



As of 1/8/25WEB

COST's Spring Meeting and Audit Sessions

April 28 – May 1, 2025

New Orleans, LA

Special Thanks To COST's Spring Meeting Sponsors

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

MONDAY, APRIL 28 th		
1:00 – 7:00 p.m.	Registration	
3:00 – 5:00 p.m.	State Tax Legislative Update Open to all registered conference attendees, this session will focus on state income/franchise tax and sales tax legislative trends and hotspots in 2025. Active participation by attendees is encouraged. Panelists: Aziza Farooki, COST Karl Frieden, COST Leonore Heavey, COST Priya Nair, COST Fred Nicely, COST Patrick Reynolds, COST Marilyn Wethekam, COST	
5:30 – 6:30 p.m.	Welcome Reception	
TUESDAY, APRIL 29 th		
7:30 a.m. – 6:30 p.m.	Registration	
7:30 – 8:30 a.m.	Continental Breakfast & Networking	
8:30 a.m. 9:00 a.m.	Welcome & Opening Remarks	
9:00 – 10:00 a.m.	Down, Up and Down Again? The 2025 Economic and Tax Landscape The economic and tax landscape has indeed been quite a rollercoaster since 2020. As we look towards the remainder of 2025, several key factors are shaping the current state of the economy and influencing both federal and state tax initiatives. This session will discuss these key factors, providing insights into how they might affect businesses.	
10:00 – 10:15 a.m.	Refreshment Break & Networking	
10:15 – 11:10 a.m.	Business Purpose and Economic Substance Principles Are In Focus Once Again Recent litigation has demonstrated that the business purpose and economic substance doctrines remain necessary for a valid non-tax avoidance transaction. In this session, the speakers will discuss why	Is There Any Limit to What Constitutes Tangible Personal Property? This panel will explore the inconsistent and fluctuating meaning of tangible personal property (TPP). Recent court cases (AZ, LA and NY) have interpreted statutory sales tax definitions of TPP broadly and narrowly resulting in significant income (and other) tax consequences.

	it's important to show, using all of the facts and details of a transaction's planning and execution, why the transaction fulfilled a business purpose and had economic substance.	Different courts can and do interpret identical statutory language differently and definitions for one particular tax type may - or may not - carry over to other types of taxes. Taxpayers should understand the consequences of defining TPP broadly or narrowly and recognize the uncertainty necessarily associated with defining TPP. They should also consider proactive measures that can be taken to reduce the risk of uncertainty.
11:15 a.m.– 12:05 p.m.	<p>Key Apportionment Issues</p> <p>Do you focus on the computation of the apportionment formula's denominators? How are special industry apportionment formulas used when a filing group consists of more than one industry? Do you know the elements of fair apportionment? In this session the presenters will focus on these three key apportionment concepts: (1) the critical elements of the apportionment formula denominator; (2) the issues encountered using special industry apportionment methods; and (3) the elements of fair apportionment in the market-based sourcing world.</p>	<p>State Tax Applications of Artificial Intelligence, Generative AI and Machine Learning</p> <p>In this session you will learn the differences between various AI techniques, what techniques are relevant for different use cases, learn a prompt engineering framework, and also walkthrough demonstrations of that GenAI framework.</p>
12:05 – 1:05 p.m.	Lunch & Networking (Activity)	
1:05 – 1:55 p.m.	<p>Here Today . . . Gone Tomorrow</p> <p>You had a large credit carryforward, and then, poof, it's gone. What? And the same "disappearance" can happen with other tax attributes such as NOLs. This session will review states' authority to offset taxes due with credits and when and where such authority ends. Must a deficiency merely be alleged, or must it be final? How does this differ from liens, levies and other collection activity undertaken by the states, and what are your rights?</p>	<p>Best Practices Where There Are Multiple Points of Use (MPU) for Sellers and Buyers</p> <p>What are the best practices in light of lessons learned in examinations and litigation of software and services with MPU? What are key MPU states and how do policies differ in those states? What are the best practices for data to be gathered, frequency of gathering data, line item invoices, unassigned licenses, location server, and location user?</p>
2:00 – 2:50 p.m.	<p>Litigate or Settle – That is the Question</p> <p>When a taxpayer challenges a tax assessment there will usually be an overriding question of should we settle or litigate. The desire for "justice" must be balanced with the cost and time needed to attain it. This session will address the pros and cons that taxpayers should consider when deciding between settlement and litigation including a disciplined method to evaluate the state's case.</p>	<p>Emerging Issues in Administrative Deference</p> <p>State taxing authorities frequently issue administrative guidance, such as regulations, notices, bulletins, and rulings, containing anti-taxpayer positions. Much of this administrative guidance is not supported by statute or court decisions, and instead only reflects the taxing authority's aggressive posturing. Come learn how much weight—if any—a taxpayer should give to the various types of administrative guidance, and how courts' views of administrative guidance have been shifting in favor of taxpayers in recent years.</p>
2:50 – 3:05 p.m.	Refreshment Break & Networking	
3:05 – 3:55 p.m.	<p>Transfer Pricing and Intercompany Transactions – Documentation, Documentation, Documentation!</p> <p>Auditors frequently propose adjustments to intercompany transactions. This panel will delve into the critical aspects of documenting intercompany transactions from the outset. What are the best practices for developing and maintaining thorough and</p>	<p>Digital Products and State Taxation – What's New?</p> <p>The speakers in this session will explore the latest state taxation trends with respect to all things digital including: digital advertising, digital products and software delivered electronically.</p>

	accurate records that can withstand audit scrutiny? Additionally, it is key to have effective strategies for working with auditors to ensure that the documentation is understood, and any proposed adjustments align with the facts and applicable laws.	
4:00 – 5:30 p.m.	Audit Session – ALL TAX TYPES (COST Industry Members Only) COST audit session during which participants share recent audit, settlement and litigation experiences involving all types of state and local taxes. (States covered in this session: California, Connecticut, Delaware, District of Columbia, Maine, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, Tennessee, Texas, Vermont, West Virginia)	
5:30 – 6:30 p.m.	Reception	
7:00 p.m.	Group Dinner – Everyone is invited to join other COST members for dinner at XXX. 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 you will be there, or contact Judy Slotnik! (Folks will pay their own way.)	
WEDNESDAY, APRIL 30th		
6:45 a.m. – 5:45 p.m.	Registration	
6:30 – 7:15 a.m.	Early Morning Walk for Early Risers – Get your day off to a great start sharing an early morning stroll with other attendees. The group will leave from the hotel lobby at 6:30 a.m.	
6:45 – 8:00 a.m.	Breakfast & Networking	
8:00 - 9:25 a.m.	Tax Administrators Roundtable This roundtable discussion will feature key state tax administrators discussing the latest news, developments, and outlook fin their states rom a tax perspective. These administrators will provide insights on what happened in their states thus far during 2025and what is planned for the remainder of the year. Moderated by an experienced practitioner, this session will provide an opportunity to ask those important questions we all seem to have, either confidentially or face-to-face.	
9:25 – 9:40 a.m.	Refreshment Break & Networking	
9:40 – 10:30 a.m.	Crossing Borders – Complexities for Multinational Corporations Navigating the complexities of cross-border taxation is a significant challenge for multinational corporations both domestic and foreign. This session will address the issues encountered due to: (1) the inbound taxation of multinational entities; (2) the expansion of the tax base to include GILTI and other foreign source income (3) the application of IRC Section 174; and (4) the impact of Pillar 2.	Best Practices in Maintaining Your Sales Tax Calculation Solutions You implemented a sales tax solution a few years ago (maybe even longer ago!). When was the last time you checked if anything should be updated? Do you have a regular process to review changes to not just nexus but also to your product mapping and even options available in the tax solution. As tax solution providers roll out new functionality, are you monitoring how these changes impact your existing implementation - or better yet if these could solve other challenges?
10:35 – 11:25 a.m.	State Income Tax Base Considerations How does apportionable state taxable income differ from federal taxable income? Emphasis in this session will be given to the consequences of states’ nonconformity to the federal consolidated return regulations, elimination vs. deferral of the effects of intercompany transactions in state income tax filings, and other federal – state tax base differences.	Indirect Tax – Audit Session – (COST Industry Members Only)
11:30 a.m. – 12:10 p.m.	Presentation of the 2024 Annual COST/ Paul Frankel Excellence in State Taxation Award to Deborah Bierbaum (MultiState Associates Inc.)	

12:10 – 1:10 p.m.	Lunch & Networking	
1:10 – 2:00 p.m.	<p>Apportionment of Foreign Source Income The push to impose additional taxes on Global Intangible Low-Taxed Income (GILTI), foreign dividends, and Subpart F income has raised significant apportionment challenges. What is fair apportionment when foreign source income is included in the tax base? This session will delve into how to ascertain if the statutory apportionment method provides an accurate reflection of the state income tax base. It will also address strategies for developing reasonable alternative apportionment methods and the data required to substantiate such an alternative approach.</p>	<p>Searching for Spare Change: Little Known Tax Exclusions & Exemptions Whether you're a sales tax novice or expert, there are likely some surprising exemptions/exclusions available for different products, services, uses, or purchasers. This session will explore as assortment of little-known provisions that help reduce sales and use tax liabilities.</p>
2:05 – 2:55 p.m.	<p>ASU 2023-09 and Other Accounting Updates The FASB recently issued ASU 2023-09, which establishes new income tax disclosure requirements while also modifying and eliminating certain existing requirements. The session will help you understand and implement ASU 2023-09 and also provide updates on other state tax accounting changes you should be aware of.</p>	<p>State Constitutional Challenges to State Tax Laws When a state tax practitioner hears "constitutional challenge," he or she automatically thinks of the "Commerce Clause" of the U.S. Constitution, but there are many other gems in state constitutions that shouldn't be overlooked. From uniformity clauses to single-subject requirements, to super-majority requirements, many state constitutions offer multiple grounds to challenge state tax laws. These tools can be useful before and after a tax law has been adopted, in and out of court. We will explore these tools and discuss how to use them to your advantage.</p>
2:55 – 3:10 p.m.	Refreshment Break & Networking	
3:10 - 4:00 p.m.	<p>Tax Motivated Investments: Beware of State Tax Consequences! In this session, the speakers will review the state tax consequences of producing, selling, buying and using tax credits, with emphasis on Inflation Reduction Act credits. The session will cover buyer-related issues such as the potential gain recognized on the use of a tax credit purchased at a discount, the treatment of recapture-indemnification payments, and other issues that tax motivated investors have encountered. On the seller side, we will discuss federal/state conformity related to inclusion of these proceeds in gross income, classification issues such as business/nonbusiness/nonunitary positions, and apportionment impact of those proceeds.</p>	<p>You're Being Wayfaired! The states took <i>Wayfair</i> viral, and <i>Wayfair</i> is now being used in all kinds of inappropriate tax places. Can you spot when you are being "Wayfaired"? The speakers in this session will help you identify those situations and provide guidance on the best counterarguments when you spot them.</p>
4:05 – 5:45 p.m.	<p>Audit Session – ALL TAX TYPES (COST Industry Members-Only) COST audit session during which participants share recent audit, settlement and litigation experiences involving all types of state and local taxes.</p> <p>(States covered in this session: Alaska, Arizona, Colorado, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oregon, South Dakota, Utah, Washington, Wisconsin & Wyoming)</p>	
5:50 – 7:30 p.m.	<p>Vendor Fair - Come join the fun as various service and product providers host our Spring Meeting Vendor Fair. There will be lots of giveaway's, food, and activities. And at the end of the Vendor Fair there will be several drawings for some fantastic prizes. But you must stay to the end to win the prize!!! So come join us for a lot of fun!! We are in NOLA!</p>	
THURSDAY, MAY 1ST		

7:00 am – 12:20 pm	Registration
7:00 – 8:30 a.m.	Continental Breakfast & Networking
7:30 – 8:30 a.m.	<p>Early Morning Ethics Coffee Talk - Ethical & Professional Challenges Facing State Tax Professionals</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 Friday morning. However, there’s much more to this session than getting an hour of Ethics CPE/CLE. Tax 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 – THERE WILL BE A SEPARATE REGISTRATION SIGN IN SHEET FOR THIS SESSION AND ATTENDEES MUST ARRIVE AND SIGN IN BY 7:30 AM TO OBTAIN CPE/CLE.)</p>
8:45 – 9:25 a.m.	<p>Constitutional Issues</p> <p>States continue to test the federal Constitutional limits of their taxing authority, often with notable success. As a result, the Due Process Clause, Commerce Clause, Equal Protection Clause, and other U.S. Constitutional restrictions on state taxes are front and center in state tax litigation. This session will delve into the constitutional challenges asserted by taxpayers. The presenters will also discuss federal laws that preempt state taxes under the Supremacy Clause.</p>
9:30 – 10:20 a.m.	<p>The Top 10 Sales and Income Tax Cases</p> <p>The speakers in this session will cover the Top 10 cases in the past year dealing with all types of taxes. Don’t miss this fast-paced session which will update you on the decisions and the speakers’ insight on how the cases may impact your business.</p>
10:20 – 10:40 a.m.	Refreshment Break, Networking, and Hotel Check Out
10:40 a.m. – 12:20 p.m.	<p>Audit Session – ALL TAX TYPES (COST Industry Members Only)</p> <p>COST audit session during which participants share recent audit, settlement and litigation experiences involving all types of state and local taxes.</p> <p>(States covered in this session: Alabama, Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, Oklahoma, Pennsylvania, South Carolina and Virginia)</p>
12:20 p.m.	Spring Meeting Adjourns
12:30 – 2:30 p.m.	COST Board of Directors Meeting/STRI Board Meeting to immediately follow.

* Denotes COST Practitioner Connection Subscriber