MULTISTATE TAX COMMISSION

Minutes of the Executive Committee Meeting
of the Multistate Tax Commission
Thursday, April 23, 2026
Knoxville, Tennessee

I. Call to Order and Attendance

Brendan Reese, sitting as a proxy for Executive Committee Chair Heidi Humphreys, Colorado, opened the meeting at 9:02 a.m. Eastern Time. A quorum was not present at the time of the call to order. A quorum later became present with the arrival of representatives from Kansas and Arkansas on Zoom. The following people were in attendance (*virtual or telephone):

Jennifer Byrd, Derrick Coleman, Vicki Gardino, Kelly Graham, Christina Hall, Albert McDonald, Matt Tidwell, Jennifer Reynolds	Alabama
Michael Williams	Alaska
Tommy Burns*	Arkansas
Michael Bologna	Bloomberg
Katie Frank	California
Brendon Reese, Sarah Roberts*	Colorado
Heather Merson	Connecticut
Robert Kindred, Nirmail Dhaliwal*	District of Columbia
Greg Matson	Eversheds Sutherland
John Vecchiarelli	Fast Enterprises
Brian Oliner, Kevin Richard	Federation of Tax Administrators
AmyLynn Hamilton	Freelance reporter
Amber Ortiz, Phil Skinner*	Idaho
Kurt Konek*	Iowa
Michael Hale	Kansas
Latonia Dooley*	Kentucky
Maria Koklanaris*	Law360
Miranda Scroggins, Mia Strong*	Louisiana
Krystal Bolton	Massachusetts
John Weiser*, Cassie Diemert*, Kristin Shogren	Minnesota
Derek Bell, Ethan Sherman	Montana

Chris Barber, Holly Coon, Richard Cram, Lila Disque, Bruce Fort, Brian Hamer, Helen Hecht, Jeffrey Silver, Jennifer Stosberg, Jonathan White, Jantha Jamison, David Merrien, Keith Richardson, Larry Shinder	Multistate Tax Commission
Demet Anagnos*	MVB
Donnita Wald	New Mexico
Charles Dendy, Terrie Gerhardt, Matt Peyerl, Matt Danielson*	North Dakota
David Gerstenfeld*	Oregon
Ryan Maness*	Ryan, LLC
Ray Langenberg, Phillip Ashley*	Texas
Timothy Jennrich, Bryan Kelly	Washington
Timothy Waggoner	West Virginia
Andrew Soubel*	Wolters Kluwer

II. Initial Public Comment Period

There were no public comments.

III. Approval of Minutes of the Executive Committee

A. Minutes for the Executive Committee Meeting held Thursday, November 20, 2025, in New Orleans, Louisiana.

B. Minutes for the Executive Committee Meeting held online on Tuesday, February 17, 2026

Bryan Kelly, Washington, moved to approve the meeting minutes as written. The motion passed by unanimous voice vote.

IV. Report of the Chair

A. Nominating Committee

Mr. Reese explained that the Chair will work with Executive Director Keith Richardson to develop a slate of nominees for election at the annual meeting this summer. Members interested in serving as an officer were invited to contact Mr. Richardson.

B. Resolutions Committee

Mr. Richardson provided a brief explanation of the role of the Resolutions Committee and its chair. Donnita Wald, New Mexico, and Bryan Kelly, Washington, volunteered to serve on the Resolutions Committee.

V. Report of the Treasurer

A. Audited Financial Statements as Reported by the Independent Auditor for Fiscal Year 2025

Treasurer Philip Ashley, Texas, provided a brief update. The audit is still underway. The audited financial statements for FY 2025 are expected to be available by the annual meeting this summer.

B. Proposed Budget for Fiscal Year 2026-2027

Mr. Ashley presented the proposed budget for FY 2027. He noted two unusual aspects of the proposed budget. First, California has requested a one-time reduction in fees due to a budget deficit, and Mr. Ashley indicated that the MTC can accommodate this request within the FY 2027 budget. Second, the proposed budget includes a built-in surplus, which is a departure from prior practice of preparing a budget at or near the break-even level. The projected surplus is intended to provide a cushion in light of structural budget deficits that as many as 40 states may be facing. The surplus was achieved in part by releasing some of the vacant positions.

Michael Williams, Alaska, moved to approve the proposed budget. The motion passed by unanimous voice vote.

C. Treasurer's Financial Report for the Period July 1, 2025 – March 31, 2026

Mr. Ashley presented the report. Robert Kindred, District of Columbia, moved to approve the financial report. The motion passed by voice vote.

VI. Committee Reports

A. Audit Committee

Michael Williams, Alaska, Audit Committee Chair, reported that the Audit Committee has met twice previously during the fiscal year — on July 21, 2025, in Salt Lake City, Utah, and on November 19, 2025, in New Orleans, Louisiana. Attendance details for both meetings, including public and closed sessions, are set forth in the written report. At each meeting, the committee received updates on the status of open audits and a SALT case update from MTC legal staff. The committee met for the third time during the fiscal year on April 22, 2026, in Knoxville, at which it voted on audit selection for sales and income tax cases.

B. Litigation Committee

Ray Langenberg, Texas, Chair of the Litigation Committee, reported on the committee's recent activities. Full-day attorney training programs and information-sharing sessions were held on November 17, 2025, in conjunction with the fall meetings in New Orleans, and on April 20, 2026, in conjunction with the spring meetings in Knoxville. The Knoxville training included a presentation by Jason Luther, General Counsel of the South Carolina Department of Revenue, who shared lessons learned from his career, including the observation that, with respect to litigation, one should lead with the heart and the mind will follow.

C. Nexus Committee

Bryan Kelly, Washington, Chair of the Nexus Committee, reported that recoveries through the Multistate Voluntary Disclosure Program continue to be strong, although they are not at the level

reached in the prior year. The committee met on April 22, 2026, in Knoxville, having previously met on July 21, 2025, in Salt Lake City and on November 19, 2025, in New Orleans.

D. Strategic Planning Committee

Keith Richardson, District of Columbia, Vice Chair of the Strategic Planning Committee, reported on the committee's activities. Because Mr. Richardson moved from the Chair position to Vice Chair upon his appointment as Executive Director, the committee selected a new Chair at the Knoxville meeting. The committee also received an update from Chris Barber, Director of Operations, on the status of the Commission's AI Use Policy and from Lila Disque, Acting General Counsel, on the further development of training by the Commission.

E. Uniformity Committee

Phil Skinner, Idaho, Vice Chair of the Uniformity Committee, presented the committee update on behalf of Chair Laurie McElhatton, California. The full report is available in the online meeting materials. Project work group leaders provided more detailed reports on the specific uniformity projects, as set forth below.

1. State Taxation of Partnerships Project: Helen Hecht, MTC Uniformity Counsel, provided an update on the project. The work group, headed by Laurie McElhatton, California, has developed white papers and draft model provisions on the sourcing of income of investment partnerships, guaranteed payments for services made to individual partners, and partnership income of corporate and tiered partners, and has produced a draft combining those model sourcing provisions. The work group is currently taking input on the combined model.

2. Sales Tax on Digital Products Project: Tim Jennrich, Washington, provided the update. MTC staff have begun drafting sections of the white paper by topic, using input and research developed by the work group. As drafts are produced and reviewed by the work group leadership, they will be shared with work group members and the public for review and comment.

3. Model Receipts Sourcing Regulation Review Project: Katie Frank, California, presented. The work group has completed its review of revisions to the model rules for sourcing airline receipts, which are a separate item for consideration by the Executive Committee. The work group has also drafted revisions to the model special industry rule for sourcing receipts of television and radio broadcasters and has recommended those revisions to the Uniformity Committee. The work group is now soliciting additional receipts sourcing topics for consideration.

F. Other Committee Business

There was no other committee business.

VII. Report of the Executive Director

Mr. Richardson presented the Report of the Executive Director, summarizing organizational and staff activities for the first three quarters of fiscal year 2026 (July 1, 2025, through March 31, 2026), and referred the group to the written report available in the online meeting materials. He

highlighted activity in the Joint Audit Program, which completed four income tax audits and parts of three additional income tax audits and parts of six sales tax audits during the period, and proposed net income tax assessments of approximately $51.4 million and net sales tax assessments of approximately $2.7 million on completed and partially completed audits. He also reported on the National Nexus Program results for the third quarter of FY 2026 and on the legal staff's ongoing work, including support to the Uniformity and Litigation Committees, training programs delivered through the Commission's learning management system, an amicus brief filed in *Cruise Lines International Association, Inc. and United States v. Suganuma*, and litigation support and legal advice provided to a number of states. Mr. Richardson recognized recent staffing changes, including the departure of former Executive Director Greg Matson in February, his own appointment as Executive Director in March, the appointment of Lila Disque as Acting General Counsel, and the appointment of Chris Barber as Director of Operations. He also recognized the many outside presentations and events at which Commission staff represented the MTC during the reporting period.

VIII. Uniformity

A. Report of the Hearing Officer on the Proposed Revisions to the Airline Model Rule

Ms. Frank, the project chair, outlined the background and summary of the project. Jonathan White, MTC Counsel, then presented the report on the public hearing held on the proposed revisions to the Airline Model Rule, summarizing the comments received.

B. Consideration of the Proposed Revisions to the Airline Model Rule

Mr. Williams moved to approve the proposed revisions to the Airline Model Rule. The motion passed by unanimous voice vote. The proposed revisions will now proceed to a Bylaw 7 Survey.

C. Other Uniformity Matters

There were no other Uniformity matters.

IX. Upcoming Meetings

Mr. Richardson provided a brief update on upcoming meetings:

A. 59th Annual Meeting Week, July 27 – 30, 2026, Detroit, Michigan.

B. 2026 Fall Committee Meetings, November 9 – 12, 2026, Savannah, Georgia.

X. Adjournment

Upon motion of Donnita Wald, New Mexico, and with no objections being raised, the meeting adjourned at 9:57 a.m. Eastern Time.