

10/16/20

Sponsored By:



Monday, October 19, 2020

<p>12:00 – 2:00 p.m. (ET)</p>	<p>Legislation/Government Relations COST advocacy team and chairs of COST’s Legislative and Policy committees will provide an overview of COST’s advocacy activities this year as well as discuss and share information regarding COST’s tax priorities for the new 2020/21 legislative cycle. We are looking for an interactive session, so please feel free to submit questions throughout the session. Presenters will answer your questions in real time through the Q&A function of the webinar platform.</p> <p>COST Legislative & Policy Steering Committee Co-Chairs: Kelli Murphy, Ford Motor Company, Dearborn, MI Deborah Bierbaum, AT&T, Bedminster, NJ</p> <p>Moderators: Aziza Farooki, COST, Washington, DC Patrick Reynolds, COST, Washington, DC</p> <p>Speakers: Stephanie Do, COST, Washington, DC Karl Frieden, COST, Washington, DC Fredrick Nicely, COST, Washington, DC Priya Nair, COST, Washington, DC</p>
<p>3:15 – 4:15 p.m. (ET)</p>	<p>Ethics Talk: Ethics and Professional Responsibilities for Attorneys and Other Tax Professionals Enjoy an entertaining, informative hour on the latest ethics developments relevant to state tax professionals. And 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. (PLEASE NOTE – ATTENDEES WILL NEED TO LOG IN TO THIS SESSION BY NO LATER THAN 3:15 TO OBTAIN CPE IN THOSE STATES THAT PERMIT ETHICS CREDIT FOR A VIRTUAL SESSION. PLEASE CHECK YOUR STATE FOR ETHICS CPE AVAILABILITY FOR VIRTUAL SESSIONS.)</p> <p>Speakers: Glenn McCoy, formerly with KPMG*, New York, NY David Pope, Baker & McKenzie*, New York, NY</p>
<p>4:30 – 6:30 p.m. (ET)</p>	<p>COST Board of Directors and STRI Board of Directors Meetings</p>

Tuesday, October 20, 2020

<p>11:00 – 11:30 a.m. (ET)</p>	<p>Welcome & Opening Remarks – COST’s 51st Annual Meeting of the Membership: Election of New Directors Douglas Lindholm, COST, President & Executive Director, Washington, DC Arthur Parham, COST Outgoing Chair, Entergy Services, The Woodlands, TX Robert Tuinstra, COST Incoming Chair, Corteva Agriscience, Wilmington, DE Charles Drury, COST, Vice President & COO, Washington, DC</p>
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11:30 a.m. – 12:15 p.m. (ET)	<p>2020 is a Year to Forget. What's in Store for 2021?</p> <p>Join Shelby Kerns, Executive Director of the National Association of State Budget Officers (NASBO), for a deep dive into state-level financial forecasts and hear about the concerns of state budget officers as they deal with the declines in tax revenues during the ongoing COVID-19 Crisis that eclipse the 11.4% decline experienced during the Great Recession. Almost all revenue sources – including sales and use, income, gas, and gaming taxes – have been negatively impacted by the current fiscal crisis. Hear about the states policy and legislative agendas, tax reform and potential state tax increases as they deal with large deficits and seek to stabilize their state budgets.</p> <p>Speaker: Shelby Kerns, National Association of State Budget Officers, Washington, DC</p>
12:15 – 1:30 p.m. (ET)	<p>State Conformity (and Non-Conformity) with the Tax Cuts and Jobs Act: A Three-Year Report Card</p> <p>Over the last three years, state conformity -- or decoupling -- from key provisions of the TCJA has resulted in a wide range of outcomes among the states. This panel will review the status of state conformity (or nonconformity) with GILTI, interest deduction limitations, bonus depreciation, NOLs and FDII. The panelists will also discuss planning, compliance and audit issues arising from TCJA conformity. Finally, the panelists will discuss state reactions to the temporary rollback of several key TCJA provisions in the CARES Act, and the state impact of any additional stimulus legislation enacted by Congress.</p> <p>Speakers: Todd Betor, Eversheds Sutherland (US)*, Washington, DC Bruce Ely, Bradley Arant Boult Cummings*, Birmingham, AL Scott Smith, BDO*, Nashville, TN Marilyn Wethekam, HMB*, Chicago, IL</p>
1:45 – 2:15 p.m. (ET)	<p>Trivia Contest Sponsored by Eversheds Sutherland</p> <p>Join your fellow webinar attendees for a fun virtual trivia contest. This 30-minute session will challenge your knowledge on a variety of interesting topics. Play for a chance to win great prizes!!</p>
3:00 – 4:10 p.m. (ET)	<p>Top 10 Indirect Tax Cases of 2020 and Cases to Watch in 2021</p> <p>The speakers in this session will cover the most important sales tax cases and other indirect tax cases of 2020 and their impact on taxpayers. The session will include a discussion of how state imposition of sales taxes may evolve in 2021 and beyond.</p> <p>Speakers: Curtis Osterloh, Scott Douglass & McConnico*, Austin, TX David Shipley, McCarter & English*, Newark, NJ Timothy Wagner, Baker Donelson*, Baltimore, MD Jennifer White, Reed Smith*, New York, NY</p>
4:10 – 5:15 p.m. (ET)	<p>Top 10 Income/Franchise Tax Cases of 2020 and Cases to Watch in 2021</p> <p>The speakers in this session will cover the most important income/franchise tax cases of 2020 and their impact on taxpayers. The session will include a discussion of how state income tax issues may evolve in 2021 and beyond.</p> <p>Speakers: Matt Hunsaker, Baker Hostettler*, Dallas, TX Sarah McGahan, KPMG*, Washington, DC Timothy Noonan, Hodgson Russ*, Buffalo, NY Masha Yevzelman, Fredrikson & Byron*, Minneapolis, MN</p>
5:30 – 6:30 p.m. (ET)	<p>Virtual Happy Hour – Sponsored by Blank Rome</p>

Wednesday, October 21, 2020

11:00 a.m. – 12:15 p.m. (ET)	<p>Tax Administrators Roundtable</p> <p>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 2020 and what is planned for 2021 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.</p> <p>Moderator: Jim Eads, Ryan*, Austin, TX</p> <p>Panelists: Karey Barton, Texas Comptroller of Public Accounts, Austin, TX David Harris, Illinois Department of Revenue, Chicago, IL Daniel Hassell, Pennsylvania Department of Revenue, Harrisburg, PA Selvi Stanislaus, California Franchise Tax Board, Sacramento, CA James Zingale, Florida Department of Revenue, Tallahassee, FL</p>
12:15 – 1:30 p.m. (ET)	<p>Marketplace Facilitator Legislation and Remote Seller Rules</p> <p>Following the U.S. Supreme Court’s decision in <i>South Dakota v. Wayfair</i>, virtually every state adopted new rules to address remote seller sales tax collection responsibilities. This panel will discuss these developments, focusing particularly on the rapid spread of marketplace facilitator legislation and implications for sales tax compliance. The panelists will also discuss uniformity efforts underway to make technical corrections to recently enacted marketplace facilitator legislation in most states. Finally, the speakers will review similar legislation in other countries and will highlight parallels and differences between U.S. tax issues and international tax developments.</p> <p>Moderator: Patrick Reynolds, COST, Washington, DC</p> <p>Speakers: Michele Borens, Eversheds Sutherland (US)*, Washington, DC Metisse Lutz, Grant Thornton*, Denver, CO Douglas Wick, Jones Day*, Chicago, IL Diane Yetter, YETTER*, Chicago, IL</p>
1:45 – 2:15 p.m. (ET)	<p>A Little Louisiana Lagniappe from Jones Walker LLP</p> <p>SALT celebrity chefs Jay Adams and Andre Burvant from the Jones Walker SALT Team cook up some tasty treats.</p> <p>Instructors: Jay Adams, Jones Walker*, New Orleans, LA Andre Burvant, Jones Walker*, New Orleans, LA</p>
3:00 – 4:10 p.m. (ET)	<p>Uniformity in Sourcing Services: Should (& Why) Does Sourcing Services Differ for Sales Tax and Corporate Income Taxes?</p> <p>States have increasingly moved to market-based sourcing for services in the corporate income tax arena. Historically, states have used a destination/benefits-received analysis for sourcing services under their sales taxes. This session will address the issues with the sourcing of services for both types of taxes, along with explaining the “why and how” the sourcing is often inconsistent between state income and consumption taxes.</p> <p>Speakers: Jeremy Abrams, Reed Smith*, Washington, DC John Fletcher, Jones Walker*, Jackson, MS Lynn Gandhi, Foley & Lardner*, Detroit, MI Zach Gladney, Alston & Bird*, New York, NY</p>
4:10 – 5:15 p.m. (ET)	<p>The Future of Sales Tax</p> <p>State and local sales tax systems are facing the next major transformation. Systemic problems loom including the limited (and eroding) sales tax base, the over-reliance on the taxation of business inputs, and the imbalanced tax mix in the U.S. that underutilizes consumption taxes and overutilizes income, payroll and property taxes. This session will explore how states and locals alike are doubling down on broken fixes to the already broken system including taxation of business services and other business inputs, digital advertising taxes, and new gross receipts taxes targeted to the digital economy. Will governments continue to weaken the sales and use tax system with broken fixes or will they begin to look to consumption tax trends in other countries for insights into a brighter future.</p>

	<p>Moderator: Karl Frieden, COST, Washington, DC</p> <p>Speakers: Brian Pedersen, Alvarez & Marsal Taxand*, Houston, TX Stephen Kranz, McDermott Will & Emery*, Washington, DC Leah Robinson, Mayer Brown*, New York, NY</p>
5:30 – 6:30 p.m. (ET)	Virtual Happy Hour – Sponsored by McDermott Will & Emery
Thursday, October 22, 2020	
11:00 a.m. – 12:15 p.m. (ET)	<p>Remote Workers and Challenges for State Tax Compliance</p> <p>The COVID-19 pandemic has accelerated the shift of employees working from remote home locations rather than offices. This session will discuss the profound implications of this trend for a wide range of state tax issues including income tax nexus, apportionment (<i>e.g.</i>, sales and payroll factor considerations), and employee/payroll withholding. The panelists will also examine the impact of this trend on federal (and state) mobile workforce legislation.</p> <p>Moderator: Fred Nicely, COST, Wooster, OH</p> <p>Speakers: Karen Currie, EY*, Dallas, TX Joe Garrett, Deloitte*, Auburn, AL Mark Loyd, Dentons Bingham Greenebaum*, Louisville, KY Mitchell Newmark, Blank Rome*, New York, NY</p>
12:15 – 1:30 p.m. (ET)	<p>Market Sourcing through Alternative Apportionment or Creative Characterizations of Activity</p> <p>Few issues have created greater angst or spawned more litigation than state efforts to impose market sourcing of services on out-of-state taxpayers. As the service sector has grown, so has single-sales factor apportionment, which often makes market sourcing an all-or-nothing proposition to both states and taxpayers. Although many states have modified UDITPA to move from COP to market sourcing, many have not and are using tools such as Sec. 482, forced combination, and creative characterizations of benefits received. And states that changed are trying to stanch the revenue outflow from in-state service companies as well. This session will provide an overview and discussion of some of the more bizarre and inconsistent approaches taken by states on this issue.</p> <p>Moderator: Stephanie Do, COST, Washington, DC</p> <p>Speakers: Annie Huang, Pillsbury Winthrop Shaw Pittman*, San Francisco, CA Robert Johnson, Crowe*, Sherman Oaks, CA Eran Liron, PwC*, San Jose, CA Ruben Sislyan, Greenberg Traurig*, Los Angeles, CA</p>
1:45 – 2:15 p.m. (ET)	<p>Desk Yoga & Meditation</p> <p>This session is designed to bring balance back to your mind and body with breathing and yoga practiced at your desk and chair. You'll finish the session with a calming, guided meditation.</p> <p>Instructor: David Cho, Kim Sin Yoga</p>
3:00 – 4:10 p.m. (ET)	<p>State Transfer Pricing Issues and Controversy</p> <p>State revenue authorities are convinced that state transfer pricing audits and VDAs will lead to a pot of tax gold at the end of the rainbow. But are their methods, practices, and use of third-party consultants sound? This session will discuss transfer pricing methodologies employed by states and consultants and how to counter aggressive assertions of profit shifting through comparable pricing methodologies and other use of data analytics that shift the burden of proof onto taxpayers.</p> <p>Moderator: Kate Pascuzzi, ConocoPhillips, Bartlesville, OK</p> <p>Speakers: Howard Berger, Covington & Burling*, Washington, DC David Fijol, PwC*, Chicago, IL Nicole Johnson, Blank Rome*, New York, NY Timothy Reichert, Ryan*, Denver, CO</p>

4:10 – 5:15 p.m. (ET)	<p>After the Pandemic and the 2020 Elections: The Likely Surge of Federal and State Tax Revenue Raising Legislation</p> <p>The U.S. economy is struggling through the worst health care pandemic and economic crisis of the last 75 years. The first phase of the crisis has been dominated, not surprisingly, by fiscal and tax stimulus. At some point, however, as the health and economic crises abate, both federal and state governments are likely to switch to tax increases and budget cuts to address unprecedented government revenue shortfalls and fiscal deficits. This panel will explore some of the likely federal and state tax proposals, including corporate tax increases, surtaxes, and base expansion; increased taxes on GILTI or other foreign source income; mark-to-market valuation of securities; payroll and personal income tax increases, especially on high-income households; sales tax base expansion; and wealth taxes. The panelists will also discuss the business perspective on state efforts to increase the business tax burden.</p> <p>Moderator: Karl Frieden, COST, Washington, DC</p> <p>Speakers: Nicole Ford, Baker & McKenzie* New York, NY Alexis Morrison-Howe, Deloitte*, Boston, MA Scott Roberti, EY*, New York, NY Drew VandenBrul, Grant Thornton*, Philadelphia, PA</p>
5:15 p.m. (ET)	51st Annual Meeting Live Webinar Adjourns

* Denotes COST Practitioner Partner