Business Taxes – 2021 Recap &amp; 2022 Predictions (In-Person Only)</b> – <i>Bellagio Ballroom 3/4</i></p> <p>Tax policy professionals from key state business associations will prognosticate on significant tax policy issues in the northeast states’ upcoming legislative sessions, viewed through the prism of this year’s accomplishments and setbacks.</p> <p>Moderator:<br/>Stephanie Do, COST, Santa Barbara, CA</p> <p>Speakers:<br/>Linda Caprara, Maine State Chamber of Commerce, Augusta, ME<br/>Chris Emigholz, New Jersey Business and Industry Association, Trenton, NJ<br/>Andrew Griffin, Maryland Chamber of Commerce, Annapolis, MD</p>   | <p><b>Hot Issues and Trends – Sales and Use Tax Audits (In-Person Only)</b> – <i>Bellagio Ballroom 7</i></p> <p>Managing sales and use tax audits continues to be a struggle for many companies. This session will focus on hot issues and trends in sales and use tax audits. The speakers will discuss best practices and will also discuss how to handle reserve issues related to ongoing audits.</p> <p>Speakers:<br/>Susan Haffield, PwC*, Minneapolis, MN<br/>Carolynn Kranz, Industry Sales Tax Solutions*, Washington, DC<br/>James Taylor, Alliance Data, Columbus, OH</p> | <p><b>Top 10! – Income Tax - Legislation and Litigation Developments (In-Person and Virtual)</b> – <i>Bellagio Ballroom 2</i></p> <p>Get an update on the most important litigation and legislation that took place across the nation that impacts state and local income taxes. The speakers will highlight the most significant developments as well as their thoughts on future impacts.</p> <p>Speakers:<br/>Glenn Newman, Greenberg Traurig*, New York, NY<br/>Leah Robinson, Mayer Brown*, New York, NY</p> |

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|  | <p>David Juvet, Business and Industry Association of New Hampshire, Concord, NH<br/>         Carl Marrara, Pennsylvania Manufacturers' Association, Harrisburg, PA<br/>         Eileen McAnneny, Massachusetts Taxpayers Foundation, Boston, MA<br/>         Ken Pokalsky, Business Council of New York, Albany, NY</p>  |  |  |
| <p>9:05 – 9:55 a.m.</p>  | <p><b>Audit Session: Northeast Region, Canada and MTC SALT Developments &amp; Audit Reports (COST Industry Members Only) (In-Person Only) – Bellagio Ballroom 3/4</b><br/>         Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont and Canada &amp; MTC Audits</p> <p>Moderators:<br/>         TBD</p> | <p><b>Data Analytics, Visualization, and Automation (In-Person Only) – Bellagio Ballroom 7</b><br/>         Organizations create increasingly large amounts of data in connection with their business operations and rely on analytics, visualization, and automation software to coordinate and make sense of this data. These tools have the potential to revolutionize state tax compliance and appeals, enabling taxpayers to support filing positions and refund claims with a level of detail previously unattainable with traditional database platforms and spreadsheets. As a result, many organizations are pushing their tax departments to adopt big data software tools and methods. This session will provide an overview of software platforms (e.g., Alteryx, Power BI, and Automation Anywhere) that can make your state tax department more efficient and ensure that your company pays no more than its fair share of tax. The session will provide a detailed discussion of actual case studies involving big data methods and emerging technologies. The focus will be how "normal people" (i.e., not IT people) in your organizations can use these tools now.</p> <p>Speakers:<br/>         David Gutowski, Reed Smith*, Philadelphia, PA<br/>         Timothy Kirkpatrick, PwC*, Houston, TX</p> | <p><b>Deep Dive into Cost of Performance and Market Based Sourcing: Methods of Multistate Analysis, Planning and Tax Accounts (In-Person and Virtual) – Bellagio Ballroom 2</b><br/>         This session will provide a deep and advanced analysis of the impact of current pending and recently decided court decisions on COP and MBS and planning methods, strategies and ways to manage compliance and positions in the various states. We will discuss the range of possible positions in a variety of common fact patterns, the advantages and disadvantages of sourcing methods and ideas to minimize risk and achieve the best reasonable tax results. This session will also address the level of certainty in the law as it relates to tax accounts and reserves.</p> <p>Speakers:<br/>         Peter Larsen, Akerman*, Jacksonville, FL<br/>         Priscilla Parrett, Vallejo, Antolin, Agarwal &amp; Kanter*, Walnut Creek, CA<br/>         Samir Ramakrishna, Deloitte*, Tampa, FL</p> |
| 9:55 – 10:10 a.m.  | <b>Refreshment Break &amp; Networking</b>  |  |  |




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| 10:10 – 11:00 a.m.  | <b>Audit Session: Northeast Region, Canada and MTC SALT Developments &amp; Audit Reports (COST Industry Members Only) (cont...) (In-Person Only) – Bellagio Ballroom 3/4</b>   | <b>Net Operating Losses in the Post Pandemic Era (In-Person Only) – Bellagio Ballroom 7</b><br>This session will provide an update on state net operating loss provisions, particularly in relation to changes in federal rules under the TCJA and CARES Act. The panelists will highlight issues and opportunities arising from changes in business operations, and federal and state tax laws during the pandemic. Finally, the panelists will analyze how taxpayers can plan to maximize tax attributes.<br><br>Speakers:<br>Karen Currie, EY*, Dallas, TX<br>Kyle Sollie, Reed Smith*, Philadelphia, PA | <b>The Sales Tax Refund Minefield: Better Watch Where You Step! (In-Person and Virtual) – Bellagio Ballroom 2</b><br>This presentation will analyze the various procedural mechanisms and requirements that taxpayers must navigate when seeking refunds of sales and use tax. This area of the sales tax law is fraught with peril, and procedural requirements can vary drastically from state to state. The majority of states now allow consumers some alternatives to seek refunds directly from the state while numerous other states still require consumers to pursue refunds through the vendor. More recent changes in the laws of Tennessee, Michigan and Virginia provide useful examples of how Departments of Revenue are providing consumers with options to go directly to the state for sales tax refunds. These case studies may also provide a framework for pursuing legislative changes in states such as Arizona, Louisiana, Pennsylvania, North Carolina, and Kentucky that still require the vendor to run point on sales tax refund claims.<br><br>Speakers:<br>Brett Carter, Carter Shelton*, Nashville, TN<br>Lindsay Galvin, PwC*, Pittsburgh, PA |
| 11:05 – 11:55 a.m.  | <b>The Impact of the OECD Global Income Tax Reforms on State Taxation (In-Person and Virtual) – Bellagio Ballroom 2</b><br>The Organization for Economic Co-operation & Development (OECD) Pillar One and Two inclusive framework was endorsed in July 2021 by 131 nations, including all of the major economies in the world. This session will provide an overview of the key elements of the OECD's global tax reform that could radically transform the landscape of international income taxation, with significant implications for U.S. federal and state taxation. The panelists will discuss the similarities and differences between the OECD Pillar One proposal and U.S. federal and state approaches to taxing digital income. The panelists will also discuss the similarities and differences between the OECD Pillar Two proposal and U.S. federal and state approaches to taxing foreign source income. |   |   |

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|                         | <p>Moderator: Karl Frieden, COST</p> <p>Panelists:<br/>Barbara Angus, EY*, Washington, DC<br/>Mike Shaikh, Baker &amp; McKenzie*, Palo Alto, CA<br/>Marc Simonetti, Pillsbury*, New York, NY</p>   |  |   |
| 11:55 a.m. – 12:40 p.m. | <p><b>Presentation to Kendall Houghton (Alston &amp; Bird) and Arthur Parham (Entergy Services) of the Annual COST/ Paul Frankel Excellence in State Taxation Awards (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b></p>  |  |   |
| 12:40 – 1:40 p.m.       | <p>Lunch &amp; Networking – <i>Bellagio Ballroom 1/5</i></p>   |  |   |
| 1:40 – 2:30 p.m.        |  <p><b>Report from the Front Lines: West Coast States Roundtable Discussion on Business Taxes – 2021 Recap &amp; 2022 Predictions (In-Person Only) – <i>Bellagio Ballroom 3/4</i></b></p> <p>Tax policy professionals from key state business associations will prognosticate on significant tax policy issues in West Coast States' upcoming legislative sessions, viewed through the prism of this year's accomplishments and setbacks.</p> <p>Moderator:<br/>Erica Kenney, COST, Denver, CO</p> <p>Speakers:<br/>Scott Bruun, Oregon Business and Industry, Linn, OR<br/>Tommy Gantz, Association of Washington Business, Olympia, WA</p> | <p><b>Once, Twice, Three Times the Taxation – The Continued Threat of False Claims Act Litigation (In-Person Only) – <i>Bellagio Ballroom 7</i></b></p> <p>Originally intended for use by true whistleblowers to uncover fraud on the government, some states (and plaintiff's lawyers) are becoming more keen on using false claims act lawsuits in disputes over state taxes. Still relatively rare, the consequences of these suits can be severe -- treble damages, attorneys' fees, and per transaction penalties. It's important to understand the nature of these claims, recent developments, and steps that can be taken to mitigate risks.</p> <p>Speakers:<br/>Antoinette Ellison, Jones Day*, Atlanta, GA<br/>Daniel Roy, Faegre Drinker Biddle &amp; Reath*, Indianapolis, IN</p> | <p><b>Pass-Through Entities: SALT Planning and Pitfalls (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b></p> <p>Pass-through entities have received notoriety of late as a SALT deduction limit workaround. While this is a new application of flow-through entity planning, it is just one of a panoply of issues that arise for flow through owners and the entities themselves. The speakers will discuss this issue as well as others such as the potential for nexus of partners and LLC members and state and federal income tax conformity issues.</p> <p>Speakers:<br/>Leighanne Scott, PwC*, Washington, DC<br/>Will Thistle, Bradley*, Birmingham, AL</p> |
| 2:35 – 3:25 p.m.        | <p><b>Report from the Front Lines: Western States Chamber Roundtable Discussion on Business Taxes – 2021 Recap &amp; 2022 Predictions (In-Person Only) – <i>Bellagio Ballroom 3/4</i></b></p> <p>Tax policy professionals from key state business associations will prognosticate on significant tax policy issues in the western states' upcoming legislative sessions, viewed through the prism of this year's accomplishments and setbacks.</p>   | <p><b>Statistical Sampling in Sales and Use Taxes: Best Practices and Updates on How States Are Using These Techniques (In-Person Only) – <i>Bellagio Ballroom 7</i></b></p> <p>Learn the do's and don'ts of using statistical sampling in indirect tax audits and how states are using these techniques.</p> <p>Speakers:</p>   | <p><b>SALT Transfer Pricing in the 21<sup>st</sup> Century (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b></p> <p>This session will focus on current state and local tax developments relating to transfer pricing, including recent decisions and tools that states have been attempting to employ to bring money into their jurisdiction. This session will include discussions on third party transfer pricing "bounty hunters", the Multistate Tax</p>   |

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|                  | <p>Moderator:<br/>Erica Kenney, COST, Denver, CO</p> <p>Speakers:<br/>Richard Anklam, New Mexico Tax Research Institute, Albuquerque, NM<br/>Rusty Cannon, Utah Taxpayers Association, Draper, UT<br/>Cindy Creighton, Nevada Taxpayers Association, Las Vegas, NV<br/>Ashley Harpstreith, Wyoming Taxpayers Association, Cheyenne, WY<br/>Miguel Legarreta, Associated Taxpayers of Idaho, Boise, ID<br/>Kevin McCarthy, Arizona Tax Research Association, Phoenix, AZ<br/>Tom Yamachika, Tax Foundation of Hawaii, Honolulu, HI</p> | <p>Jason McGlamery, Ryan*, Dallas, TX<br/>Bradley Tomlinson, Zaino Hall &amp; Farrin*, Columbus, OH</p>   | <p>Commission's State Intercompany Transactions Advisory Service (SITAS) project, as well as best practices for dealing with and defending against such actions.</p> <p>Moderator:<br/>Kate Pascuzzi, BDO*, Tulsa, OK</p> <p>Speakers:<br/>Joe Garrett, Deloitte*, Auburn, AL<br/>David Pope, Baker &amp; McKenzie*, New York, NY</p>  |
| 3:25 – 3:40 p.m. | <b>Refreshment Break &amp; Networking - Sponsored by KPMG*</b>  |   |  |
| 3:40 – 4:30 p.m. | <p><b>Audit Session: West Region SALT Developments &amp; Audit Reports (COST Industry Members Only) (In-Person Only) – <i>Bellagio Ballroom 3/4</i></b><br/>Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington &amp; Wyoming</p> <p>Moderators:<br/>TBD</p>  | <p><b>Best Practices When Dealing with Alternative Apportionment (In-Person Only) – <i>Bellagio Ballroom 7</i></b><br/>A discussion of the issues facing taxpayers including how a business determines the marketplace, the use of specialty formulae and whether litigation is required to achieve alternative apportionment.</p> <p>Speakers:<br/>Eric Anderson, Andersen*, San Francisco, CA<br/>Marilyn Wethekam, HMB Legal Counsel*, Chicago. IL</p> | <p><b>An Update on Digital Services Taxes (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b><br/>In the last two years, digital services tax (DST) proposals have proliferated among the states, including the enactment of the first DST in Maryland. This panel will analyze the state legislative proposals to impose a new type of gross receipts tax on digital advertisements and digital data collection. The panelists will also discuss the differences between these state-level taxes and the national DSTs enacted recently in Europe and other nations. Finally, the panelists will discuss ongoing litigation to invalidate the Maryland DST.</p> <p>Moderator:<br/>Stephanie Do, COST, Santa Barbara, CA</p> <p>Speakers:</p> |

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|                                     |   |  | Stephen Kranz, McDermott Will & Emery*, Washington, DC<br>Carley Roberts, Pillsbury*, Sacramento, CA  |
| 4:35 – 5:25 p.m.                    |   | <b>Property Tax Appeal Strategies Within a Post-COVID Environment (In-Person Only) – <i>Bellagio Ballroom 7</i></b><br>Presentation will overview property tax appeal and negotiation strategies as it relates to pre and post-COVID market conditions. Attendees will be provided timing strategies, valuation techniques, and identification and quantifying of obsolescence.<br><br>Speakers:<br>Gerry Amoroso, Grant Thornton*, Austin, TX<br>Jesse Noneman, DuCharme McMillen & Associates*, Indianapolis, IN | <b>Conformity – First There was the TCJA and now CARES – Where Are We? (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b><br>Four years after the passage of the TCJA, things were beginning to settle down – and then there was CARES and COVID to shake it all up again. In this session, the panelists will discuss how the states have fallen in (or out) of line with each of these federal laws and how COVID impacted the whole process. Spoiler alert: there are issues!<br><br>Speakers:<br>Jonathan Feldman, Eversheds Sutherland (US)*, Atlanta, GA<br>Alexis Morrison-Howe, Deloitte*, Boston, MA |
| 5:30 – 7:30 p.m.                    | <b>Vendor Fair – <i>Monet Ballroom 4</i></b><br>Come join the fun as various service and product providers host our Annual Meeting Vendor Fair. There'll be lots of give-aways, food and activities. And at the end of the Vendor Fair there will be several drawings for some fantastic prizes. But you have to stay to the end to win the prize!!! So, come join us for a lot of fun!!  |  |   |
| WEDNESDAY, OCTOBER 20 <sup>TH</sup> |   |  |   |
| 24 Hours                            | Meeting Room Internet – Sponsored by Bradley*   |  |   |
| 24 Hours                            | COST Event App – Sponsored by HMB Legal Counsel*  |  |   |
| 24 Hours                            | Charging Station – Sponsored by Mayer Brown*  |  |   |
| 7:00 a.m. – 12:20 p.m.              | Registration – <i>Bellagio Ballroom Foyer</i>   |  |   |
| 7:00 – 8:00 a.m.                    | Continental Breakfast & Networking – <i>Bellagio Ballroom 1/5</i>   |  |   |
| 8:00 – 9:25 a.m.                    | <b>Tax Administrators Roundtable (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b><br>This roundtable discussion will feature key state tax administrators discussing the latest news, developments, and outlook from a tax perspective. These administrators will provide insights on what happened in their states during 2021 and what is planned for 2022 and beyond. Moderated by an experienced advisor, this session will provide an opportunity to ask those important questions we all seem to have, either confidentially or face-to-face.<br><br>Moderator: |  |   |

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|                   | <p>Jim Eads, Ryan*, Austin, TX</p> <p>Panelists:</p> <p>Karey Barton, Texas Comptroller of Public Accounts, Austin, TX</p> <p>John Ficara, New Jersey Division of Taxation, Trenton, NJ</p> <p>Kimberley Lewis, Louisiana Department of Revenue, Baton Rouge, LA</p> <p>Mandi Shawarira, Indiana Department of Revenue, Indianapolis, IN</p> <p>Selvi Stanislaus, California Franchise Tax Board, Sacramento, CA</p>   |  |   |
| 9:25 – 9:40 a.m.  | <b>Refreshment Break, Networking and Hotel Check Out</b>   |  |   |
| 9:40 – 10:30 a.m. |  <p><b>Report from the Front Lines: Midwest States Chamber Roundtable Discussion on Business Taxes – 2021 Recap &amp; 2022 Predictions (In-Person Only) – Bellagio Ballroom 3/4</b></p> <p>Tax policy professionals from key state business associations will prognosticate on significant tax policy issues in the midwest states' upcoming legislative sessions, viewed through the prism of this year's accomplishments and setbacks.</p> <p>Moderator:</p> <p>Fredrick Nicely, COST, Washington, DC</p> <p>Speakers:</p> <p>Amy Drumm, Michigan Retailers Association, Lansing, MI</p> <p>Elizabeth Kadoun, Minnesota Chamber of Commerce, St. Paul, MN</p> <p>Tony Long, Ohio Chamber of Commerce, Columbus, OH</p> <p>Carol Portman, Taxpayers' Federation of Illinois, Springfield, IL</p> <p>Thomas Sands, Iowa Taxpayers Association, Des Moines, IA</p> <p>Bryan Slone, Nebraska Chamber of Commerce &amp; Industry, Lincoln, NE</p> <p>Keith Staats, Illinois Chamber of Commerce Tax Institute, Chicago, IL</p> <p>Bill Waltz, Indiana Chamber of Commerce, Indianapolis, IN</p> | <p><b>Federal Tax Changes - Taking into Account The Impact of External Changes (In-Person Only) – Bellagio Ballroom 7</b></p> <p>The last 5 years have been a tax professional's dream/nightmare regarding federal tax changes and the effect on state corporate income taxes. These changes, both legislative and judicial, have created uncertainty and novel complexities for state tax compliance. It is also unlikely that we have seen the end of such changes. This session will: briefly review the most salient federal tax changes affecting state corporate income tax calculations; analyze the different results among the states in applying or decoupling from the federal legislative changes; discuss the existing and expected challenges to some states' adoption of the federal changes, including apportionment and foreign commerce clause issues; consider the effect of federal tax cases on state tax challenges; and, prognosticate regarding how on-going federal and international proposals' could affect state income tax.</p> <p>Speakers:</p> <p>Nicole Johnson, Blank Rome*, New York, NY</p> <p>Diann Smith, McDermott Will &amp; Emery*, Washington, DC</p> | <p><b>Top 10! – Sales Tax - Legislation and Litigation Developments (In-Person and Virtual) – Bellagio Ballroom 2</b></p> <p>Get an update on the most important litigation and legislation that took place across the nation that impacts state and local sales taxes. The speakers will highlight the most significant developments as well as their thoughts on future impacts.</p> <p>Speakers:</p> <p>William Backstrom, Jones Walker*, New Orleans, LA</p> <p>Mark Loyd, Dentons*, Louisville, KY</p> <p>Curtis Osterloh, Scott Douglass &amp; McConnico*, Austin, TX</p> |



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| <p>10:35 –11:25 a.m.</p>           | <p><b>Audit Session: Central /Midwest Region SALT Developments &amp; Audit Reports (COST Industry Members Only) (In-Person Only) – <i>Bellagio Ballroom 3/4</i></b></p> <p>Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Ohio, Oklahoma, Texas &amp; Wisconsin</p> <p>Moderators:<br/>TBD</p> | <p><b>Retail Exemption Documentation Issues (In-Person Only) – <i>Bellagio Ballroom 7</i></b></p> <p>The general rule for sales taxation is taxation of tangible personal property or taxable services unless valid exemption documentation is presented. However, what appears to be straight forward is not always so. This presentation would explore the typical and not so typical exemption documents, the subtleties that exist with each, and discussion of how to protect your retail business from audit surprises years after the transaction occurs.</p> <p>Speakers:<br/>James Barash, RSM*, Phoenix, AZ<br/>Rhonda Sparlin, RubinBrown*, Denver, CO<br/>Tim Winks, Ferguson Enterprises, Newport News, VA</p> | <p><b>Economic Development Incentives (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b></p> <p>Using ARPA and Infrastructure legislation, identify new incentives or changes to eligibility and/or processing requirements for existing incentives. Examples include: Restaurant Revitalization Grants, Community Development Block Grant, and the new definition of "Infrastructure".</p> <p>Speakers:<br/>Gregory Burkart, Duff &amp; Phelps, a Kroll Business*, Novi, MI<br/>Mike Eickhoff, Grant Thornton*, Chicago, IL<br/>Janette Lohman, Thompson Coburn*, St. Louis, MO</p>                   |
| <p>11:30 a.m. –<br/>12:20 p.m.</p> |  | <p><b>Gross Receipts Taxes (In-Person Only) – <i>Bellagio Ballroom 7</i></b></p> <p>The world of Gross Receipts taxes continues to evolve. The Oregon CAT has been in existence for over two years now. What are the latest developments? And what about the recent changes to the Texas franchise tax, focusing on apportionment and the research and development credit. The Sirius XM Radio opinion and the Comptroller's 2021 apportionment rule amendments ushered in a sea change for the sourcing of service receipts that's left many practitioners scratching their heads. Join this session to hear experts discuss the various updates to these gross receipts taxes and others.</p>                             | <p><b>Hidden State Tax Traps In M&amp;A Opportunities (In-Person and Virtual) – <i>Bellagio Ballroom 2</i></b></p> <p>Managing state and local tax costs in the first 100 days of a business transaction is of critical importance. Panelists will examine how to recognize and identify select Federal/State income tax differences; understand and avoid unintended indirect tax triggering events; and develop alternative structures and steps that can minimize state tax costs.</p> <p>Speakers:<br/>Eugene Gibilaro, Blank Rome*, New York, NY<br/>Zach Gladney, Alston &amp; Bird*, New York, NY</p> |

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|                   |  | Speakers:<br>Danielle Ahlrich, Reed Smith*, Austin, TX<br>Gregg Barton, Perkins Coie*, Seattle, WA |  |
| 12:30 – 2:30 p.m. | COST Board of Directors Meeting/STRI Board Meeting to immediate follow. – <i>The Boardroom</i> |  |  |
| 12:20 p.m.        | <b>Annual Meeting Adjourns</b>   |  |  |

\* Denotes COST Practitioner Connection Subscriber

