

**UNIVERSITY OF BALTIMORE**  
**TAX POLICY SEMINAR**  
**SPRING 2021**

**Course:** Tax Policy Seminar

**Instructors:** Andre Barnett  
[abarnett@ubalt.edu](mailto:abarnett@ubalt.edu)  
(704) 363-3947

Praveen Ayyagari  
[payyagari@ubalt.edu](mailto:payyagari@ubalt.edu)  
(815) 222-6103

**Office Hours:** Tuesdays and Wednesdays 6:30 p.m. – 8:00 p.m. (by appointment)

**Day/Time:** Thursday / 6:15 p.m. – 9:00 p.m.  
Online Course via Zoom

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**Course Description:**

Study of the evolution and structure of the federal income tax system from a public policy perspective with a focus on legal, economic, social, and practical considerations. Students will participate in class discussions, complete quizzes, and prepare a recommendation memorandum and position paper on separate tax policy issues, each approved by the instructors.

**Course Materials:**

Course materials consist of assigned readings from Christopher Hanna, Tax Policy in a Nutshell (2018) and the listed articles below. In lieu of purchasing the book, students can access it at <http://proxy-bl.researchport.umd.edu/login?url=https://subscription.westacademic.com> and search for the following ISBN: 9781683282648. The articles are available electronically and links have been provided below. Readings will be assigned for every class, and the instructors will expect students to utilize the readings to engage in class. Readings may be added or dropped over the course of the semester. Check TWEN and/or email for updates.

**Student Learning Outcomes:**

Upon conclusion of the course, students will be able to identify and analyze political, economic, and budgetary considerations relating to both federal tax policy proposals and existing tax provisions. Students will be able to write a tax policy paper analyzing an issue from both sides of the debate. Furthermore, students will be able to explain and utilize the criteria for evaluating a tax provision.

**Grades:**

Students will be graded as follows: 60% writing assessment (i.e., position paper and presentation), 20% class participation (attendance, participation, and completion of quizzes), and 20% interim assessment (recommendation memorandum and presentation).

Students will receive a separate document from the instructors with details about the position paper and recommendation memorandum, including suggested topics.

The 20% class participation grade consists of attendance, active participation during the lectures (e.g., asking at least one question in each class, presenting a brief summary of a relevant tax issue in the news), and completion of any assigned quizzes.

**Course Expectations:**

American Bar Association Standards for Law Schools establish guidelines for the amount of work students should expect to complete for each credit earned. Students should expect approximately one hour of classroom instruction and ***two hours of out-of-class work each week*** for each credit earned in a class, or an equivalent amount of work for other academic activities, such as simulations, externships, clinical supervision, co-curricular activities, and other academic work leading to the award of credit hours.

**Guest Lecturers:**

Tax policy experts will be invited to speak on various topics to the class. Students will be expected to ask at least one question of the guest lecturer in order to receive class participation credit for that class. The instructors will provide information about any upcoming guest lecturers before the relevant class.

**Attendance:**

Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. Satisfactory attendance means being present for live Zoom classes, completing quizzes or polls during class, and participating when called on for questions. Students are strongly encouraged to turn on their camera, keep the camera on for the duration of the class, and refrain from turning the camera on and off to minimize distractions. If students choose not to turn on their camera and are called on or otherwise asked to engage in class work and are in fact not present, they may be subject to discipline under the Honor Code for misrepresenting attendance.

A student who exceeds the maximum allowed absences (generally 20% of class sessions) as illustrated below may be compelled to withdraw from the course, or may be barred from submitting a final position paper. Students who are forced to withdraw for exceeding the allowed absences may receive a grade of FA (failure due to excessive absence). This policy is consistent with American Bar Association Standards for Law Schools.

Regular Semester Hours		
Credit Hours	Meetings Per Week	
	1	2
2	2 absences	5 absences
3	2 absences	5 absences
4	--	5 absences

**Course Web Site:**

This course has a TWEN page that links to this syllabus, announcements, class assignments, and other class materials. You are responsible for self-enrolling in the TWEN page and for checking it regularly for course information.

**Zoom:**

Classes will be held via Zoom, accessible on the course TWEN page. This course will utilize the Zoom polling feature for discussion questions and quizzes. The course may occasionally use the Zoom breakout rooms feature for class discussion. For more information on how to use Zoom, please visit the following link: <http://www.ubalt.edu/about-ub/offices-and-services/technology-services/instructional-technologies-av/ubzoomlanding.cfm>.

Faculty are required to record Zoom classes for the purposes of accommodating a disability, for students who cannot attend or so students who wish to review may have access to the full class content. All recordings are for the sole use of the class and may not be reproduced by students for any other purpose. Faculty cannot reproduce students' voices or images from the class for any other purpose without additional student consent. All such recordings are protected by a UB login process based on where they are posted. Students may mute their microphone or turn off their camera if they do not consent to be recorded, but this may mean they need to find additional ways to participate in the class discussion. In addition, students who turn off their camera and do not remain present for the class session may be subject to the Honor Code for misrepresenting attendance.

**Class Cancellation:**

If the instructors must cancel a class, notices will be sent to students via email and posted on TWEN. If there is inclement weather, students should visit the University of Baltimore web site or call the University's Snow Closing Line at (410) 837-4201. If the University is open, students should presume that classes are running on the normal schedule.

**Academic Integrity:**

Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or the School of Law. Violations of academic integrity include, but are not limited to: cheating; plagiarism; misuse of library materials; use of another's book or study materials without consent; unapproved multiple submissions; material misrepresentation of one's academic history or standing; misrepresentation of any academic matter; intentionally giving another student false or inaccurate information about class requirements; inappropriate discussion of exams; and

misrepresenting or falsifying class attendance reports. The School of Law Honor Code and information about the process is available at [https://law.ubalt.edu/academics/policiesandprocedures/honor\\_code/index.cfm](https://law.ubalt.edu/academics/policiesandprocedures/honor_code/index.cfm).

### **Course Evaluations**

It is a requirement of this course that students complete a course evaluation. The evaluation will be available later in the semester and is entirely anonymous. Faculty members will not have access to the feedback provided on course evaluations until after all grades are submitted.

### **Title IX Sexual Misconduct and Nondiscrimination Policy:**

The University of Baltimore's Sexual Misconduct and Nondiscrimination policy is compliant with federal laws prohibiting discrimination. Title IX requires that faculty, student employees and staff members report to the university any known, learned or rumored incidents of sex discrimination, including sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation and/or related experiences or incidents. Policies and procedures related to Title IX and UB's nondiscrimination policies can be found at: <http://www.ubalt.edu/titleix>.

### **Disability Policy:**

If you are a student with a documented disability who requires an accommodation for academic programs, exams, or access to the University's facilities, please contact Keri Hickey, Director of Student Support in the Office of Academic Affairs, at [khickey@ubalt.edu](mailto:khickey@ubalt.edu).

### **[Student Success Resources Syllabus Addendum](#)**

## **TAX POLICY SYLLABUS SPRING 2021**

All readings are available electronically either using the West Academic link referenced above or the links provided below.

### **January 14**

#### Class Overview

- Syllabus and overview of course
- Class assignments and expectations
- Discussion of position paper and recommendation memorandum

### **January 21**

#### Overview of the Tax Legislative Process and Study of Tax Policy

- Principles of tax policy
- Parties involved in the tax legislative process

#### Readings

- Hanna, Chapters 1 and 2
- Introduction to Legislative Process in the U.S. Congress, Congressional Research Service, November 15, 2018, available at <https://crsreports.congress.gov/product/pdf/R/R42843>
- Joint Committee on Taxation, *Joint Committee Role in the Legislative Process*, available at <http://www.jct.gov/about-us/role-of-jct.html>
- George K. Yin, *The Role of Nonpartisan Staff in the Legislative Process*, June 17, 2013, available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2261221](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2261221)

### **January 28**

#### Base of Taxation, Definition of Income, & Depreciation

- Base on which to impose a tax
- Haig-Simons definition of income
- Samuelson depreciation

#### Readings

- Hanna, Chapter 3, sections 1 – 8 (pages 53 – 96)
- Hanna, Chapter 4 and 5

### **February 4**

#### Tax Expenditures

#### Readings

- Spending and Tax Expenditures: Distinctions and Major Problems, available at <https://fas.org/sgp/crs/misc/R44530.pdf>
- Joint Committee on Taxation, *Estimates of Federal Tax Expenditures for Fiscal Years 2019-2023*, January 30, 2017, available at <https://www.jct.gov/publications.html?func=startdown&id=5238>
- Paul N. Van de Water and Chye-Ching Huang, *Budget and Tax Plans Should Not Rely on A "Dynamic Scoring", Estimates Are Highly Uncertain and Subject to Manipulation*, Center on Budget and Policy Priorities, November 17, 2014, available at <https://www.cbpp.org/sites/default/files/atoms/files/10-18-11bud.pdf>

## **February 11**

### Individual Income Tax Structure and Distribution of the Tax Burden

- Basic income tax concepts
- Distribution of tax burden
- Discuss Earned Income Tax Credit (EITC) & Child Tax Credit (CTC)

#### Readings

- Hanna, Chapter 7

## **February 18**

### Corporate Taxation

#### Readings

- Hanna, Chapter 8

## **February 25**

### Budget Reconciliation & Tax Cuts and Jobs Act of 2017 (TCJA)

#### Readings

- The Budget Reconciliation Process: Timing of Legislative Action, Congressional Research Service, February 2016, available at <https://fas.org/sgp/crs/misc/RL30458.pdf>
- The Budget Reconciliation Process: The Senate's "Byrd Rule", Congressional Research Service, November 23, 2016, available at <https://fas.org/sgp/crs/misc/RL30862.pdf>
- The Economic Effects of the 2017 Tax Revision: Preliminary Observations, Congressional Research Service, June 7, 2019, available at <https://fas.org/sgp/crs/misc/R45736.pdf>
- The 2017 Tax Revision (P.L. 115-97): Comparison to 2017 Tax Law, Congressional Research Service, February 6, 2018, available at <https://fas.org/sgp/crs/misc/R45092.pdf>

- Tax Cuts and Jobs Act, Conference report, available at <https://www.congress.gov/115/crpt/hrpt466/CRPT-115hrpt466.pdf>

## **March 4**

### CARES Act (2020)

- Analysis of process and provisions (e.g., Qualified Improvement Property and Employee Retention Tax Credit)

### Readings

- Hanna, Chapter 5
- The Coronavirus Aid, Relief, and Economic Security (CARES) Act – Tax Relief for Individuals and Businesses, Congressional Research Service, March 31, 2020, available at <https://crsreports.congress.gov/product/pdf/R/R46279>
- COVID-19 Employee Retention Tax Credit, Congressional Research Service, May 12, 2020, available at <https://crsreports.congress.gov/product/pdf/IN/IN11299>

## **March 11**

Recommendation memoranda presentations. Recommendation memoranda due.

## **March 18**

### State and Local Tax (SALT) Deduction

### Readings

- Chuck Marr, Kathleen Bryant, and Michael Leachman, *Repealing “SALT” Cap Would Be Regressive and Proposed Offset Would Use up Needed Progressive Revenues*, Center on Budget and Policy Priorities, December 10, 2019, available at <https://www.cbpp.org/sites/default/files/atoms/files/12-10-19tax.pdf>
- The SALT Cap: Overview and Analysis, Congressional Research Service, March 6, 2020, available at <https://crsreports.congress.gov/product/pdf/R/R46246>

## **March 25**

### Business and Labor Incentives (Work Opportunity Tax Credit, Research Tax Credit, Orphan Drug Tax Credit)

### Readings

- The Work Opportunity Tax Credit, Congressional Research Service, September 25, 2018, available at <https://fas.org/sgp/crs/misc/R43729.pdf>

- U.S. Government Accountability Office, *Tax Policy: The Research Tax Credit's Design and Administration Can Be Improved*, GAO-10-136, November 6, 2009, available at <http://www.gao.gov/new.items/d10136.pdf>
- Martin A. Sullivan, Economic Analysis: *Time to Scrap the Research Credit*, Tax Analysts, April 8, 2013, available at <http://www.taxhistory.org/www/features.nsf/Articles/B4E4F1D6C2A8B58085257B470058A573?OpenDocument>
- Federal Taxation of the Drug Industry and Its Effects on New Drug Development, Congressional Research Service, March 18, 2009, available at <https://crsreports.congress.gov/product/pdf/RL/RL31511>

## **April 1**

### **Taxation of Capital Gains**

- Discussion of political and economic considerations

#### **Readings**

- Hanna, Chapter 3, sections 9 (pages 96 - 100)
- Capital Gains, Congressional Research Service, March 16, 2018, available at <https://fas.org/sgp/crs/misc/96-769.pdf>
- Capital Gains Tax Options: Behavioral Responses and Revenues, May 20, 2020, available at <https://fas.org/sgp/crs/misc/R41364.pdf>

## **April 8 & 15**

### **Place-Based Tax Incentives (Empowerment Zones, Enterprise Zones, Opportunity Zones)**

#### **Readings**

- Jeff Ernsthansen and Justin Elliott, *One Trump Tax Cut Was Meant to Help the Poor. A Billionaire Ended Up Winning Big*, MSN, June 23, 2019, available at <https://www.propublica.org/article/trump-inc-podcast-one-trump-tax-cut-meant-to-help-the-poor-a-billionaire-ended-up-winning-big>
- Noah Buhayar and Lauren Leatherby, *Welcome to Tax Breaklandia*, Bloomberg Businessweek, January 18, 2019, available at <https://www.bloomberg.com/graphics/2019-portland-opportunity-zones/>
- U.S. Government Accountability Office, *Empowerment Zone and Enterprise Community Program: Improvements Occurred in Communities, but the Effect of the Program Is Unclear*, September 2006, available at <https://www.gao.gov/assets/260/251626.pdf>

## **April 22**

Position paper presentations. Position papers due.