

Multistate Tax Alerts

Throughout the week, we highlight selected developments involving state tax legislative, judicial, and administrative matters. The alerts provide a brief summary of specific multistate developments relevant to taxpayers, tax professionals, and other interested persons. Read the recent alerts below or visit the archive.

Archive: <https://www2.deloitte.com/us/en/pages/tax/articles/multistate-tax-alert-archive.html?id=us:2em:3na:stm:awa:tax>

Oregon Tax Court reconsiders decision on apportionment of Subpart F and dividend income

On October 6, 2021, in *Oracle Corporation and Subsidiaries v. Oregon Department of Revenue*, the Oregon Tax Court, Regular Division (Tax Court), reconsidered cross motions for partial summary judgment in a case involving dividend income and Subpart F income received by a taxpayer from its wholly-owned controlled foreign corporations (CFCs) and analyzed whether Oregon law required the portion of dividend income and Subpart F income that is not subtracted from federal taxable income through Oregon's dividends-received deduction to be included in the taxpayer's sales factor. Ultimately, the Tax Court reversed its earlier decision and determined that Subpart F income constitutes apportionable receipts and also denied both parties' motions on the grounds that the remaining issue, determining the primary business activity of the taxpayer and its CFCs, was a factual matter.

This Multistate Tax Alert summarizes the Tax Court's decision.

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URL: <https://www2.deloitte.com/content/dam/Deloitte/us/Documents/us-tax-oregon-tax-court-reconsiders-decision-on-apportionment-of-subpart-f-and-dividend-income.pdf>

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