

Tax Section of the Florida Bar

February 2017 E-Newsletter

www.floridatallaxlawyers.org

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MEETINGS **(SAVE THESE DATES)**

Directors' Committee Meeting and Past Chairs' CLE

March 2-5, 2017

Villagio Inn and Spa, Yountville, California

2017 Annual Meeting

May 4-7, 2017

The Breakers, Palm Beach

Advanced Level CLE Program on Tax Controversies and Procedure

“Seat Belt Fastened: Advanced Tax Procedure at the Red Line”

Friday, May 5, 2017

Visit the Tax Section website for more information: <http://www.floridatallaxlawyers.org>

LIVE CLE PROGRAMS

Representing the Physician: It is Harder Than It Looks

Course Classification: Advanced Level

Live and Webcast Presentation: Friday, February 3, 2017

Time: 8:30 a.m. - 5:00 p.m.

Rosen Centre Hotel, 9840 International Drive, Orlando, Florida

Click here for: [Itinerary and Reservation Form](#)

The 2017 National Multistate Tax Symposium

Disappearing borders – positioning for greater certainty

Presented by Deloitte Tax, LLP in collaboration with the Florida Bar Tax Section

February 1-3, 2017

Disney's Grand Floridian Resort & Spa

Click here for [Registration Form](#)

Wealth Protection

Friday, April 7, 2017

Hyatt Regency Hotel

400 S.E. 2nd Avenue

Miami, Florida

WRITING/SPEAKING OPPORTUNITIES

Please contact Michael Minton at MMinton@deanmead.com

if you are interested in presenting the yearly updates

in any of the following subject matter areas

at the Ullman Year in Review

to be held July 1, 2017 in Amelia Island, Florida

Tax Exempt Organizations, Corporate Tax (excluding passthroughs)

or Employee Benefits / Deferred Compensation

Florida Bar Tax Section Bulletin

Are you interested in publishing an article that will be circulated to the 2000 plus members of the Tax Section? If so, preparing an article for the Tax Section Bulletin is a great way to gain notoriety in the Section and beyond. Please contact the following Tax Section representative if you are interested:

Greg McLaughlin

954-760-4925

gam@trippscott.com

Tax Section Comments on IRS Regulation Projects

The Tax Section has members working on comments on the following IRS regulation projects. If you are interested in participating in either comment project contact Brian Harris at brian.harris@akerman.com.

(1) **Transfers of Property to Partnerships with Related Foreign Persons.** We are looking at putting together a group and are soliciting volunteers to prepare comments in response to Notice 2015-54, Transfers of Property to Partnerships with Related Foreign Partners and Controlled Transactions Involving Partnerships. Notice 2015-54 is aimed at IP migrations that utilize partnerships. A typical IP migration involves a transfer of IP from a US company to a foreign company. As such, the use of partnerships is the less frequently used approach. Portions of Notice 2015-54 mandate the use of the remedial method under Code Section 704(c) to cause the US contributor to have income, and portions seemingly apply IRC 482 principles in a manner this is possibly inconsistent with the *Veritas* decision and invokes the income allocation rules used by the current cost sharing rules under Treas. Reg. Section 1.482-7. The cost sharing rules require that a significant amount of profits earned by contributed IP be allocated to the contributing cost sharing participant. As such, the application of the cost sharing approach to partnerships may exceed the IRS's authority. The impact of the Notice 2015-54 may extend to other areas of partnership tax and maybe even estate and gift tax planning.

(2) **FIRPTA Reorganizations.** We are currently looking at the Requested Exclusion of FIRPTA Reorganizations from Corporate Inversion Rules. The principal covered Code Sections are 7874 and 897. Participants include: Jim Barrett, Bob Hudson, Steve Hadjilogiou, Jeff Rubinger, Joe McFarland, James Schmidt, Summer LePree, Ceci Hassan, Bobby Moore, Michael Bruno, Adam Smith, Alfredo Tamayo and Hans Tanzler IV. There is no comments deadline and this project is ongoing.

Pro Bono Volunteer Opportunities

Florida's Low Income Taxpayer Clinics (LITCs) assist low income taxpayers with IRS controversies, including, collections, liability disputes and Tax Court petitions. Studies show that representation significantly increases positive outcomes for low income taxpayers. If interested in representing a low income taxpayer, please directly contact the LITC nearest you (for a complete list of the LITCs in Florida, go to www.lsgmi.org and click on Low Income Taxpayer Clinic under Quick Links.

Volunteers needed for the U.S. Tax Court Pro-Bono Calendar Call Program. The Program is designed to have local tax practitioners volunteer their time to pro se taxpayers during Small Case calendar call sessions without entering their name as the attorney of record. If you are interested in participating, please contact Karen J. Lapekas at 305-600-1485 or karen@lapekaslaw.com.

Fed Tax and State Tax ListServ's

The Tax Section has made Listserv's available to members to exchange ideas, opinions, information, and comments in a positive and professional environment. The Tax Section Listserv sign up, how the Tax Section Listserv works and the applicable rules for participants can be found at <http://floridataxlawyers.org/listserv/>.

Sponsors

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Questions or comments, please email Chris Hargett at chargett@flabar.org or visit our website at www.floridataxlawyers.org