

State and Local Taxation

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State and local taxation has become increasingly complex both in the Carolinas and across the country. State taxing authorities have developed more sophisticated and aggressive approaches and there is vastly more media attention on state and local taxes (and economic development incentives) than in any time in the past. Sourcing, allocation, and apportionment have received renewed interest from Departments of Revenue. Additionally, recent case law revising and expanding the concept of state tax nexus has created the potential for reporting and filing obligations for businesses engaged in multi-jurisdictional commerce. As a result, taxpayers have had to spend significantly more time and attention in this tax area than before.

Our state and local tax team in South Carolina is led by two former directors of the South Carolina Department of Revenue. We serve clients across the Carolinas and beyond, from Fortune 500 companies to small and mid-sized firms. The strength of our SALT practice is in four areas: (1) State and Local Tax Controversy work; (2) economic development incentives; (3) legislative strategy; and (4) tax planning. We regularly assist in these areas involving a wide range of state and local tax issues. Those include:

- Corporate Franchise and Income Taxes
- Sales and Use Taxes
- Real and Personal Property Taxes
- Local Business License Taxes
- Documentary Taxes
- Unclaimed Property
- Economic Development Incentives
- State and Local aspects of business transactions and reorganizations

Our SALT controversy work involves representation of clients before the Department of Revenue, as well as trial work at all court levels.

We regularly represent Fortune 500 companies as well as small and medium businesses seeking state and local tax incentives at both the state and local level, and have been involved in some of the largest economic development announcements in South Carolina history.

Nexsen Pruet also regularly represents clients on legislative monitoring and lobbying on state tax issues before state legislatures. Our members have drafted hundreds of state tax code sections which have been enacted into law over the past 20 years. Our work has been done for state government, counties, economic development Alliances, and private clients.

Nexsen Pruet also assists clients in reviewing the state and local tax aspect of real estate transactions, mergers and acquisitions, and other transactional planning.

Accomplished Tax Attorneys

Recognitions for members of the group:

- 2015 *Best Lawyers* in the Midlands in Tax Law by *Columbia Metropolitan Magazine*
- *Best Lawyers in America*® “Lawyer of the Year” for Tax Law (Columbia)
- South Carolina Economic Developers Association’s “2010 Ally of the Year”
- *Best Lawyers in America*® since 2009
- Listed in South Carolina Super Lawyers for Tax (2014)
- South Carolina Super Lawyer – Rising Star in Bonds and Government

Noteable SALT Insights and Events

Members of the firm’s SALT team regularly offer insights and events related to developments in this area of the law.

Rick Reames, former director of the South Carolina Department of Revenue rejoins Nexsen Pruet as of February 2017.

Burnie Maybank and Jeanne Born co-authored South Carolina Nonprofit Corporate Practice Manual, First Edition, South Carolina Bar, 2007, and Second Edition, South Carolina Bar, 2015.

On July 9, 2014, Maybank served as the moderator and presenter of the Clean Energy Economic Development Panel at the 2014 South Carolina Clean Energy Summit.

Burnie Maybank authored an article for the July 2014 edition of *South Carolina Lawyer*, co-written by Chris Hampton, entitled “Nonprofit Traps and Pitfalls.”

Maybank also co-authored an article for the May 2013 edition of *South Carolina Lawyer*, co-written by Franklin Daniels and Cashida Okeke, called “South Carolina State Tax Traps and Pitfalls.”

Each year, Nexsen Pruet hosts economic development and state and local tax seminars which bring together practitioners and public agency representatives. The firm also hosts other events that are more narrowly focused on specific SALT issues, including:

- Taps and Pitfalls in Economic Development (2015)

- SALT Seminar (held annually)
- Realtors Seminar (2014)
- Newbie Economic Development Seminar (2011 and 2013)
- Hard Dollars Economic Development Seminar (2013)
- Legislative Update Economic Development Seminar (2013)
- Distribution Center Seminar (2013)
- State Economic Development Incentives for the Agribusiness Industry (2012)
- Incentives for Real Estate Developers (2012)
- Selected Issues Regarding Spec Industrial Parks and Mega Sites (2012)
- Economic Development and Legislative Update Seminar (2011)

Experience

Sheetz Distribution Facility

News

07.14.2020 | News from Nexsen Pruet
Former S.C. Department of Revenue Director Joins Nexsen Pruet

02.06.2017
Former SC Revenue Director Welcomed Back to Firm

Insights

08.06.2021
"South Carolina State Tax Traps and Pitfalls"

04.20.2021 | Article
Is a Form 1099-C Always Required When Settling Disputed Debts?

06.02.2020
SC and NC Department of Revenue Responses to COVID-19 - UPDATED June 2, 2020

02.28.2020
Is Your Partnership Ready for the IRS's New Centralized Audit Regime?

02.03.2020
How to Contest Your Real Property Revaluation Notice

01.31.2020

The I.R.C. § 6751(b) Supervisory Penalty Approval Saga Continues

05.22.2019

2019 Flood Insurance Update

04.10.2019

So you're thinking about economic incentives for your NC real estate project?

01.09.2019

Facing property revaluation? Here's what you need to know.

05.16.2018

New Tax Law May Affect Mileage Reimbursement Policy for Employers

03.20.2018

Federal Income Tax Consequences of State Economic Development Incentives After Passage of Tax Cuts and Jobs Act

02.19.2018

New North Carolina Uniform Power of Attorney Act