

House Bill 512

By: Representative Kendrick of the 95th

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 the imposition, rate, computation, exemptions, and credits relative to income
3 taxes, so as to provide for a tax credit for small business employers that employ certified
4 workforce-ready graduates in high-tech full-time jobs in this state; to require the Department
5 of Labor to establish criteria; to provide for conditions and limitations; to provide for
6 definitions; to provide for rules and regulations; to provide for related matters; to provide for
7 an effective date and applicability; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the
11 imposition, rate, computation, exemptions, and credits relative to income taxes, is amended
12 by adding a new Code section to read as follows:

13 "48-7-40.37.

14 (a) As used in this Code section, the term:

15 (1) 'Employer' means an enterprise or organization, whether corporation, partnership,
16 limited liability company, proprietorship, association, trust, business trust, real estate

17 trust, or other form of organization, and its affiliates, which is registered and authorized
18 to use the federal employment verification system known as 'E-Verify' or any successor
19 federal employment verification system and is engaged in or carrying on any business
20 activities within this state.

21 (2) 'High-tech full-time job' means employment:

22 (A) That is located in this state;

23 (B) As a data scientist, software developer, information security analyst, web
24 developer, computer sales engineer, information technology manager, computer
25 research scientist, network and systems administrator, or computer support specialist;

26 (C) By a small business as such term is defined in Code Section 50-5-121;

27 (D) Involves a regular work week of 30 hours or more;

28 (E) Has no predetermined end date; and

29 (F) Pays at or above the average hourly wage of the county with the lowest average
30 hourly wage in the state, as reported in the most recently available annual issue of the
31 Georgia Employment and Wages Averages Report of the Department of Labor.

32 (3) 'Workforce-ready graduate' means an individual certified by the Department of Labor
33 as having completed a workforce readiness program approved by the Department of
34 Labor in accordance with subsection (b) of this Code section.

35 (b) By January 1, 2024, the Department of Labor shall establish criteria for the
36 certification of workforce readiness programs and the certification of workforce-ready
37 graduates for the purposes of this Code section.

38 (c)(1) On and after January 1, 2024, an employer that employs a workforce-ready
39 graduate in a full-time job for at least 40 weeks during a 12 month period shall be eligible
40 for an income tax credit in the amount of \$9,600.00 for each workforce-ready graduate
41 so employed against the tax imposed under this article during such 12 month period;
42 provided, however, that any workforce-ready graduate first employed in a full-time job
43 by such employer before January 1, 2024, shall not qualify.

44 (2) An employer shall only be eligible to receive the credit provided by this subsection
45 once per individual.

46 (d) In no event shall the credit provided by subsection (c) of this Code section for a taxable
47 year exceed the employer's income tax liability. Any unused portion of the credit provided
48 by subsection (c) of this Code section shall be permitted to be carried forward and applied
49 to the employer's tax liability for the subsequent three years. The credit provided by
50 subsection (c) of this Code section shall not be applied against the employer's prior years'
51 tax liabilities.

52 (e) The commissioner shall promulgate rules and regulations and forms necessary to
53 implement and administer the provisions of this Code section."

54 **SECTION 2.**

55 This Act shall become effective on July 1, 2023, and shall be applicable to all taxable years
56 beginning on or after January 1, 2024.

57 **SECTION 3.**

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