

04/18/23



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Monday, April 24, 2023	
2:00 – 7:00 p.m.	Registration – Salon Foyer
3:00 – 5:00 p.m.	<p>State Tax Legislative Update – Salon 1-2 Open to all registered conference attendees, this session will focus on state income/franchise tax legislative trends and hotspots in 2023. Topics will include state actions in combination, taxation of foreign income, transfer pricing, interest expense limitations, market sourcing, gross receipts taxes and DSTs, and P.L. 86-272. The update will also cover the potential impact of global and federal tax reform on state corporate income taxes. Finally, the COST advocacy team will discuss key 2023 COST priorities and initiatives relating to income/franchise taxes. Active participation by attendees is encouraged.</p> <p>Panelists: Stephanie Do, COST Aziza Farooki, COST Karl Frieden, COST Leonore Heavey, COST Priya Nair, COST Fredrick Nicely, COST Patrick Reynolds, COST</p>
5:30 – 7:00 p.m.	<p>Welcome Reception – Fulton Alley – Sponsored by Jones Walker* Don't miss this opportunity to jump start your income & franchise tax networking with friends and colleagues in a casual fun atmosphere. It's a great way to get geared up for the meeting.</p>
Tuesday, April 25, 2023	
7:00 a.m. – 5:00 p.m.	Registration – Salon Foyer
7:00 – 8:00 a.m.	Continental Breakfast / Networking – Salon Foyer
8:00 – 8:15 a.m.	<p>Welcome & Opening Remarks – Salon 1-2 Douglas Lindholm, COST Michael Carchia, Capital One Services Charles Drury, COST</p>

8:15 – 9:30 a.m.	<p>The Top State Corporate Income Tax Issues in 2023 – Salon 1-2 Do you want to know what to watch out for in 2023? Join our panelists as they survey the clear favorites and dark-horse candidates for the top state corporate income and franchise tax issues in 2023. The panel will highlight must-know key trends including important court cases, legislation and regulations.</p> <p>Speakers: Mitchell Newmark, Blank Rome* Chris Oatis, Grant Thornton* Greg Rottjakob, Ryan* Marc Simonetti, Pillsbury*</p>
9:30– 9:45 a.m.	Refreshment Break / Networking – <i>Salon Foyer</i>
9:45 – 11:25 a.m.	<p>Audit Session: Northeast Region, Canada and MTC SALT Developments & Audit Reports (COST Industry Members Only) – Salon 1-2 <i>Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont and Canada & MTC Audits.</i></p> <p>COST audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in the Northeast region of the country.</p> <p>Moderators: Lani Canniff, Ameriprise Financial, Inc. Robert Tuinstra, Corteva Agriscience</p> <p>Facilitators: Toni Mincic, Lumen Technologies Andy Solomon, Stagwell, Inc. Jennifer Whalley, Amphenol Corporation</p>
11:30 a.m. – 12:45 p.m.	<p>Part I: Should States Adopt Digital Services Taxes? A Debate between Shanske and Frieden Part II: A Deeper Dive on Professor Shanske’s Views on State Corporate Income Tax Reform – Salon 1-2</p> <p>Part I: Adoption of national DSTs in Europe and a state-level DST in Maryland has generated a worldwide debate on the pros and cons of DSTs. In this session, Professor Darien Shanske (in favor) and Karl Frieden (against) will debate the merits and pitfalls of DSTs from a state tax policy perspective. The discussion will encompass recent proposals to impose state DSTs on digital advertising, data mining and other digital platform revenues.</p> <p>Part II: Professor Shanske is a leading voice advocating for controversial state corporate income tax reforms including state taxation of GILTI, mandatory worldwide combined reporting, and state conformity to the new federal corporate alternative minimum tax. Professor Shanske will answer questions from the audience and from Karl and Doug on these and other provocative positions.</p> <p>Moderator: Douglas Lindholm, COST</p> <p>Speakers: Karl Frieden, COST Professor Darien Shanske, UC Davis School of Law</p>
12:45 – 1:45 p.m.	<p>Lunch – Networking – <i>Lafayette Meeting Room</i></p> <p>“New to COST” Lunch and Brainstorm! Please fix a plate for yourself from the lunch buffet in Lafayette Meeting Room and meet in the <i>Vermillion Meeting Room</i> to meet other tax professionals (five years or less as a COST member) and COST staff to discuss ways that COST can engage the next generation of SALT professionals. COST REALLY wants to hear from you, so please consider joining us and making connections with other attendees starting out in their career and better utilize COST’s benefits.</p>

1:45 – 2:45 p.m.	Choice of 2 Breakouts
	<p>Federal/State Conformity/Disconformity – Why It’s More Important Than Ever – Salon 1-2 State conformity (or lack thereof) with the federal consolidated return regulations creates some of the most complex issues in state corporate income taxation. The speakers will discuss the importance of understanding the implications with state non-conformity (or conformity) with federal rules, given the enactment of significant federal tax legislation like TCJA, CARES Act, and IRA. The impact on M&A transactions will also be addressed. The speakers will not only discuss considerations for separate reporting states, but also explore the often surprising implications in both water's-edge and (elective) worldwide combined reporting states.</p> <p>Speakers: Olivia Orobona, PwC* Rob Ozmun, PwC*</p>
	<p>Using Tax Insurance to Provide Certainty in State Tax Matters – Salon 3 Tax insurance is being used by many of the Fortune 500 companies to protect the company in the event a position taken on a return gets assessed. This session will cover the benefits of tax insurance, how it works, the cost, and how it reduces tax reserves. The speakers will provide actual case studies where tax insurance has been used in M&A transactions, state tax positions on returns, and pending state tax litigation.</p> <p>Moderator: Lee Zoeller, Reed Smith*</p> <p>Speakers: Justin Pierce Berutich, Euclid Transactional Daniel Schoenberg, Alliant Global</p>
2:45 - 3:00 p.m.	Refreshment Break / Networking – Salon Foyer
3:00 – 5:00 p.m.	<p>Audit Session: West Region SALT Developments & Audit Reports (COST Industry Members Only) – Salon 1-2 <i>Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington & Wyoming</i></p> <p>COST audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in the West region of the country.</p> <p>Moderators: Jamie Laiewski, Charter Communications Doug Lindholm, COST</p> <p>Facilitators: Laura James, Kimberly-Clark Corporation Erica Kenney, NextEra Energy, Inc. Jon Mieritz, Corteva Agriscience</p>
5:15 – 6:45 p.m.	<p>Reception – Sponsored by Blank Rome* and EY* – French Quarter Balcony Now that your brain is filled with the most current income & franchise tax knowledge, reward your hard work with cocktails, lots of delicious food and good conversation. Share your thoughts and experiences from the first full day with others and gain new perspectives.</p>
7:00 p.m.	<p>Group Dinner Everyone is invited to join other COST members for dinner at the Red Fish Grill!! Don't miss this opportunity to mingle with fellow tax professionals and expand your professional network! Please stop by the Registration Desk to let us know that you will be there or contact Judy Slotnik! Folks will pay their own way.</p>
Wednesday, April 26, 2023	
7:15 a.m. – 4:45 p.m.	Registration – Salon Foyer
7:15 – 8:30 a.m.	Continental Breakfast / Networking – Salon Foyer
7:30 – 8:30 a.m.	<p>Early Morning Ethics Coffee Talk: Ethical & Professional Challenges Facing Attorneys and Other State Tax Professionals – Salon 3 The speakers will explore key tenets of ethical rules for attorneys and accountants working in the state tax arena, using vignettes and electronic audience polling. They will use practical examples to provide</p>

	<p>a greater understanding of ethical rules as they arise in the state tax context for both attorneys and accountants. This session will qualify for one hour of CPE/CLE certification for ethics credits. (PLEASE NOTE – THERE WILL BE A SEPARATE REGISTRATION SIGN IN SHEET FOR THIS SESSION AND ATTENDEES MUST ARRIVE AND SIGN IN BY 7:30 AM. IN ORDER TO OBTAIN CLE/CPE).</p> <p>Speakers: Christopher Grissom, Bradley Arant Boult Cummings* Steve Kranz, McDermott Will & Emery*</p>
8:35 – 10:10 a.m.	<p>Audit Session: Southeast Region and Puerto Rico SALT Developments & Audit Reports (COST Industry Members Only) – Salon 1-2 <i>Alabama, Arkansas, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia and Puerto Rico Audits.</i></p> <p>COST audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in the Southeast region of the country.</p> <p>Moderators: Michael Carchia, Capital One Arthur Parham, Retired, Entergy Services, LLC</p> <p>Facilitators: Denise Helmken, General Mills Jesse Hereford, Walmart Inc. Darren Lebiecki, Kraft Heinz Company Christopher Lee, BP America Inc.</p>
10:10 – 10:25 a.m.	Refreshment Break / Networking – Salon Foyer
10:25 – 11:25 a.m.	Choice of 2 Breakouts
	<p>Tiers of Joy? New Issues Related to Tiered Flow-Through Entity Structures – Salon 3 Partnership taxation and SALT are strange bedfellows. The flow-through of income and sometimes factors can lead to a potpourri of issues, exacerbated by the sale of a partnership interest itself. Add pass-through entity taxes to the mix and we are off to head-spinning races! This session will explore oddities in the ownership and disposition of flow-through entities by corporations, other pass-through entities, and individuals.</p> <p>Moderator: Jéanne Rauch-Zender, Tax Analysts*</p> <p>Speakers: Michael Bowen, Akerman* David Hughes, HMB Legal Counsel* Robin Klinghagen, Andersen*</p>
	<p>The Impact of OECD Global and Federal Income Tax Reforms on State Taxation – Salon 1-2 This session will provide a status update on the OECD/G20's global tax reform and its implications for U.S. federal and state taxation. The panelists will discuss the EU's recent adoption of Pillar 2 and the similarities and differences with the TCJA's GILTI and IRA's corporate alternative minimum tax provisions. The session will also discuss the delay in Pillar 1 implementation and its ramifications for international and U.S. state level DSTs.</p> <p>Moderator: Karl Frieden, COST</p> <p>Speakers: Jeff Burns, Deloitte* Shirley Sicilian, KPMG*</p>
11:30 a.m. – 12:30 p.m.	<p>Gross Receipts Taxes: Policy and Compliance Impairments – Salon 1-2 Gross receipts taxes are experiencing a resurgence with the allure of quick, large and stable amounts of revenue. This session explores the downside of GRTs from a policy perspective, and why such taxes should not be a part of any state's revenue programs. The speakers will also discuss the complexities of GRTs from a compliance perspective, and the expensive and complex litigation that inevitably follows their adoption.</p>

	<p>Moderator: Doug Lindholm, COST</p> <p>Speakers: Michelle DeLappe, Fox Rothschild* Richard Pomp, UConn School of Law</p>
12:30 – 1:45 p.m.	Lunch – Networking – <i>Lafayette Meeting Room</i>
1:45 – 2:45 p.m.	<p>“Do’s and Don’ts” From Behind the Bench – Salon 1-2 Present and former judges from various tax courts will share with attendees their views of “do’s and don’ts” when appearing in court. Get some valuable guidance on the best practices in handling a litigation matter from the perspective of those who are going to rule on your case.</p> <p>Moderator: Jay Adams, Jones Walker*</p> <p>Panel: Matthew Boch, Arkansas Tax Appeals Commission Steven Higginson, US Court of Appeals, Fifth Circuit Jay Lobrano, Louisiana Board of Tax Appeals</p>
2:45 – 3:00 p.m.	Refreshment Break/Networking – <i>Salon Foyer</i>
3:00 – 4:45 p.m.	<p>Audit Session: Central /Midwest Region SALT Developments & Audit Reports (COST Industry Members Only) – Salon 1-2 <i>Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Minnesota, Missouri, Ohio, Oklahoma, Texas & Wisconsin</i></p> <p>COST audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in the Central/Midwest region of the country.</p> <p>Moderators: Karen DiNuzzo-Wright, Walmart Inc. Fred Nicely, COST Pat Reynolds, COST</p> <p>Facilitators: Sandra Cahill, Entergy Services, LLC John Lee, Packaging Corporation of America Patrick Shrake, Cargill, Inc.</p>
5:00 – 7:00 p.m.	<p>Vendor Fair Reception – Lafayette Meeting Room Drink, food, prizes and fun await as select vendors showcase their income and franchise tax services and products. Be sure to stay for the drawing at the end of the reception! AAA Scholarship / Barnwell Consulting / Step Up For Students / Tax Analysts / University of Florida Lastinger Center for Learning</p>
Thursday, April 27, 2023	
7:00 – 11:45 a.m.	Registration – Salon Foyer
7:00 – 8:00 a.m.	Continental Breakfast/Networking – Salon Foyer
8:00 – 9:20 a.m.	<p>State Tax Administrators Roundtable – Salon 1-2 Join us for a candid discussion by state tax administrators about the most critical issues in their respective states. COST members will have the opportunity to ask those pressing questions in need of answers.</p> <p>Moderator: Jim Eads, Ryan*</p> <p>Panel: Betsy Imholt, Agency Director, Oregon Department of Revenue Jay Maschas, Director of Appeals Division, Comptroller of Maryland Frank O’Connell, Director, Tax Law & Policy, Georgia Department of Revenue Kevin Richard, Secretary, Louisiana Department of Revenue Glenn White, Deputy Treasurer, Michigan Department of Treasury</p>
9:20 – 9:40 a.m.	Refreshment Break/Networking/Hotel Checkout – Sponsored by Eversheds-Sutherland*

9:40 – 10:40 a.m.	Choice of 3 Breakouts
	<p>Hot Topics in Transfer Pricing and Intercompany Transactions – Salon 1-2 As transfer pricing challenges, assessments and court decisions continue to become more and more frequent, states’ methods, practices, and use of third-party consultants should be scrutinized. This session will discuss transfer pricing methodologies employed, how to counter aggressive assertions of profit shifting, and risks and opportunities around intercompany transactions and transfer pricing.</p> <p>Speakers: Maria Eberle, Baker & McKenzie* Scott Susko, EY* Maria Todorova, Eversheds Sutherland (US)*</p>
	<p>Mergers and Acquisitions: An Income Tax Story – Salon 3 Companies buying and selling businesses have a lot on their plate and state income/franchise tax may not be the first thing on their mind. This session addresses common income/franchise tax concerns in a stock versus asset purchase, including NOL limitations, successor liability, nexus, and federal conformity.</p> <p>Speakers: Jaye Calhoun, Kean Miller* Tom Leonardo, BDO* Mark Loyd, Dentons*</p>
	<p>Foreign Businesses Meet the Wild, Wild World of SALT – Evangeline Meeting Room The speakers in this session will discuss some of the rules to which non-U.S. businesses must abide, federal constitutional provisions that apply to non-U.S. businesses, threshold taxability issues, and quirky local taxes that routinely fall under the radar of foreign businesses.</p> <p>Speakers: John Fletcher, Jones Walker* Amy Nogid, Alston & Bird* Phil Tatarowicz, Blank Rome*</p>
10:45 a.m. – 11:45 a.m.	<p>Bad Facts Makes for Ugly Apportionment and Allocation Sourcing Rules – Salon 1-2 With inconsistent sourcing, apportionment and allocation rules, taxpayers are often stuck fitting the bill paying corporate income taxes on more than 100% of their income. This session will discuss the current challenges with sourcing, apportionment, and allocation of large gains from the sale of a business. The speakers will provide tips and best practices to avoid creating ugly apportionment factors and allocations.</p> <p>Moderator: Stephanie Do, COST</p> <p>Speakers: Charles Britt, RSM* Diann Smith, McDermott Will & Emery*</p>
11:45 a.m.	Income Tax Conference/Spring Audit Session Adjourns
12:00 – 1:30 p.m.	COST Board of Directors Meeting – LaSalle Meeting Room
1:30 – 2:00 p.m.	COST STRI Board of Directors Meeting – LaSalle Meeting Room

*Indicates Practitioner Partner- Visit www.cost.org for articles