

Ray N. Stevens

SENIOR COUNSEL

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Suite 700
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Columbia, South Carolina 29201

Practices

Tax Law
Tax Controversy
State and Local Taxation
Economic Development
Corporate Law

Education

- College of William and Mary School of Law, LL.M, Taxation
- University of South Carolina School of Law, J.D.
- University of South Carolina, Moore School of Business, M.B.A.
- University of South Carolina, B.S. in Accounting

Admissions

- South Carolina Supreme Court
- South Carolina Court of Appeals
- South Carolina Federal District Court
- Fourth Circuit Court of Appeals

Ray Stevens provides clients with invaluable insight on SALT issues raised by governmental taxing agencies, an insight gained from Ray's service as Director of the SC Department of Revenue, Administrator of Appeals at the SC Department of Revenue, Director of the SC Attorney General's Tax Division, and Judge on the SC Administrative Law Court. Ray also served on the SC Tax Realignment Commission (TRAC) in its study of the state's taxing system, resulting in the submission to the SC general Assembly of a comprehensive tax restructuring plan. Ray's experience assists clients across a broad range of SALT matters including tax controversies, tax planning, economic development tax incentives, and due diligence in mergers and acquisitions. Fulfilling the client's business objectives benefit from Ray's comprehensive SALT knowledge of bank tax, income tax, sales and use tax, property tax, licences tax, and withholding tax, as well as his involvement with alcohol licensing and Three Tier system regulatory matters.

Ray's practice is a multi-state SALT practice addressing a client's business needs as they arise in various jurisdictions. Ray has assisted clients with SALT concerns raised by South Carolina, Florida, Georgia, North Carolina, Tennessee, Kentucky, Maryland, New York, California, and Washington state. An experienced tax litigator, Ray has briefed and made oral argument before the United States Supreme Court, tried multiple dozens of tax cases in state trial courts, briefed and argued more than 30 cases in state appellate courts, and represented clients in Federal District Court and the

→ United States Supreme Court

Fourth Circuit Court of Appeals. Notably, as an innovator in tax litigation, Ray originated and successfully defended the theory of law seeking to tax out-of-state royalty income earned from intangibles, a theory now known succinctly in the SALT world as a "Geoffrey issue."

Ray previously worked as a tax partner at a multi-state law firm serving as the head of the firm's State and Local Tax practice. Ray has served as Chairperson for the Tax Committee of the SC Chamber of Commerce, Chairperson of the Industry Council of the Southeastern Association of Tax Administrators, and Chairperson of the SC Enterprise Zone Subcommittee for the SC Department of Commerce. He is a former Executive Board member of the Federation of Tax Administrators and a frequent speaker at conferences in both the private and public sectors.

Recognitions

- Earned 2009 Human Resources Innovation Award for State of South Carolina for creating the Honors Lawyers Program for the SC Department of Revenue
- Devised theory now known in tax parlance as a "Geoffrey Issue" by successfully litigating the landmark case of Geoffrey, Inc. v. South Carolina Dept. of Revenue and Taxation, 313 S.C. 15, 437 S.E.2d 13 (1993)
- Recognized as "National State Tax Author of the Year" for 2016 by Bloomberg BNA
- Designated as "Legal Elite" for Taxation, 2013 and 2015, Columbia Business Monthly Magazine
- Rated by Martindale-Hubbell as AV® Preeminent™ in Taxation

Community & Professional

- Southeastern Association of Tax Administrators, Industry Council, past Council Chairperson
- Former Chairperson, Tax Committee, SC Chamber of Commerce
- Federation of Tax Administrators, Former Executive Board Member
- Former Chairman of the SC Enterprise Zone Subcommittee
- Former Advisory Board Member of Vanderbilt University's Paul J. Hartman State & Local Tax Forum
- Former member of the SC Coordinating Council of Economic Development

Presentations:

- QUARTERLY TAX FORUM, “Tax Reform in the Tar Heel State,” presented separately in Charlotte and Raleigh
- SALT Developments in South Carolina & North Carolina, Tax Executive Institute, Co-presenter, presented in Charlotte and Raleigh
- SALT Solutions – “Tar Heel Taxation: Recent and Pending Legislation”
- SALT Solutions: Federal and State Taxation of Trusts, Co-presenter, presented in Charlotte
- “Anatomy of a State Tax Dispute: Best Practices in Contested Litigation,” Council On State Taxation (COST) 43rd Annual Meeting, Orlando, FL
- “Federalism in the State Tax System,” Association of Corporate Counsel, Charleston, SC
- “Apportionment: Render to the States Only What is Theirs,” Georgetown Law 35th Annual Advanced State and Local Tax Institute, Washington, D.C.
- “Hot Topics in State Taxation,” Tax Executives Institute, Charlotte, NC
- “Recent Developments in Property Taxation in South Carolina,” SOUTH CAROLINA ASSOCIATION OF COUNTY ATTORNEYS, Hilton Head, SC
- Visiting Professor, “Fundamentals of Federal Taxation of Partnerships, Corporations and Estates,” Midlands Technical College, Columbia, SC
- Guest Lecturer, “Duties and Functions of County Officials in South Carolina Property Taxation and Application of the Revenue Procedures Act Before the South Carolina Department of Revenue,” University of South Carolina School of Law, State and Local Tax
- “South Carolina Income Tax and Economic Tax Incentives, Recent Tax Developments in South Carolina,” North Carolina/South Carolina Tax Bar, Kiawah Island, SC
- “Developments in South Carolina Sales Tax and State Tax Issues in South Carolina,” Council on State Taxation, Charlotte, NC
- “Best Practices in State Tax Litigation,” Council on State Taxation, Phoenix, AZ
- “Bridge the Gap on Administrative Law,” South Carolina Bar
- “Litigating Before the ALC,” South Carolina Bar Annual Convention, Governmental Section
- “That Was the Year That Was - Review of Changes in Administrative Law,” South Carolina Bar
- “Remedies and Procedures for Suits Against State Officials,” Greenville County Tax Bar
- “Administrative Procedures Before the South Carolina Department of Revenue,” Greenville County Tax Bar
- “Tax Practice Under the Revenue Procedures Act,” Columbia Tax Study Group
- “42 USC § 1983 in State Court Tax Disputes,” Federation of Tax Administrators
- “Collecting Taxes Under an Automatic Stay Due to Bankruptcy,” Southeastern Association of Tax Attorneys
- “Nexus and Jurisdiction for Taxation of Delaware Holding Companies,” Southeastern Association of Tax Attorneys
- “Moot Court Presentation on Taxation of Intangibles and Geoffrey v. South Carolina: Is the Camel's Nose Under the Tent?” Vanderbilt University's Paul J. Hartman Tax Forum

- “Intangibles and the Creation of Nexus for Income Tax Purposes,” Ohio Tax Conference
- “Taxes and the Bottom Line: New Tax Appeal Process,” South Carolina Chamber of Commerce

Publications:

- Co-Author, Sales Taxation of Bundled Transactions in South Carolina
- "Geoffrey v. South Carolina Tax Commission: Is the Camel's Nose Under the Tent?" Tax Management, Multistate Tax Report
- "Delaware Subsidiaries Can Still Reduce Tax But More Planning Needed," The Journal of Multistate Taxation
- "The Use of Title 42 USC §1983 in State Tax Litigation," Revenue Administration
- "Strategies for Corporate Tax Planning: Trends and Changes in SALT Planning Strategies," West Publishing, Aspatore Books, Inside the Minds
- "The Broader Implications of Gillette: Razor or Bludgeon," Co-author, State Tax Notes
- "Comity and Quill: Has the Day of Reckoning Arrived?" Co-author, State Tax Notes
- “Does Maryland Have Another Kraft Problem?” Co-author, State Tax Notes
- “Tax Reform in the Tar Heel State: Which Way From Here?” Co-author, State Tax Notes
- “Through the Looking Glass: 'Tax Reform' in the Tar Heel State,” Co-author, State Tax Notes
- South Carolina Administrative Practice & Procedure, Third Edition, Edited by Randolph R. Lowell, Chapter 4, SC Revenue Procedures Act, by Ray N. Stevens

Bloomberg BNA Tax Management Portfolios:

- South Carolina Corporate Income Taxes (co-author)
- South Carolina Pass-Through Entity Navigator (co-author)

News

07.14.2020 | News from Nexsen Pruet

Former S.C. Department of Revenue Director Joins Nexsen Pruet