

02/18/20

Monday, April 27, 2020	
1:00 – 7:30 p.m.	<b>Early Registration</b>
2:00 – 3:30 p.m.	<b>COST BOD Meeting</b>
3:30 – 4:00 p.m.	<b>STRI BOD Meeting</b>
4:00 – 6:00 p.m.	<p><b>State Tax Legislative Update with a Special Focus on State Conformity/ Non-conformity with Federal Tax Reform– through Spring 2020</b></p> <p>Open to all registered conference attendees, this pre-conference session will focus on state income/franchise tax legislative trends and hotspots in 2020, with a special focus on state conformity and regulatory guidance relating to key Federal Tax Reform business and international tax provisions. Additional topics that will be covered are state actions in the area of combination, nexus, market sourcing, gross receipts taxes, and <i>Finnegan</i>. Active participation by attendees is encouraged. The discussion will also cover key 2020 COST priorities and initiatives relating to income/franchise taxes.</p>
6:00 – 7:30 p.m.	<p><b>Welcome Reception</b> - Don't miss this opportunity to jump start your income &amp; franchise tax networking with friends and colleagues in a casual atmosphere. It's a great way to get geared up for the meeting.</p>
Tuesday, April 28, 2020	
7:00 a.m. – 5:00 p.m.	<b>Registration</b>
7:00 – 8:00 a.m.	<b>Continental Breakfast / Networking</b>
8:00 – 8:15 a.m.	<p><b>Welcome &amp; Opening Remarks</b></p> <p>Douglas Lindholm, COST, Washington, DC Arthur Parham, COST Chair, Entergy Services, Winter Park, FL Charles Drury, COST, Washington, DC</p>
8:15 – 9:30 a.m.	<p><b>International, Federal and State Approaches to the Challenges of the Digital Economy and Taxing Global Income</b></p> <p>This session will focus on similarities and differences between the OECD Pillars One and Two proposals, TCJA provisions on foreign source income, and evolving state corporate income tax combination, tax base, apportionment and nexus rules. The new OECD proposals could radically reshape the global taxation of corporate income in the digital era. The panelists will explore the state tax antecedents of some of the OECD solutions and the potential impact on the future direction of state corporate income taxes.</p>
9:30 – 9:45 a.m.	Refreshment Break / Networking
9:45 – 11:10 a.m.	<p><b>Far West Audit Reports</b></p> <p><i>Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Utah, Washington</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 Far West region of the country.</p>
11:15 a.m. – 12:15 p.m.	<b>Choice of 3 Breakouts</b>
	<p><b>Gross Receipts Taxes - Not Income Tax, but...</b></p> <p>Several states and cities have tax regimes that differ from or are in addition to net income taxes. The trend in this direction continues (e.g., OR, MD). The speakers in this session will help you understand differences between states that have non-net income tax regimes as their primary business entity tax (NV, OH, TX, WA) and provide an overview of states that have non-income-based taxes in addition to net income taxes (e.g., MS, NC, OR).</p>
	<p><b>Combined Returns: Who's in and Who's Out</b></p> <p>More states have recently enacted combined reporting requirements. However, there are many differences in the combination approaches as exemplified by New Jersey's recently enacted provisions. In this session, the speakers will help you understand combined</p>

	reporting concepts, the varying state combined reporting regimes, and illustrate practical ideas for making combination work for you.
	<b>Market Based Trends – Single Sales Factor and Market Sourcing</b> In an effort to “export” their tax burden, states have continued the adopt single sales factor apportionment and market sourcing for services and intangibles. The speakers in this session will explore these trends, the interplay between them, and the issues they present for corporate taxpayers. The speakers will also discuss variations in recent state adoption of both principles.
12:15 – 1:15 p.m.	Lunch – Networking
1:15 – 2:15 p.m.	<b>Choice of 3 Breakouts</b>
	<b>The Tax Cuts and Jobs Act – A Primer</b> The TCJA was enacted two years ago and every day companies are impacted by both anticipated and unforeseen changes. If you’re new to state taxes or just want to understand the tax reform, this session is for you. The speakers will give an overview of the law, the states’ reactions to date and explain some of the nuances. There’ll be plenty of time for questions, so please come ready to discuss any issues you have.
	<b>State Taxation of the Sale of Partnership/LLC Ownership Interests - Another Way to Breathe New Life into the Due Process Clause?</b> So is this the resurrection of the (sort of) age-old question of business/nonbusiness AND Due Process AND nexus? More and more states are beginning to challenge flow through sale treatment. Hear about the latest developments and issues to think through and variations to take advantage of for planning and reporting purposes.
	<b>Everything That Is Old Is New Again</b> This session will focus on older corporate income tax concepts such as factor representation and dividend received deductions that have resurfaced as a result of the TCJA. The speakers will look back at the relevance of cases such as NCR, Kraft, DuPont, and Conoco as well as apportionment concepts such as the Detroit formula to help in addressing the new issues.
2:15 – 2:30 p.m.	<b>Refreshment Break / Networking</b>
2:30 – 4:30 p.m.	<b>Northeast Region Audit Reports</b> <i>Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont and MTC Audits</i> 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 and with the MTC.
5:00 – 5:15 p.m.	<b>First-Time Attendees and New Members Meet &amp; Greet with COST Board and Staff Reception</b> First-time attendees and new COST members get first crack at the bar and hors d’oeuvres, and a chance to meet with the COST Board and Staff.
5:15 – 6:30 p.m.	<b>Reception</b> 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.
6:45 p.m.	<b>Group Dinner</b> Everyone is invited to join other COST members for dinner! 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.

**Wednesday, April 29, 2020**

6:30 – 7:15 a.m.	<p><b>Early Morning Walk</b> Join COST’s Membership Coordinator, Judy Slotnik, and other early risers for an invigorating early morning walk through the streets of New Orleans and get your day off to a great start! Meet in the Lobby of the Hotel at 6:30 a.m.</p>
7:15 a.m. – 4:45 p.m.	<p><b>Registration</b></p>
7:15 – 8:30 a.m.	<p><b>Continental Breakfast / Networking</b></p>
7:30 – 8:30 a.m.	<p><b>Early Morning Ethics Coffee Talk: Ethical &amp; Professional Challenges Facing Attorneys and Other State Tax Professionals</b> 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 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. <b>(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).</b></p>
8:35 – 10:00 a.m.	<p><b>State Tax Administrators Roundtable</b> Candid discussion by state tax administrators about the most pressing issues in their respective states. COST members will have the opportunity to ask those pressing questions in need of answers.</p>
10:00 – 10:25 a.m.	<p><b>Navigating COST’s Website &amp; Resources – Focused on State Income Taxes – and Latest Developments on the Treasury Offset Program</b> This session will cover (1) COST’s website and ways to navigate it to provide you with the information you need (COST directory, forums, testimony, studies, calendar of events, legislative and legal advocacy materials) and (2) the issues business taxpayers are encountering with the Treasury Offset Program which allows states to submit tax “debts” to be offset by federal payments to COST-member vendors.</p>
10:25 – 10:40 a.m.	<p><b>Refreshment Break / Networking</b></p>
10:40 a.m. – 12:15 p.m.	<p><b>Southeast Region and Puerto Rico Audit Reports</b> <i>Alabama, Arkansas, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia and Puerto Rico</i> 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 and in Puerto Rico.</p>
12:15 – 1:15 p.m.	<p>Lunch - Networking</p>
1:15 - 2:15 p.m.	<p><b>Choice of 3 Breakouts</b></p>
	<p><b>On What Basis?: Identifying and Calculating Tax Base Differences Between Federal and State Asset Basis</b> State conformity to federal tax base calculation is never as straightforward as it may seem. Although states conform to one of several federal starting points to calculate income, state modifications and lack of total conformity - statutory or constitutionally based - create significant differences in asset basis, subsidiary capitalization calculations, and other tax attribute determinations. This presentation will illustrate the opportunities these differences present to taxpayers - and the documentation and calculation challenges that taxpayers must embrace to seize these benefits.</p>
	<p><b>Complexities and Opportunities Post-Tax Cuts and Jobs Act</b> The speakers in this session will explore some state corporate income tax compliance issues and potential planning considerations in light of select provisions of the federal Tax Cuts and Jobs Act (TCJA) and accompanying administrative guidance – including global intangible low-taxed income (GILTI) and the taxation of foreign source income; and the deduction for foreign-derived intangible income (FDII). The speakers will address nuanced state coupling, decoupling and other tax-base related issues, and state filing groups and other methodologies. Learn how your business can navigate the maze of ongoing and evolving complexities post-TCJA – including tips on distilling and</p>

	articulating these issues for the non-tax business leaders in your organization – as well as how to better support and document your return positions along the way.
	<b>Administrative Deference – A Bad Policy That Should End</b> State and local tax laws have been unable to keep up with the rapid advancements in the modern world. As a result, state tax administrators are forced to interpret archaic statutes, often expanding these statutory concepts beyond their original legislative intent. During this session, the speakers will discuss administrative deference, which provides such interpretations an aura of validity that is often misplaced, and how best to deal with this issue when it is raised on appeal.
2:20 – 3:20 p.m.	<b>Choice of 3 Breakouts</b>
	<b>Avoid the Controversy – Resolve the Issues at The Audit Level</b> The best resolution of an issue is resolving it favorably before it becomes an issue. The speakers in this session will discuss the most effective and efficient methods for handling state income tax audits in order to avoid controversy and limit tax assessments. The speakers will cover strategies that help limit the scope of and expedite audits, decrease exposure on audit, protect important tax positions and reduce the need to appeal assessments.
	<b>State Conformity with the Federal Consolidated Return Regulations</b> State Conformity with the federal consolidated return regulations is one of the most complex topics in state corporate income taxation. This panel will explore why understanding state conformity (or non-conformity) with the federal consolidated return regulations has become even more important with the enactment of federal tax reform provisions such as GILTI and 163 (j). The speakers will analyze the nuances of the interaction between state combined reporting statutes and federal consolidated return regulations.
	<b>Wayfair – How Does It Affect Income Tax Nexus and PL 86-272</b> During this session, the speakers will examine the impact that <i>Wayfair</i> 's reversal of the long-standing <i>Quill</i> physical presence standard will have on the economic nexus standards for corporate income tax. States are showing an increased assertion of economic nexus in the income tax context. Thus, P.L. 86-272 is more relevant than ever. During this session, the speakers will analyze these attempts by the states and the MTC to enact factor presence standards and limit the protections of PL 86-272, and discuss ways in which taxpayers may use existing and new tools to combat those attempts.
3:20 – 3:35 p.m.	Refreshment Break/Networking
3:35 – 5:00 p.m.	<b>Midwest Region Audit Reports</b> <i>Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Wisconsin</i> COST audit session during which participants share recent audit and litigation experiences involving all types of state and local taxes in Midwest region of the country.
5:00 – 7:00 p.m.	<b>Reception</b>
<b>Thursday, April 30, 2020</b>	
6:30 – 7:15 a.m.	<b>Early Morning Run</b> - Join COST's West Coast Counsel, Nikki Dobay, and fellow early-risers for a run through the streets of Las Vegas. Get a jump on your day and enjoy an opportunity to meet other attendees and see some early morning sites. Meet in the Lobby of the Hotel at 6:30 a.m.!
7:00 a.m. – 12:30 p.m.	<b>Registration</b>
7:00 – 8:00 a.m.	<b>Continental Breakfast/Networking</b>
8:00 – 9:00 a.m.	<b>Choice of 3 Breakouts</b>
	<b>Federal Legislation – 163(j)</b> The speakers in this session will identify state conformity, or lack thereof, with 163(j). The panelists will discuss regulatory guidance that has been issued on 163(j) in both separate and combined reporting jurisdictions. Finally, the panelists will discuss the compliance issues that arise in those states without full conformity to the federal 163(j) calculations and the adjustments that must be made and the records that must be kept to support those adjustments.

	<p><b>Lucky 13? - FIN 48 (aka ASC 740-10)—What Has Been Its Effect?</b></p> <p>Thirteen years ago, the FASB adopted FIN 48 (ASC 740-10). Yes, it's been 13 years! Is that lucky or unlucky? What have we learned? The speakers in this session will cover: 1) the impact of FIN 48 on the management of the tax department; 2) its impact on settlement and litigation of tax controversy; and 3) whether the resulting financial statements have truly offered better information for investors.</p>
	<p><b>Best Practices/How to Maximize Your Value and Create an Effective Credits and Incentives Team</b></p> <p>So you have won the tax incentives lottery? Now what? Learn how to make sure you effectively implement your incentives and track and forecast appropriately. Do you really have what you think you do? The speakers will cover these issues and more as the maximization of credits should be an important area for most companies.</p>
9:00 – 9:25 a.m.	<b>Refreshment Break/Networking/Hotel Checkout</b>
9:25 – 11:10 a.m.	<p><b>West/Southwest Region Audit Reports</b>  <i>Colorado, Kansas, Louisiana, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, 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 West/Southwest region of the country.</p>
11:15 a.m. – 12:15 p.m.	<p><b>A Candid Discussion of Current and Upcoming Multistate Tax Commission (MTC) Projects</b></p> <p>This session will focus on the content and potential impact of key MTC projects including reinterpreting P.L.86-272 in a digital age; utilizing the Finnegan approach to apportioning corporate income; and creating more uniformity in federal change legislation. The panel will also discuss potential future MTC projects on corporate income tax issues. Speakers from the MTC and COST will highlight differences and similarities between the government and business perspectives on these important topics.</p>
12:15 p.m.	<b>Spring Audit Session/Income Tax Conference Adjourns</b>