

House Bill 95

By: Representatives Lim of the 99th, Park of the 101st, Schofield of the 60th, Dreyer of the 59th, Mainor of the 56th, 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, computation, and exemptions from income taxes, so as to provide
3 for a refundable earned income tax credit; to provide for rules and regulations; to provide for
4 related matters; to provide for an effective date and applicability; to repeal conflicting laws;
5 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, computation, and exemptions from income taxes, is amended by adding a
10 new Code section to read as follows:

11 "48-7-29.23.

12 (a) A taxpayer shall be allowed a credit against the tax imposed by Code Section 48-7-20
13 in an amount equal to 10 percent of the federal credit that such taxpayer is allowed under
14 Section 32 of the Internal Revenue Code. Such credit shall be allowed only if the
15 individual would have received the federal credit allowed under Section 32 of the Internal

16 Revenue Code after adding any carryforward of a net operating loss that was deducted
17 pursuant to such section in determining eligibility for the federal credit.

18 (b) If the total amount of the tax credit provided for in this Code section exceeds the
19 taxpayer's income tax liability for a taxable year, such excess funds shall be refunded to the
20 taxpayer.

21 (c) The commissioner shall be authorized to promulgate rules and regulations necessary
22 to implement and administer the provisions of this Code section."

23 **SECTION 2.**

24 This Act shall become effective on July 1, 2021, and shall be applicable to all taxable years
25 beginning on or after January 1, 2022.

26 **SECTION 3.**

27 All laws and parts of laws in conflict with this Act are repealed.