

House Bill 161

By: Representatives Chandler of the 105th, Welch of the 110th, Weldon of the 3rd, Kendrick of the 93rd, Dickerson of the 113th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated,
2 relating to imposition, rate, composition, and exemptions from income taxes, so as to create
3 a new exemption for contributions used to promote the well-being of certain children; to
4 provide for procedures, conditions, and limitations; to provide for related matters; to provide
5 for an effective date and applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to
9 imposition, rate, composition, and exemptions from income taxes, is amended by adding a
10 new Code section to read as follows:

11 "48-7-29.20.

12 (a) A taxpayer shall be allowed a credit against the tax imposed by Code Section 48-7-20
13 for the unreimbursed fees paid for service requiring more than the base level of watchful
14 oversight or the donation of money to pay any portion of the costs associated with a person
15 requiring more than the base level of watchful oversight from registered child care
16 institutions, child-placing agencies, children's transition care centers, maternity homes,
17 residential mental health facilities for children or adolescents, or outdoor child care
18 programs. The amount of such credit shall be up to \$2,000.00 per qualified child per
19 taxable year.

20 (b) The Division of Family and Children Services of the Department of Human Services
21 shall be authorized to promulgate any rules and regulations necessary to implement and
22 administer the provisions of this Code section. The Division of Family and Children
23 Services shall provide the Department of Revenue with a list of registered child care
24 institutions, child-placing agencies, children's transition care centers, maternity homes,
25 residential mental health facilities for children or adolescents, and outdoor child care
26 programs.

27 (c) In no event shall the total amount of the tax credit under this Code section for a taxable
28 year exceed the taxpayer's income tax liability. Any unused tax credit shall be allowed to
29 be carried forward to apply to the taxpayer's succeeding years' tax liability. No such tax
30 credit shall be allowed the taxpayer against prior years' tax liability.

31 (d) In no event shall the total amount of tax credits allowed by this Code section exceed
32 \$2.5 million.

33 (e) The commissioner shall be authorized to promulgate any rules and regulations
34 necessary to implement and administer this Code section."

35 **SECTION 2.**

36 This Act shall become effective on July 1, 2015, and shall be applicable to all taxable years
37 beginning on or after January 1, 2015.

38 **SECTION 3.**

39 All laws and parts of laws in conflict with this Act are repealed.