



Tax Structuring

Staying Ahead

Tax structuring requires an understanding of overly complicated state and local tax laws. Whether you're developing deals or managing restructurings, Kilpatrick's attorneys understand that each transaction is unique, with its own set of goals and challenges. From the onset of deal planning, we're focused on creating a closing strategy that optimizes tax efficiency. We explore favorable jurisdictions, deal structures, and innovative tax strategies to minimize your exposures.

We provide transactional and technical advice to businesses seeking to comply with often unclear state tax laws and vague administrative guidance. We advise buyers and sellers on the state and local tax aspects of complex transactions, including whether transactions are subject to sales/use tax and real property transfer tax, and we provide due diligence to buyers to ensure that no hidden state tax landmines accompany the purchase.

We collaborate with your accountants, investment bankers, venture capitalists, in-house counsel, and asset managers to create solutions that respond to your opportunities. This synergy ensures that every aspect of your deal is scrutinized for potential tax implications, including income, sales and use, and gross receipts and payroll taxes.

We also help clients consider the go-forward implications of transactions for acquirers. For businesses expanding or creating a footprint in a state, we work to obtain statutory and discretionary state and local tax incentives and benefits. Our representation of sellers includes determining how to source transaction proceeds for sales tax and corporate income tax purposes and ascertaining whether the gain from a sale is apportionable or allocable for state corporate income tax purposes.

Post-closing, our commitment to your success continues. We stay ahead of national and local tax trends, ensuring your operations remain compliant while identifying new opportunities for tax planning. Our recommendations for audit positions and reserves are always created with your business's future in mind.

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