



The 2020 National Multistate Tax Symposium

Mastering the art (and articulation)
of state tax: Distilling the complex

January 29–31, 2020

Disney's Grand Floridian
Resort & Spa

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The 2020 National Multistate Tax Symposium

BONUS SESSIONS

2:00–3:30 p.m. Accounting for state income and indirect taxes

Chris Barton, Managing Director, Deloitte Tax LLP

Kent Clay, Managing Director, Deloitte Tax LLP

Stephanie Csan, Managing Director, Deloitte Tax LLP

The endless effort to accurately account for state tax law developments that may impact a business's overall tax rate and financial statements continues to challenge many tax department professionals—both from ASC 740 and ASC 450 perspectives. Panelists in this session will consider resulting implications for current state income tax expense, state deferred income tax, and uncertain tax positions. They will address risk considerations for new and existing issues, such as state applications of the federal Tax Cuts and Jobs Act (TCJA) and nexus post-*Wayfair*; identify and measure deferred taxes; and assess the need for valuation allowances. From an indirect tax perspective, the panel will cover post-*Wayfair* complexities in calculating and documenting loss contingency accruals.

3:30–5:00 p.m. Florida tax developments

Moderator: Chris Snider, Managing Director, Deloitte Tax LLP

Robert DuCase, Revenue Program Administrator, Corporate Income/Documentary Stamp Tax, Florida Department of Revenue

Kevin Herzberg, Central Region SALT Practice Leader, Grant Thornton LLP

Mark Holcomb, Shareholder, Dean, Mead & Dunbar

Eric Peate, Chief Assistant General Counsel, General Tax Section, Florida Department of Revenue

Rex D. Ware, Senior Attorney, Moffa, Sutton, & Donnini, P.A.

Join our Florida tax specialists, including representatives from the Florida Department of Revenue, as they provide updates and discuss the latest tax legislative developments in Florida, including what you may need to know about the upcoming 2020 Florida legislative session. The panelists will also highlight recently decided tax cases and “hot topics” currently on the docket in Florida courts, noteworthy Florida tax technical rulings, and various matters of attention at the Florida Department of Revenue.

6:00–8:00 p.m. Welcome reception

Join the National Multistate Tax Symposium speakers and advisory board members at the Summerhouse Patio and Beach Bar for appetizers and cocktails. Network with fellow tax executives and prepare to enjoy the next two days.

DAY ONE: Thursday, January 30

7:00–8:30 a.m. Breakfast

7:30–8:25 a.m. Bonus Session: Ethics for state tax industry executives: Sticky situations

Lynn A. Gandhi, Partner, Honigman Miller Schwartz and Cohn LLP

Mitchell I. Horowitz, Shareholder, Buchanan Ingersoll & Rooney PC

Start the day early with this popular and interactive session on ethics for state tax industry executives as the panel explores more real-life issues facing today's corporate tax department professionals, including scenarios involving communications with the C-suite and other nontax business leaders in an organization. Hear the panel debate on viable courses of action in some challenging situations and help weigh in on possible options via audience polling.

8:30–8:45 a.m. Welcome and opening remarks

Valerie Dickerson, Partner, Deloitte Tax LLP

Mark Holcomb, Partner, Dean, Mead & Dunbar

Janette McCurley, Esq., Chair, Tax Section of the Florida Bar

8:45–9:45 a.m. Trends in the corporate tax department function: Looking ahead

Moderator: Valerie Dickerson, Partner, Deloitte Tax LLP

Sheelagh Beaulieu, Director, State Income Tax, CVS Caremark Corporation

Kristen Cove, Partner, Deloitte Tax LLP

Jeff Friedman, Partner, Eversheds Sutherland (US) LLP

John Mimitz, Vice President, Tax, Express Scripts, Inc.

Industry executives with varying roles and vantage points (both tax and nontax) will share their thoughts on how to cultivate a company's tax talent and capabilities. They'll also discuss new technologies and how corporate tax departments may deliver greater financial and strategic value to their organization's business partners. The panelists will consider tax compliance, planning, and controversy aspects—including how legacy tools may no longer be responsive in our new age of multistate taxation—and how the need to innovate and embrace state-of-the-art solutions may provide keys to success in 2020 and beyond. The panelists will also comment on how they believe corporate tax department professionals may successfully capture the attention of, and tailor tax-related opportunities and concerns to, their C-suite executives and boards.

9:45–10:45 a.m.

Credits and incentives: Important matters for all of us

Linda Bonelli, Partner, Deloitte Tax LLP

Brian O’Leary, Senior Vice President, Tax Counsel, NBCUniversal Media, LLC

Richard D. Pomp, Esq., Alva P. Loiselle Professor of Law, University of Connecticut

Tax credits and discretionary incentives (C&I) and state economic development programs in general may be the focus of only a few within a company, but savvy multistate tax executives appreciate how C&I may impact the entire business, affording them the chance to advocate for state tax within the organization, bring greater value, and lower risk. When C&I prospects and matters are communicated to corporate governance and nontax leaders—including information gleaned from real estate, government affairs, and relocation/expansion departments—businesses can make more informed strategic spending and investment decisions. Listen in as C&I specialists share practical tips on how you can learn more about the inner workings and envisioned business plans of your company and effectively communicate how related C&I opportunities (or downsides) may be enhanced (or averted) with proper planning, documentation, execution, and maintenance.

11:00 a.m. – 12:00 p.m.

First “Mastering the art (and articulation) of state tax: Distilling the complex” breakout session

(Breakout descriptions are on page 4)

12:00–1:30 p.m.

Lunch and luncheon address: Tax policy today

Victoria Glover, Partner, Deloitte Tax LLP

Jeff Kummer, Managing Director, Deloitte Tax LLP

Federal tax law changes have taken center stage in Washington, D.C. for over three years with enactment and subsequent implementation of the most comprehensive tax legislation in over thirty years. This luncheon session will explore what has happened with tax policy on the Hill since, including issues that companies may want to monitor in advance of the November 2020 elections and beyond.

1:45–2:45 p.m.

Second “Mastering the art (and articulation) of state tax: Distilling the complex” breakout session

3:00–4:00 p.m.

Third “Mastering the art (and articulation) of state tax: Distilling the complex” breakout session

(Breakout descriptions are on page 4)

4:15–5:15 p.m.

Mastering the art (and articulation) of state tax: Distilling the complex

Moderators: Valerie Dickerson, Partner, Deloitte Tax LLP and **Aaron Solomon**, Principal—Income Tax, The Walt Disney Company

Bridget Foster, Partner, Deloitte Tax LLP

Douglas L. Lindholm, President, Council On State Taxation

Kate Pascuzzi, State Tax Counsel, ConocoPhillips

Robert Waldow, Partner, SheppardMullin

Addressing select multistate tax compliance, planning, and controversy issues in our post-tax reform, post-*Wayfair* age of multistate taxation, a panel of state tax industry executives and consultants will consider how today’s state tax professionals not only must master the underlying principles of state taxation but must also learn to distill and articulate the nuances of these principles—including new opportunities and areas of concern—to the nontax business leaders in their organizations. They will consider how an organization’s state tax team may deliver greater value to their business partners by “simplifying the complex” for greater impact in the C-suite while aligning with the business’s priorities. Additionally, with these and other ever-increasing expectations for tax executives to do more with less, hear their insights and predictions for what’s to come in tax transformation.

6:30 p.m.

Dinner and fireworks

Join us for a relaxed dinner with your fellow conference colleagues, guests, and families. Enjoy great food with a few surprises for the kids, as well as an outdoor reception featuring drinks, dessert, and spectacular fireworks over the water.

DAY TWO: Friday, January 31

7:00–8:00 a.m.

Breakfast

Join your industry peers for informal networking time over breakfast before starting your day at the National Multistate Tax Symposium. Tables will be labeled for the industries that are represented by the attendees this year. Come meet your peers and join the conversation!

8:00–9:00 a.m.

General breakout session 1

(Breakout descriptions are on page 5)

9:15–10:15 a.m.

State tax policy: Recent developments in Multistate taxation

Nikki Dobay, Senior Tax Counsel, Council On State Taxation

Todd Lard, Partner, Eversheds Sutherland (US) LLP

Scott Schiefelbein, Managing Director, Deloitte Tax LLP

States are striving to promote greater economic growth within their respective jurisdictions while simultaneously trying to balance the realities of budgetary constraints. Listen in as multistate tax specialists discuss the latest in state tax policy—including some recent state tax legislative trends, proposals, administrative changes, and controversies—and how these state actions and reactions may impact your business, today and in the coming years. Listen to the panel’s thoughts on how potential revenue windfalls may affect policy priorities. Additionally, hear them explore avenues for engaging with state and local taxing authorities on how to deal with emerging issues and “gray” areas.

10:30–11:30 a.m.

State officials panel – States’ perspectives on distilling the complex

Moderators: **Mike Bryan**, Managing Director, Deloitte Tax LLP and **Joe W. Garrett, Jr.**, Managing Director, Deloitte Tax LLP

Joel Brunett, Chief Counsel, California Franchise Tax Board

Alan Kline, Counsel to the Director, New Jersey Division of Taxation

Andrew Jay Maschas, Assistant Director, Compliance Division, Comptroller of Maryland

Moderated by former state tax administrators, this panel of state tax agency officials will share their goals, viewpoints, and concerns in our post-tax reform, post-*Wayfair* age of multistate taxation and how they believe their respective governments and taxpayers are coping in today's transformed environment. These state officials will address tax administration compliance, guidance, systems issues, and their overall policy perspectives, as well as select issues and trends facing the states and business organizations today, including some of their own thoughts on what they believe a company's C-suite should know.

11:30 a.m.–1:00 p.m.

Lunch and luncheon address – Political and legislative update: What impact will the election have on the policymaking process?

Patrick Givens, Managing Director, Deloitte Tax LLP

As Washington enters a presidential election year, political rhetoric and positioning will dominate the policymaking process. What is on the Congressional agenda for 2020 and what actually has a chance of becoming law this year?

1:15–2:15 p.m.

General breakout session 2

2:30–3:30 p.m.

General breakout session 3

(Breakout descriptions are on page 5; choose 3)

“Mastering the art (and articulation) of state tax: Distilling the complex” breakouts

Tax transformation: The path forward for multistate tax function

Kristen Cove, Partner, Deloitte Tax LLP

Andy Gold, Partner, Deloitte Tax LLP

Tyler P. Juckem, Staff VP Taxation, Anthem, Inc.

With tax reform, the rise of the digital economy, migration to the cloud, re-examination of indirect tax post-*Wayfair*, and the changing global regulatory regime, today's multistate tax environment presents an increasingly complex landscape for tax departments to navigate. This dynamic environment, the exploding volume of data, and increasing pressure for more real-time analysis, analytics, and tax reporting are prompting tax executives to explore ways to transform their tax departments and meet these challenges. In this session, the speakers will address some ways in which tax departments are leveraging emerging technologies to more efficiently bring greater transparency and visualization to vast amounts of data, improve state tax planning, and meet growing intricate state tax compliance requirements—including ways to bring together tax professionals and automation to amplify their collective capabilities and cultivate needed talent and skills for the digital future.

State corporate income tax complexities post-Tax Cuts and Jobs Act

Alyse McLoughlin, Partner, McDermott Will & Emery LLP

Sarah Murray, Principal, Deloitte Tax LLP

Thomas D. Powers, Executive Director, Corporate Tax, JPMorgan Chase & Co.

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 IRC §163(j) interest expense limitations and debt-related considerations; 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 underlying factor representation considerations; nuanced state coupling, decoupling, and other tax-base related issues; and state filing groups and other methodologies. Learn how your business may navigate the maze of ongoing and evolving complexities post-TCJA, including tips on distilling and articulating these issues for the nontax business leaders in your organization, as well as how to better support and document your return positions along the way.

State indirect tax complexities post-*Wayfair*

Rick Heller, Managing Director, Deloitte Tax LLP

Stacey Sprinkle, Vice President-Federal Tax Policy, Verizon

Marilyn A. Wethekam, Partner, Horwood Marcus & Berk Chtd.

This panel of indirect tax specialists will explore the varying state and local tax responses to *Wayfair* and touch on related roles of Congress and the Streamlined Sales Tax Governing Board. From a practical standpoint, the panel will discuss how *Wayfair* not only impacts some retailers and e-commerce, but also businesses selling SaaS, cloud, and digital goods/services to end users, including inbound companies with no U.S. permanent establishment that sell into the country. The session will focus on day-to-day considerations for related tax compliance, such as how internal IT systems, business models, and processes may be impacted—as well as emerging issues over required recordkeeping, audit exposure, and liability protections and determining who is the “retailer” and “responsible party” in a transaction. The speakers also will consider how to articulate these issues to the nontax business leaders in your company.

State tax controversies: A closer look at administrative interpretations

Steve LaRosa, Senior Director, Global Indirect & U.S. State Taxes, Alexion Pharmaceuticals, Inc.

Marc Simonetti, Partner, Pillsbury Winthrop Shaw Pittman LLP

Jack Trachtenberg, Principal, Deloitte Tax LLP

In today's transformed tax environment with its multitude of "open issues," corporate tax departments nonetheless must move forward despite the lack of formal state guidance in many instances. However, even in situations where state taxing authorities have taken positions on tax law, how much deference should these interpretations be given, and under what circumstances? This session will consider whether federal principles of administrative agency deference apply to state tax audits and controversies. The session also will consider why state tax professionals should be involved with federal income tax audits, controversies, and settlements and what these federal tax outcomes could mean from a state perspective; moreover, learn how your business may benefit from potential related opportunities to offset tax due or enhance refunds at the state level, as well as apprise your nontax leaders about the subject overall.

General breakout sessions

Multistate tax controversies: A mixed bag of issues

Paul Broman, Assistant Tax Director & Managing Tax Counsel, BP America Inc.

Jordan M. Goodman, Partner, Horwood Marcus & Berk Chtd.

John Paek, Principal, Deloitte Tax LLP

This session will explore a myriad of "classic" yet ongoing multistate tax issues still being challenged by the states in audits or other administrative forums, including transactions between affiliates through IRC § 482-type state provisions, discretionary adjustment powers in transfer pricing arrangements, states' use of outside contractors, debt versus equity analysis in recharacterizing hybrid structure intercompany debt, interpretations of statutory related-party expense disallowance provisions, and reporting federal audit adjustments at the state level. The speakers will also look at some newer state tax controversies and issues that may arise in our digital age in light of *Wayfair*, the new federal partnership-level audit regime, and the growing use of cryptocurrency. Learn how your business may cope and prepare to defend state audits or assessments arising from this mixed bag of multistate tax issues.

The evolution and expansion of taxation by local taxing authorities

Nicki Howard, Senior Tax Counsel, CSX Transportation

Dave Hurrell, Managing Director, Deloitte Tax LLP

Troy Van Dongen, Partner, McDermott Will & Emery LLP

Much like the federal and state governments within which they operate, local taxing jurisdictions may seek to generate revenue through added or higher taxes while simultaneously trying to attract and maintain certain business investment in their localities through fewer or lower taxes. This session will examine a growing trend among local taxing authorities to attempt to expand their reach with newer forms of local taxation, as well as impose higher property taxes on some businesses. The speakers will contemplate some of the latest locally imposed taxes in light of federal and state constitutional limitations, including whether these limitations apply at the local level, as well as within the context of surrounding local business and community debate. They will also cover select controversies, legislation, and administrative developments in property taxation and how they may impact your business.

Indirect tax: Marketplace facilitators – could this be you?

William Lasher, Sr. Dir., Indirect Taxes, eBay, Inc. (retired)

Janette M. Lohman, Partner, Thompson Coburn LLP

Kathy Saxton, Managing Director, Deloitte Tax LLP

Panelists in this session will discuss the manner and scope of state and local taxing power over out-of-state businesses in our post-*Wayfair* world and what the expanded reach over out-of-state businesses to register and collect indirect/sales/use taxes means for your tax planning and compliance functions. On the buy side, the speakers will consider how businesses now may be more vulnerable to double or multiple taxation on purchased goods and services given the i) new landscape of vendors and marketplace participants that may include remote sellers, marketplace facilitators, and referrers—all with their own sets of rules and responsibilities; and ii) intricacies of tracking tax payments and accruals across multiple supply chains. The speakers will highlight some practical tips and leading practices for your indirect tax compliance systems and processes to mitigate the increased risks.

Living with market-based sourcing – calculating today's sales factor

Sheelagh Beaulieu, Director, State Income Tax, CVS Caremark Corporation

Maria Eberle, Partner, Baker & McKenzie LLP

Elizabeth Jankowski, Senior Manager, Deloitte Tax LLP

Uncertainty and frustration may occur when it comes to applying and implementing the myriad of state corporate income-franchise tax sales factor “market-based sourcing” rules in today's transformed and digitized business environment. Statutory and administrative guidance, if any, can be lengthy, confusing, and sometimes conflicting, and yet taxpayers must file their state returns and “comply.” This session will take a closer look at some practical real-world market-based sourcing issues and then consider documentary and compliance options for your organization, including what may be a permissible “reasonable approximation,” ways to plan for and manage related audits and disputes, and whether it makes sense to proactively pursue alternative apportionment to reach a workable solution. The session also will touch on how market-based sourcing rules potentially may influence state nexus and tax filing positions overall in our post-*Wayfair* world.

Indirect tax classification challenges – digitizing the archaic

Nana Kay Burkhardt, Senior Manager, Lyft

Craig B. Fields, Partner, Morrison & Foerster LLP

Doug Nagode, Managing Director, Deloitte Tax LLP

Most state sales and use tax regimes were enacted when sales of goods, rather than services, constituted the vast majority of consumer spending—which prompts the question of how, in our now predominantly service-based digital economy, some states have been translating somewhat “archaic” state sales and use tax provisions that are still on the books. The speakers in this session will consider select instances where state taxing authorities have interpreted existing provisions to expand the tax base, limit exemptions, or put a new type of service or offering into an already enumerated (and possibly wholly unrelated) taxable service. Alternatively, the speakers will consider how taxpayers in today's digital economy potentially may apply some of these older provisions amidst the chaos of often outdated state sales and use tax provisions.

Point/counterpoint – multistate tax and pass-through entity structures

Moderator: Mike Bryan, Managing Director, Deloitte Tax LLP

Greg Bergmann, Partner, Deloitte Tax LLP

Bruce Ely, Partner, Bradley Arant Boult Cummings LLP

Pass-through entity specialists in this session will closely examine the new federal partnership-level audit regime from a state perspective by debating over opposing and conflicting views on the Multistate Tax Commission's model statute for reporting federal partnership audit adjustments at the state level, as well as surveying how some states have chosen to implement pass-through entity-level audits at the state level since enactment of the federal 2015 Bipartisan Budget Act. Addressing both tax compliance and controversy aspects and providing practical tips along the way, the speakers also will cover other trending multistate tax issues facing businesses with flow-through entity structures, including some complex state tax considerations brought about by the TCJA.

Mergers, acquisitions, & restructurings in a post – tax reform world

William M. Backstrom, Jr., Practice Group Leader for the Tax, Trusts and Estates Practice Group, Jones Walker LLP

Alexis Morrison-Howe, Principal, Deloitte Tax LLP

Kevin O'Brien, Vice President, State & Local Tax, 21st Century Fox (retired)

Out with the old; in with the new—especially in our post-TCJA world. This new era of multistate taxation brings chances and challenges to address state tax issues and execute state tax planning arising from mergers, acquisitions, and reorganizations. The speakers in this session will examine state income tax implications and considerations of corporate transactions within the context of various federal tax authorities, including distributions, contributions, liquidations, and tax-free reorganizations. They will also review and consider i) differences between the federal tax treatment of transactions under the consolidated return rules, state combined return treatment under specific state regimes, and separate state return treatment; ii) the due diligence process, such as successor liability, indemnifications, and other possible risks brought about by *Wayfair* and the TCJA; and iii) post-restructuring integration prospects to achieve tax efficiencies.

Additional information

What the National Multistate Tax Symposium is all about

The 2020 National Multistate Tax Symposium provides a world-class, value-driven educational forum where leading authorities throughout the state tax industry address the latest developments and current issues in areas of state and local taxes. The Symposium offers an extensive curriculum focused on a broad base of issues presented from a practical standpoint. This forum will provide an opportunity for interaction with leading practitioners, peers, and colleagues from across the country.

Who should attend

Multistate tax professionals, including vice presidents of tax, tax directors, state tax directors, state tax managers, and other multistate tax specialists, seeking expert discussion of the latest in state tax technical, legislative, and planning developments.

How to register

Due to limited availability for this conference, we strongly advise you to register early by visiting our [registration site](#). Early bird registration is available at the cost of \$995. Starting January 4, 2020, the cost will increase to \$1,095. This includes tuition, evening events, and all group meals throughout the conference.

Accommodations

The Symposium will be held at Disney's Grand Floridian Resort & Spa, Orlando, Florida. A limited number of rooms are reserved for participants at the rate of \$299, plus applicable tax. Please do not contact the hotel directly. You will have an opportunity to select your desired hotel reservations when you register, including additional days before and after the conference.

Benefits available to registrants

Disney's Grand Floridian Resort & Spa is offering the special rate of \$299 for two days prior to and two days following The National Multistate Tax Symposium (based on hotel space and special rate availability). Special theme park tickets are available to Symposium attendees, their guests, and family members. You can save time and money with an advance purchase discount. Links to more information on these benefits are available on our [registration site](#).

The 2020 National Multistate Tax Symposium Advisory Board

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Symposium site

Disney's Grand Floridian Resort & Spa, 4401 Grand Floridian Way, Lake Buena Vista, FL 32830-1000, USA, +1 406 824 3000

www.deloitte.com/us/MultistateTaxSymposium

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Transportation

Disney's Grand Floridian Resort & Spa is approximately 45 minutes from Orlando International Airport. The cost of a taxi is approximately \$75. Private car service to and from Orlando International Airport can be arranged by calling Mears Transportation at +1 407 423 5566. The cost is approximately \$104 from the airport and \$89 from the hotel. Disney's Magical Express service, which provides complimentary transportation from Orlando International Airport and delivery of your bags to your room, is available to you as well. You can book this service starting January 9, 2020 by calling +1 407 827 6777.

Attire

Business casual attire is appropriate for daytime sessions. Casual attire is encouraged for Wednesday's welcome reception and Thursday's dinner event. A sweater or jacket may be appropriate for evening events.

Evening events – guest attendance

Wednesday's welcome reception is a networking event geared toward adults with appetizers and drinks. Thursday's family friendly event will have dinner, drinks, several activities, and special guests for you and your children to enjoy!

Continuing education

Up to 19 CPE credits based on breakout selection in the subject areas of taxes, accounting, and specialized knowledge. Credit amount may be dependent on session selection. Visit our [CPE landing page](#) for more information. The Florida Bar may award Florida Bar members who attend this program with 21.5 hours of general CLE credits, 1 hour of ethics credit, and 2.5 hour of technology credit; this program also may qualify for 6.5 business litigation credits, 21.5 certification credits in international law, international litigation & arbitration, state and federal government and administrative practice, and tax law. The Florida Bar will facilitate the CLE process.

Cancellation

Refunds will be issued for cancellations received prior to January 3, 2020.

For more information:

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