

**Institute for Professionals in Taxation®**

# **T I N C O M E T A X**

**ADVANCED STATE INCOME TAX SCHOOL**

**Georgia Tech Hotel and Conference Center**

**Atlanta, Georgia**

**June 2 - 7, 2013**

# ADVANCED STATE INCOME TAX SCHOOL

**Advanced State Income Tax School  
Georgia Tech Hotel & Conference Center  
Atlanta, Georgia  
June 2 - 7, 2013**

**T**his school is a thorough, five-day program that examines in-depth the more complex problems those responsible for state income taxes face, including nexus and entity concerns, separate and consolidated/combined return issues, apportionment complexities, reorganizations and mergers, tax planning nuances, FIN 48 and more.

## About IPT

**T**he Institute, founded in 1976, is a 501(c)(3) non-profit educational association serving over 4000 members who represent approximately 1450 corporations, firms, or taxpayers throughout the United States and Canada. It is the only professional organization that educates, certifies and establishes strict codes of conduct for state and local income, property and sales & use tax professionals who represent taxpayers. (government officials or organizations do not qualify for membership).

Institute for Professionals in Taxation®  
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Atlanta, Georgia 30328  
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# ADVANCED STATE INCOME TAX SCHOOL

SUNDAY, June 2, 2013

3:00 pm - 6:30 pm

## Registration

6:30 pm - 7:30 pm

## State of the States

State tax issues are impacted by many factors, with state budgetary concerns at the fore. Learn what's going on now in the state tax world.

### Learning Objective

- ▶ Understand the current economic conditions and state tax developments across the country

### Harley Duncan

Tax Managing Director  
KPMG LLP  
Washington, DC

7:30 pm - 8:30 pm

## Get-Acquainted Informal Dinner

Informal hospitality, prior to dinner, begins when the session concludes. All registrants are expected to attend.

MONDAY, June 3, 2013

7:00 am - 8:00 am

## Buffet Breakfast

8:00 am - 8:15 am

## Opening

Welcome - IPT President  
**Paul A. Wilke, CMI**  
Weingarten Realty Investors  
Houston, TX

8:15 am - 9:45 am

## General Session

### Constitutional Quiver: Core Theory for All Challenges

The core constitutional provisions are the state tax practitioner's arsenal in fighting unfair nexus, apportionment, and other state positions. Learn what you need to know for sophisticated challenges.

### Learning Objectives

- ▶ Understand the fundamental constitutional provisions that are implicated in state tax disputes
- ▶ Recognize situations where a constitutional issue should be raised

# ADVANCED STATE INCOME TAX SCHOOL

MONDAY, June 3, 2012 (continued)

Instructors:

**Robert S. Goldman, CMI, Esq.**

Partner

Madsen Goldman & Holcomb, LLP

Tallahassee, FL

**Lori Magee, Esq.**

Global/State & Local Tax

Caterpillar, Inc.

Peoria, IL

9:45 am - 10:00 am

**Break**

10:00 am - 11:30 am

**General Session**

**Evaluating Risk in Nexus and PL 86-272 Issues**

This session will examine in detail the United States Supreme Court decisions discussing the "substantial nexus" standard of the Commerce Clause of the United States Constitution and how this standard has been interpreted and developed by various state courts. The discussion will include the development of economic nexus and attributional nexus concepts. Finally, we will examine federal statutory limitations on the states' ability to impose net income-based taxes on nonresident taxpayers pursuant to P.L. 86-272 and selected cases interpreting this limitation.

**Learning Objectives**

- ▶ Understand the nuances of the "Substantial Nexus" standard of the commerce clause
- ▶ Recognize how this standard has been interpreted and developed by various state courts
- ▶ Discuss the concepts of economic nexus and attributional nexus
- ▶ Discern federal statutory limitations on the states' ability to impose net income –based taxes on nonresident taxpayers pursuant to P.L. 86-272 and other selected cases

Instructors:

**Laura A. Kulwicki, Esq.**

Of Counsel

Vorys, Sater, Seymour and Pease LLP

Akron, OH

**Aaron M. Young, CMI, Esq.**

Partner

Reed Smith LLP

New York, NY

# ADVANCED STATE INCOME TAX SCHOOL

MONDAY, June 3, 2013 (continued)

11:30 am - 12:00 pm

## General Session

### Nonbusiness Income: Recent Cases & Remaining Questions

This presentation will explore the distinction between business and non-business income by reviewing the decisions of various state courts regarding the treatment of specific types of income. This presentation also will focus on the sourcing rules for allocating nonbusiness income. Additionally, this presentation will review various state-specific allocation rules for sourcing certain types of income.

### Learning Objectives

- ▶ Understand the effect of characterizing income as business income or nonbusiness income
- ▶ Explain the transactional and functional tests for determining whether income is business or nonbusiness income
- ▶ Understand the basis for and effect of the liquidation exception to the functional test
- ▶ Recognize the effect of non-uniform definitions of business and non-business income
- ▶ Analyze different fact patterns and determine if the resulting income is business income or nonbusiness income under the various statutes, regulations and cases
- ▶ Understand and apply UDITPA nonbusiness income allocation rules
- ▶ Recognize existence of areas outside of nonbusiness income where states may directly allocate income

Instructors:

**Maria P. Eberle, Esq.**

Associate

McDermott Will & Emery LLP

New York, NY

**David J. Shipley, CMI, Esq.**

Partner

McCarter & English, LLP

Philadelphia, PA

12:00 pm - 1:00 pm

## Lunch

1:00 pm - 1:30 pm

## General Session

### Nonbusiness Income: Recent Cases & Remaining Questions (continued)

# ADVANCED STATE INCOME TAX SCHOOL

MONDAY, June 3, 2013 (continued)

Instructors:

**Maria P. Eberle, Esq.**

Associate

McDermott Will & Emery LLP

New York, NY

**David J. Shipley, CMI, Esq.**

Partner

McCarter & English, LLP

Philadelphia, PA

1:30 pm - 2:30 pm

## **General Session**

### **State Tax Issues for Foreign Affiliates**

In today's global economy, state tax experts must be able to identify and address issues specific to foreign affiliates; this session will give you the tools you need.

#### **Learning Objectives**

- ▶ Understand what nexus rules apply and the interplay of treaty and federal tax rules
- ▶ Consider unique state tax issues for cross-border businesses and transactions

Instructors:

**John Fletcher, Esq.**

State Tax Counsel

General Electric Company

Albany, NY

**Kimberley M. Reeder, Esq.**

Partner

Reeder Wilson LLP

Redwood City, CA

2:30 pm - 2:45 pm

## **Break**

2:45 pm - 3:45 pm

## **General Session**

### **Case Study - Issues for Foreign Affiliates**

Instructors:

**John Fletcher, Esq.**

State Tax Counsel

General Electric Company

Albany, NY

# ADVANCED STATE INCOME TAX SCHOOL

MONDAY June 3, 2013 (continued)

**Kimberley M. Reeder, Esq.**

Partner  
Reeder Wilson LLP  
Redwood City, CA

3:00 pm - 3:15 pm

**Break**

3:45 pm - 5:00 pm

**General Session**

**Unitary Business**

This session will review the United States Supreme Court's decisions that developed the unitary business principle and the various tests used to determine what constitutes a unitary business. Additionally, this presentation will discuss the treatment in separate-company states of income derived from non-unitary business activities as well as income derived from non-unitary affiliates. This session also will discuss the implications of being part of a unitary business in unitary combined reporting states.

**Learning Objectives**

- ▶ Understand the evolution of unitary business concept
- ▶ Recognize and understand cases attempting to exclude nonunitary income from tax
- ▶ Identify and apply the three tests for determining the existence of a unitary business
- ▶ Explain the difference between operational and investment income and identify when the operational function test should be applied
- ▶ Understand the application of the unitary business principle in separate company states
- ▶ Understand the various state statutory definitions of a unitary business

Instructors:

**Robert S. Goldman, CMI, Esq.**

Partner  
Madsen Goldman & Holcomb, LLP  
Tallahassee, FL

**David J. Shipley, CMI, Esq.**

Partner  
McCarter & English, LLP  
Philadelphia, PA

# ADVANCED STATE INCOME TAX SCHOOL

TUESDAY, June 4, 2013

7:00 am - 8:00 am

## Buffet Breakfast

8:00 am - 9:00 am

## General Session

### Case Study: Differences Between Unitary & Nonbusiness

Instructors:

**Robert S. Goldman, CMI, Esq.**

Partner

Madsen Goldman & Holcomb, LLP

Tallahassee, FL

**David J. Shipley, CMI, Esq.**

Partner

McCarter & English, LLP

Philadelphia, PA

9:00 am - 10:15 am

## General Session

### Complex Problems in Combined Reporting and Advanced Return Mechanics

Implications of separate, consolidated and combined state income tax returns differences, including discussion of the mechanics and implications of each, the income and apportion factors used, the effect on intercompany transactions and treatment of tax attributes.

#### Learning Objectives

- ▶ Explain which entities are typically included in the different types of returns
- ▶ Appreciate the distinctions between a full consolidated return versus a nexus consolidated return
- ▶ Recognize the difference between the states authority to require combination versus a taxpayers ability to elect combination
- ▶ Recognize the difference in the treatment of intercompany transactions under different return types

Instructors:

**Mark L. Nachbar, Esq., CPA**

Principal

Ryan, LLC

Downers Grove, IL

# ADVANCED STATE INCOME TAX SCHOOL

**TUESDAY, June 4, 2013 (continued)**

**Paul Thomas, CPA, MST**

Director  
Deloitte Tax LLP  
Charlotte, NC

10:15 am - 10:30 am **Break**

10:30 am - 11:15 am **General Session**  
**Case Study - Combined Reporting**

Instructors:

**Mark L. Nachbar, Esq., CPA**

Principal  
Ryan, LLC  
Downers Grove, IL

**Paul Thomas, CPA, MST**

Director  
Deloitte Tax LLP  
Charlotte, NC

11:15 am - 12:00 pm **General Session**  
**Advanced Problems in Mergers & Acquisitions**

Acquisitions, mergers and reorganizations can take many different forms, and each can have significant state and local tax implications. This session will explore the various types of transactions used to buy and sell businesses and examine the state tax issues inherent in such deals. The session will also review typical provisions in acquisition agreements with an analysis emphasizing the consequences for state income taxes, as well as sales and property taxes.

### **Learning Objectives**

- ▶ Understand the state tax principles of mergers and acquisitions
- ▶ Understand specific state income tax considerations of reorganizations, for both buyer and seller
- ▶ Understand provisions of an acquisition agreement and the relevant importance in a transaction

Instructors:

**Hardeo Bissoondial**

Partner  
PricewaterhouseCoopers LLP  
Florham Park, NJ

# ADVANCED STATE INCOME TAX SCHOOL

**TUESDAY, June 4, 2013 (continued)**

**Karen H. Currie, Esq.**

Partner  
Jones Day  
Dallas, TX

12:00 pm - 1:00 pm

**Lunch**

1:00 pm - 1:45 pm

**General Session**

**Advanced Problems in Mergers & Acquisitions (continued)**

Instructors:

**Hardeo Bissoondial**

Partner  
PricewaterhouseCoopers LLP  
Florham Park, NJ

**Karen H. Currie, Esq.**

Partner  
Jones Day  
Dallas, TX

1:45 pm - 2:30 pm

**General Session**

**Case Study– Mergers & Acquisitions**

Instructors:

**Hardeo Bissoondial**

Partner  
PricewaterhouseCoopers LLP  
Florham Park, NJ

**Karen H. Currie, Esq.**

Partner  
Jones Day  
Dallas, TX

2:30 pm - 2:45 pm

**Break**

2:45 pm - 4:15 pm

**General Session**

**Tax Planning**

No matter what your position, it is critical that you be equipped to evaluate the state and local tax concerns in any proposed tax planning (whether being done for federal or for state purposes) or any proposed restructuring of your business.

# ADVANCED STATE INCOME TAX SCHOOL

**TUESDAY, June 4, 2013 (continued)**

This session will also explore the growing importance of having business purpose and economic substance from a state and local tax perspective.

## **Learning Objectives**

- ▶ Understand the state tax considerations of corporate/entity reorganizations
- ▶ Understand and be able to identify restructuring options that lead to a more tax efficient outcome
- ▶ Understand business purpose and economic substance concepts, and when to be concerned about them

Instructors:

**Mark L. Nachbar, Esq., CPA**

Principal

Ryan, LLC

Downers Grove, IL

**Kimberley M. Reeder, Esq.**

Partner

Reeder Wilson LLP

Redwood City, CA

4:15 pm - 5:00 pm

## **General Session**

### **Case Study - Tax Planning**

Instructors:

**Mark L. Nachbar, Esq., CPA**

Principal

Ryan, LLC

Downers Grove, IL

**Kimberley M. Reeder, Esq.**

Partner

Reeder Wilson LLP

Redwood City, CA

**WEDNESDAY, June 5, 2013**

7:00 am - 8:00 am

**Buffet Breakfast**

8:15 am - 9:00 am

**Quiz**

# ADVANCED STATE INCOME TAX SCHOOL

WEDNESDAY, June 5, 2013

9:00 am - 10:00 am

## **General Session**

### **Passthroughs - Advanced Issues**

While passthrough entities may escape federal taxation, they raise a host of state tax issues. Our experts will focus on those unique nexus, apportionment and other issues.

### **Learning Objectives**

- ▶ Consider the nexus implications (and limits) of owning an interest in a passthrough
- ▶ Understand the apportionment, combination and tax attribute issues unique to passthroughs

Instructors:

#### **Troy Deason, CPA**

Senior Manager, State Income & Franchise Tax  
HCA Holdings, Inc.  
Nashville, TN

#### **Christopher R. Grissom, Esq.**

Partner  
Bradley Arant Boult Cummings, LLP  
Birmingham, AL

10:00 am - 10:15 am

## **Break**

10:15 am - 11:00 am

## **General Session**

### **Case Study - Passthroughs**

Instructors:

#### **Troy Deason, CPA**

Senior Manager, State Income & Franchise Tax  
HCA Holdings Inc,  
Nashville, TN

#### **Christopher R. Grissom, Esq.**

Partner  
Bradley Arant Boult Cummings, LLP  
Birmingham, AL

# ADVANCED STATE INCOME TAX SCHOOL

WEDNESDAY, June 5, 2013 (continued)

11:00 am - 12:00 pm

## General Session

### Advanced Issues in Using and Accounting for Net Operating Losses

This session will focus on the issues related to the calculation and utilization of state net operating losses (NOLs). The session will address differences in the calculation of NOLs (e.g., some states calculate NOLs on a pre-apportionment basis and others calculate NOLs on a post-apportionment basis), issues related to the utilization of NOLs (e.g., the ability to carryforward or carryback NOLs), and the measurement and recognition of NOLs for financial statement purposes. We will also discuss related issues such as capital loss carryforwards and the interaction of alternative minimum tax calculations with NOL utilization.

### Learning Objectives

- ▶ Understand the issues and methodologies related to the states' calculation of net operating loss carryforwards (NOLs)
- ▶ Determine the potential utilization of NOLs, including when a taxpayer may carryback or carryforward an NOL and when the states limit the ability to carryback or carryforward the NOL
- ▶ Apply the information to situations where taxpayers must address the correct reporting of state NOLs for tax compliance and financial reporting purposes

Instructor:

**Duane W. Dobson, Jr., CMI, CPA**

Managing Director, State and Local Tax

Grant Thornton LLP

McLean, VA

12:00 pm - 1:00 pm

## Lunch

1:00 pm - 2:30 pm

## General Session

### SALT Tax Provisions and Accruals

Explore the nuances of tax provision and FIN 48 by working through practical applications to uncertain tax positions, including nexus and related party transaction reporting (or non-reporting) positions. Mastering the computational aspects of FIN 48.

### Learning Objectives

- ▶ Master complicated tax provision concepts
- ▶ Improve upon technical ability to apply FIN 48 to situations faced in practice

# ADVANCED STATE INCOME TAX SCHOOL

WEDNESDAY, June 5, 2013 (continued)

Instructors:

**Charles F. Barnwell, Jr., CPA**

Barnwell Consulting, LLC  
Atlanta, GA

**Robert C. Ozmun, CPA**

Partner  
PricewaterhouseCoopers LLP  
Saint Louis, MO

2:30 pm - 2:45 pm

**Break**

2:45 pm - 3:15 pm

**General Session**

**SALT Tax Provisions and Accruals (continued)**

Instructors:

**Charles F. Barnwell, Jr., CPA**

Barnwell Consulting, LLC  
Atlanta, GA

**Robert C. Ozmun, CPA**

Partner  
PricewaterhouseCoopers LLP  
Saint Louis, MO

3:15 pm - 3:45 pm

**General Session**

**IFRS: What the Future Holds for SALT**

What is the future of IFRS, and what are its implications for state and local tax? Get out ahead of the issues

**Learning Objective:**

- Understand IFRS and how it impacts state and local tax

Instructors:

**Charles F. Barnwell, Jr., CPA**

Barnwell Consulting, LLC  
Atlanta, GA

**Robert C. Ozmun, CPA**

Partner  
PricewaterhouseCoopers LLP  
Saint Louis, MO

# ADVANCED STATE INCOME TAX SCHOOL

WEDNESDAY, June 5, 2013

3:45 pm - 5:15 pm

## General Session

### Thorny Issues with “Other” Business Taxes: Margin Tax, Franchise Tax, B&O, etc.

This session will look at why more states are adopting gross receipts taxes. The session will identify taxable entities and persons subject to gross receipts taxes and the differences in states’ jurisdiction to impose gross receipts taxes. The instructors will explain typical elements in the gross receipts tax base, common exemptions, and reporting rules. The session will also review apportionment factor issues and discuss the major compliance issues for gross receipts taxes imposed in Washington, Michigan, Ohio and Texas.

### Learning Objectives:

- ▶ Understand why states have adopted gross receipts taxes
- ▶ Identify the taxable entities and persons that are commonly subject to gross receipts taxes
- ▶ Specify why nexus is different for a gross receipts tax from other types of state taxes
- ▶ Understand nuances of what constitutes the gross receipts tax base
- ▶ Identify nuances of items exempted from the gross receipts tax base
- ▶ Identify nuances of gross receipts tax reporting options (e.g., combined, consolidated or separate)
- ▶ Understand apportionment factor rules
- ▶ Recognize the major credits for the gross receipts taxes in Washington, Ohio, Texas, and Michigan
- ▶ Discuss the major compliance issues for the gross receipts taxes in Washington, Ohio, Texas, and Michigan
- ▶ Identify issues related to the financial statement treatment of gross receipts taxes

Instructors:

**Gregg D. Barton, Esq.**

Partner

Perkins Coie LLP

Seattle, WA

**Karey W. Barton**

Barton State Tax Consulting and Legislative Analysis

Austin, TX

# ADVANCED STATE INCOME TAX SCHOOL

**WEDNESDAY, June 5, 2013 (continued)**

**Lynn A. Gandhi, Esq., LL.M., CPA**

Partner

Honigman Miller Schwartz and Cohn LLP

Detroit, MI

**THURSDAY, June 6, 2013**

7:00 am - 8:00 am

**Buffet Breakfast**

8:45 am - 10:00 am

**General Session**

**Apportionment—Current Issues with Factors: Market vs. COP, Joyce vs. Finnigan, Gross vs. Net, (MTC Compact)**

This session discusses the major issues pertaining to apportionment. The management of a taxpayer's property, payroll and sales factors can give a taxpayer some discretion over their apportionment profile and, to some extent, which state(s) it will pay tax in. In some cases, state law may contain certain unique and beneficial rules for constructing the traditional apportionment formulas or permit favorable alternative apportionment. In other cases, "nowhere" factors can be created by having amounts in the denominator of a factor which are not included in any state numerators. These issues, as well as efforts by states to modify a taxpayer's factors--through throwout and throwback statutes, for example--will be discussed.

### **Learning Objectives**

This session discusses the major issues pertaining to apportionment. The management of a taxpayer's property, payroll and sales factors can give a taxpayer some discretion over their apportionment profile and, to some extent, which state(s) it will pay tax in. In some cases, state law may contain certain unique and beneficial rules for constructing the traditional apportionment formulas or permit favorable alternative apportionment. In other cases, "nowhere" factors can be created by having amounts in the denominator of a factor which are not included in any state numerators. These issues, as well as efforts by states to modify a taxpayer's factors--through throwout and throwback statutes, for example--will be discussed.

Learning Objectives

Units 1 and 2

- ▶ Understand the growing trend away from an evenly weighted three-factor formula
- ▶ Recognize unique rules for sourcing from services, intangibles, and capital assets
- ▶ Understand the difference between sourcing receipts costs of performance and market approaches
- ▶ Recognize the rationale for a state's inclusion of net receipts, as op

# ADVANCED STATE INCOME TAX SCHOOL

THURSDAY, June 6, 2013 (continued)

posed to gross receipts, from sales of treasury function investments in the sales factor

- ▶ Recognize some of the gray areas in characterizing income for sales factor purposes
- ▶ Discuss the different methods used to value property for property factor purposes
- ▶ Understand the property factor treatment of rented property, property in transit, moveable property and leased property
- ▶ Understand what compensation is included in a state's payroll factor
- ▶ Discuss the concept of payroll attribution

## Unit 3

- ▶ Appreciate the risk of being denied the right to apportion
- ▶ Define the "ultimate destination" rule
- ▶ Describe the "throwback rule" and when it applies
- ▶ Define the "Joyce" rule and when it applies
- ▶ Define the "Finnegan" rule and when it applies
- ▶ Describe the "double throwback rule" and when it applies
- ▶ Describe the "throwout rule" and when it applies
- ▶ Define a "dock sale" and its potential implication on sales factor apportionment

## Unit 4

- ▶ Identify the major constitutional issues related to the apportionment of income, including the issues related to the Due Process Clause and Commerce Clause
- ▶ Address the ability of a taxpayer to request a change or modification of a statutory apportionment factor and what information may influence the state to grant such a modification
- ▶ Understand the state taxing authorities' powers to modify a taxpayer's apportionment factor and how the state may apply these powers

Instructors:

**Patrick J. Reynolds, Esq., CPA**

Senior Managing Counsel

J. C. Penney Corporation, Inc.

Plano, TX

**Giles B. Sutton, Esq.**

Partner

Grant Thornton LLP

Charlotte, NC

# ADVANCED STATE INCOME TAX SCHOOL

THURSDAY, June 6, 2013 (continued)

10:00 am - 10:45 am

## General Session

### Apportionment—Weighing Constitutional Issues

Formulary apportionment rules vary from state to state, but are always limited by federal constitutional constraints; learn how to spot and address them.

#### Learning Objectives:

- ▶ Understand which constitutional clauses may apply to limit overly inclusive apportionment schemes
- ▶ Consider the practical implications of pursuing such challenges

Instructor:

**David J. Shipley, CMI, Esq.**

Partner

McCarter & English, LLP

Philadelphia, PA

10:45 am - 11:00 am

## Break

11:00 am - 12:00 pm

## General Session

### Apportionment - Seeking Alternative Relief

“Section 18” relief from unfair apportionment is available in most states, but how do you seek it and is it ever granted? And, how might it be used against you?

#### Learning Objectives:

- ▶ Understand the mechanics and proof issues for seeking alternative apportionment
- ▶ Consider defenses to state attempts to impose alternative approaches

Instructors:

**Jeffrey N. Saviano, Esq.**

Director of Indirect, State and Local Tax Services

Ernst & Young LLP

New York, NY

**Giles B. Sutton, Esq.**

Partner

Grant Thornton LLP

Charlotte, NC

# ADVANCED STATE INCOME TAX SCHOOL

**THURSDAY, June 6, 2013 (continued)**

12:00 pm - 1:00 pm **Lunch**

1:00 pm - 2:15 pm **General Session**  
**Case Study - Apportionment**

Instructors:

**Jeffrey N. Saviano, Esq.**

Director of Indirect, State and Local Tax Services  
Ernst & Young LLP  
New York, NY

**Giles B. Sutton, Esq.**

Partner  
Grant Thornton LLP  
Charlotte, NC

2:15 pm - 3:30 pm **General Session**  
**Related Party Transactions: Transfer Pricing, 311(b) Distributions, etc.**

States are focusing more scrutiny on related party transactions, seeking to adjust prices, force gain recognition, and more. Our experts will bring you up to date on the latest issues, and how to avoid or address them.

**Learning Objectives:**

- ▶ Understand transfer pricing implications for state tax
- ▶ Learn to spot gains that may be triggered for state tax only

Instructors:

**Jordan M. Goodman, Esq., CPA**

Partner  
Horwood Marcus & Berk Chartered  
Chicago, IL

**Shirley K. Sicilian, Esq.**

General Counsel  
Multistate Tax Commission  
Washington, DC

3:30 pm - 3:45 pm **Break**

# ADVANCED STATE INCOME TAX SCHOOL

THURSDAY, June 6, 2013

3:45 pm - 4:45 pm **General Session**  
**Case Study - Related Party Transactions**

Instructors:

**Jordan M. Goodman, Esq., CPA**

Partner

Horwood Marcus & Berk Chartered

Chicago, IL

**Shirley K. Sicilian, Esq.**

General Counsel

Multistate Tax Commission

Washington, DC

4:45 pm - 5:45 pm **General Session**  
**Coordinating Federal and State RARs and Compliance**

Amending state returns pursuant to federal changes can be a daunting task, and one in which taxpayers frequently seek advice. In particular, issues such as when a final federal determination has been made for state reporting purposes and what items are open for adjustment of state returns can involve state-specific research. This session of the school highlights several issues that practitioners should be aware of when companies report federal income tax adjustments for state purposes.

### **Learning Objectives**

- ▶ Understand the federal post-audit settlement process
- ▶ Define a “final federal determination”: for state reporting purposes

Instructor:

**Giles B. Sutton, Esq.**

Partner

Grant Thornton LLP

Charlotte, NC

FRIDAY, June 7, 2013

7:00 am - 8:00 am **Buffet Breakfast**

8:00 am - 10:00 am **General Session**  
**Taxpayer Remedies: The How To's of Tax Controversies**

Our experts will give you critical tools for protests, litigation strategies, building your case, and dealing with the fall-out.

# ADVANCED STATE INCOME TAX SCHOOL

FRIDAY, June 7, 2013 (continued)

## Learning Objectives:

- ▶ Understand the options in tax controversies and learn how to evaluate them
- ▶ Build your strategic controversy skill set

Instructors:

**Robert S. Goldman, CMI, Esq.**

Partner

Madsen Goldman & Holcomb, LLP

Tallahassee, FL

**Patrick J. Reynolds, Esq., CPA**

Senior Managing Counsel

J. C. Penney Corporation, Inc.

Plano, TX

10:00 am - 10:15 am **Break**

10:15 am - 11:15 am **General Session**

## Ethics

Unethical conduct on the part of sports and entertainment celebrities, government officials and business leaders continues to make headlines. Violations affect not just the offending individual, but families, colleagues, employers, clients and the profession at large. The publication and enforcement of a Code of Ethics is central to IPT's mission as an organization promoting the integrity of the SALT profession and the members of the public who use our services. This class examines the provisions of the IPT Code in the context of real-life scenarios with which state and local tax professionals are confronted. Emphasis is given to recent amendments to the Code and a discussion is included of the procedures followed when a complaint is filed.

## Learning Objectives:

- ▶ Develop an understanding of the role of ethical canons in the SALT profession
- ▶ Become familiar with the IPT Code of Ethics
- ▶ Learn the procedures for reporting and responding to complaints alleging a violation of the IPT Code

Instructors:

**Glenn C. McCoy, Jr., Esq.**

New York, NY

# ADVANCED STATE INCOME TAX SCHOOL

FRIDAY, June 7, 2013 (continued)

**Shirley K. Sicilian, Esq.**  
General Counsel  
Multistate Tax Commission  
Washington, DC

11:15am - 12:15 pm **Quiz**

## PROGRAM COMMITTEE

**Paul A. Broman, Esq. (Co-Chair)**  
Attorney, State Tax Issues, Audits & Appeals  
BP America  
Houston, TX

**Duane W. Dobson, Jr., CMI, CPA**  
Managing Director, State and Local Tax  
Grant Thornton LLP  
McLean, VA

**Robert S. Goldman, CMI, Esq.**  
Partner  
Madsen Goldman & Holcomb, LLP  
Tallahassee, FL

**Margaret C. Wilson, CMI, Esq. (Co-Chair)**  
Partner  
Reeder Wilson LLP  
Somerville, NJ

# ADVANCED STATE INCOME TAX SCHOOL

## REGISTRATION INFORMATION

Registrations must be submitted in advance through the IPT office and are accepted on a first-received basis. Enrollment is limited to IPT members or employees of companies who have members in IPT. **Please Note:** If a faxed application, received by IPT, is accepted (acceptance letters will be sent), and the person declines the acceptance, there will be a \$100 cancellation penalty imposed. There will also be a substitution fee if someone other than the original applicant attends.

In order to encourage early registration, a discount of \$25.00 is available to those who register on or before May 3, 2013. The fees (U.S. funds) are:

### Payments received on or before May 3, 2013\*:

\$795 (Individual personally holding membership in IPT)

\$995 (Individual does not hold membership, but company/firm has members in IPT)

### Payments received after May 3, 2013\*:

\$820 (Individual personally holds membership in IPT)

\$1,020 (Individual does not hold membership, but company/firm has members in IPT)

\*For any payment received after May 3, 2013, the \$25.00 discount does not apply. This includes faxed registration forms received without payment prior to this date.

If the registrant so elects, he/she may join as an Associate Member (if company already has IPT members) for annual dues payment of \$275 (nonrefundable), and will be eligible for the reduced school fee of \$795. Please see registration form.

The following credit cards can be used: American Express, VISA and Master Card. In order for credit card to be processed, it is important that the information requested on the registration form is filled out completely. Make check payable to: Institute for Professionals in Taxation and remit to: 1200 Abernathy Road, N.E., Building 600, Suite L-2, Atlanta, GA 30328.

### Cancellation/Substitution Policy

Refunds, subject to a cancellation charge of \$100, will be made upon written notification of cancellations received on or before May 17, 2013. There is also a substitution charge of \$40 on or before May 3, 2013, \$50 after that date. For more information regarding administrative policies such as complaint and refund, please contact the IPT office at 404.240.2300.

## ACCOMMODATIONS

Registrants for this program are expected to reside at the Georgia Tech Hotel and Conference Center. Reservations may be made by calling the Reservation office at 1-800-706-2899 (reference the IPT Tax School room block). Reservations should be made with the hotel by May 10, 2013, to ensure receiving the group rate. After this date, or once the room block is filled, reservations requested will be on a space available basis. The package rate for this program is \$1,302.65 including taxes for single or \$1,002.50 per person for double occupancy. Package includes: Dinner on Sunday night; 5 nights lodging (Sunday-Thursday); breakfast Monday - Friday; Lunch Monday - Thursday. Check-in time is 3:00 pm and check-out time is 12:00 pm. The hotel accepts cash, major credit cards, or travelers checks. In order to guarantee a reservation, a deposit equivalent to one night's room and tax or the guarantee of the same by a major credit card is required. Please check with the hotel regarding their cancellation policy.

There is a \$600.00 supplemental registration fee for local registrants not staying at the Georgia Tech Hotel and Conference Center under IPT's group package.

**Classes** for the Advanced State Income Tax School are being held at the Georgia Tech Conference Center.

### THE GEORGIA TECH HOTEL AND CONFERENCE CENTER

The Georgia Tech Hotel and Conference Center is an integral part of Georgia Tech's campus in Midtown Atlanta. In addition to its high-tech features, the hotel has the following amenities: an outdoor courtyard, an all-day dining room, club lounge, an indoor swimming pool, and a fully equipped fitness center. There is a subway station (MARTA) at the airport which has a stop four blocks from the hotel.

The IPT registration desk will be open from 3:00 - 6:30 p.m. on Sunday, June 2, 2013, at the Georgia Tech Hotel and Conference Center. Registrants should pick up their materials at that time.

# ADVANCED STATE INCOME TAX SCHOOL

## General Information

Quizzes will be given during the week, with a final quiz on Friday. A cumulative passing score must be realized on the quizzes for successful completion of the school. The final quiz must be taken Friday at the scheduled time, so travel arrangements should be made accordingly. **No exceptions can be made to taking the quiz at the stated time on Friday.**

Fluency in English is required for successful completion of this course. Foreign language dictionaries may not be used during examinations.

Attire during the day is business casual.

Photos will be taken at this event to use in publications on the IPT website and in organizational and individual photo albums.

## CONTINUING EDUCATION CREDIT

Approximately 41 continuing education credits (including 1 IPT Ethics credit) are available for full attendance. In accordance with the standards of the National Registry of CPE Sponsors, CPE credits have been granted based on a 50-minute hour. CMIs will obtain credit on an hour for hour basis for attendance. Registrants who wish to obtain credit from other organizations for the school must submit their own forms to the IPT office or utilize the standardized form provided by the Institute.

As required by regulatory agencies, IPT must verify individual attendance at sessions in order to grant Continuing Education Credits. Each attendee's name badge has a unique barcode that identifies that individual. In order to obtain CE credit, the individual must have his or her bar-coded badge scanned during the first 15 minutes of each session. No credit for the session will be given to un-scanned attendees. Lost name badges should be reported immediately to an IPT staff member for a replacement. All attendees will receive a Certificate of Attendance with a record of their scanned attendance.

The Institute for Professionals in Taxation is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: [www.learningmarket.org](http://www.learningmarket.org).

### CMI Designation—Income Tax

The Institute for Professionals in Taxation's designation, Certified Member of the Institute (CMI), is available to anyone who meets specific educational requirements, has five years of income tax experience, and is currently an income tax member in good standing of the Institute. The educational requirements to achieve the CMI Income Tax professional designation include successful completion of IPT's Advanced Income Tax School, IPT's Income Tax Symposium and either the IPT/ABA Income Tax Seminar or the Income Tax track at IPT's Annual Conference. Other educational credits, which may be obtained by attending additional programs such as other income/franchise tax courses, are required. A description of acceptable courses can be found in the CMI brochure and application.

Successful completion of both the written and oral CMI examinations is required. The CMI requirements and the CMI Candidacy Application can be downloaded from the IPT website at: [www.ipt.org](http://www.ipt.org), or you may contact the IPT office at 404.240.2300.

<b>Prerequisites:</b>	Five or more years experience in state income taxes
<b>Recommended Field of Study:</b>	Taxation (Income Tax) Regulatory Ethics
<b>Program Level:</b>	Advanced
<b>Instructional Method:</b>	Group Live
<b>Advance Preparation Required:</b>	None