

## Senate Bill 6

By: Senators Albers of the 56th, Hufstetler of the 52nd, Mullis of the 53rd, Gooch of the 51st, Strickland of the 17th and others

**AS PASSED**

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 28 of the Official Code of Georgia Annotated, relating to the General  
2 Assembly, so as to provide for economic analyses to be conducted for certain tax benefits  
3 upon request by the chairpersons of the House Committee on Ways and Means and the  
4 Senate Finance Committee; to provide for limits; to provide for summaries to be attached to  
5 related fiscal notes; to amend Title 48 of the Official Code of Georgia Annotated, relating  
6 to revenue and taxation, so as to provide for a tax credit for medical equipment and supplies  
7 manufacturers and pharmaceutical and medicine manufacturers; to provide for definitions;  
8 to provide for conditions and limitations on certain tax credits; to provide for an effective  
9 date and applicability; to change jobs limits and revise the requirements for such tax credit  
10 for certain projects; to provide for tax credits for high-impact aerospace defense projects; to  
11 revise a job tax credit; to allow such tax credit to be taken in conjunction with certain other  
12 tax credits; to revise a manufacturing tax credit; to provide for reporting; to amend Code  
13 Section 48-7-40.34 of the Official Code of Georgia Annotated, relating to tax credit for Class  
14 III railroads and reporting, so as to extend an income tax credit for expenditures on the  
15 maintenance of railroad track owned or leased by Class III railroads; to amend Title 48 of the  
16 Official Code of Georgia Annotated, relating to revenue and taxation, so as to extend the  
17 sunset date for the exemption for projects of regional significance; to exempt sales of tickets,  
18 fees, or charges for admission to certain fine arts performances or exhibitions from sales and

19 use taxes; to provide for automatic repeal; to renew a sales tax exemption for maintenance  
20 and replacement parts used in machinery or equipment that is used to mix, agitate, and  
21 transport freshly mixed concrete; to extend the sunset provision for an exemption for sales  
22 taxes on certain tangible personal property sold or used to maintain, refit, or repair a boat  
23 during a single event; to revise certain tax credits for the rehabilitation of historic structures;  
24 to revise the aggregate cap; to provide for definitions; to repeal Section 2 of Ga. L. 2015, p.  
25 1340, approved May 12, 2015; to revise a limitation on business enterprises eligible for a tax  
26 credit for research and development; to revise an exemption for the sale or lease of certain  
27 computer equipment; to provide for clarification, with respect to a sales tax exemption for  
28 certain computer equipment, that the exclusion for telephone central office equipment or  
29 other voice data transport technology in subdivision (68)(C)(ii)(I) of Code Section 48-8-3,  
30 which became effective October 1, 2002, includes any wireline or wireless  
31 telecommunication system; to provide for reporting; to provide for an automatic repeal; to  
32 provide for related matters; to provide for short titles; to provide for an effective date; to  
33 repeal conflicting laws; and for other purposes.

34 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

35 **PART I**

36 **SECTION 1-1.**

37 Part I of this Act shall be known and may be cited as the "Tax Credit Return on Investment  
38 Act of 2021." Parts II through IV of this Act shall be known and may be cited as the  
39 "Georgia Economic Renewal Act of 2021." Part V of this Act shall be known and may be  
40 cited as the "Georgia Economic Recovery Act of 2021."

**SECTION 1-2.**

Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is amended by adding a new Code section to read as follows:

"28-5-41.1.

(a) An economic analysis shall include, but not be limited to, a good faith estimate as a result of the law or proposed law, on an annual basis for five years thereafter, of the following, on both a direct and indirect basis:

(1) Net change in state revenue;

(2) Net change in state expenditures, which shall include, but not be limited to, costs of administering the bill;

(3) Net change in economic activity; and

(4) If applicable, any net change in public benefit.

(b) On or before May 1 of each year, the chairperson of the House Committee on Ways and Means and the chairperson of the Senate Finance Committee may each request up to five economic analyses, which requests shall be transmitted to the Department of Audits and Accounts. The Department of Audits and Accounts shall contract with one or more independent auditors to complete all such analyses on or before December 1 of the year in which such analysis was requested. Each such request shall be limited to one existing provision of law or proposed law and shall specify one particular exemption, exclusion, or deduction from the base of a tax; credit against a tax; deferral of a tax; a rebate of taxes paid; tax abatement; or preferential tax rate to be analyzed.

(c) Copies of each completed economic analysis shall be provided to the House Budget and Research Office and the Senate Budget and Evaluation Office.

(d) If a fiscal note is requested pursuant to Code Section 28-5-42 and a relevant economic analysis has been conducted within one year of such request, the Office of Planning and Budget may prepare a summary of such economic analysis and attach it with the requested fiscal note.

(e) An economic analysis shall be conducted on the performance and outcomes of Code Section 33-1-25, which shall be completed by December 1, 2021."

**PART II**  
**SECTION 2-1.**

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended by adding a new Code section to read as follows:

"48-7-40.1B.

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

(1) 'Establishment' means an economic unit at a single physical location where business is conducted or where services or industrial operations are performed.

(2) 'Medical equipment and supplies manufacturer' means any business which is engaged in the manufacturing of medical equipment and supplies in this state. Such term shall be limited to establishments classified under the North American Industry Classification System (NAICS) Industry Code 3391 - Medical Equipment and Supplies Manufacturing. Such term shall not include retail businesses that sell medical equipment or supplies.

(3) 'Pharmaceutical and medicine manufacturer' means any business which is engaged in the manufacturing of pharmaceuticals or medicine in this state. Such term shall be limited to establishments classified under the North American Industry Classification System (NAICS) Industry Code 3254 - Pharmaceutical and Medicine Manufacturing. Such term shall not include retail businesses that sell pharmaceuticals or medicine.

(b)(1) When any medical equipment and supplies manufacturer or pharmaceutical and medicine manufacturer is qualified to claim a job tax credit pursuant to Code Section 48-7-40 or 48-7-40.1, for a qualifying job created on or after July 1, 2021, there shall be allowed an additional \$1,250.00 per job tax credit against the tax imposed under this article for those qualifying jobs to the extent that they are engaged in the qualifying

93 activities of manufacturing medical equipment or supplies or manufacturing  
94 pharmaceuticals or medicine in this state during the taxable year. Such medical  
95 equipment and supplies manufacturer or pharmaceutical and medicine manufacturer shall  
96 be eligible for such additional per job tax credit at an individual establishment of the  
97 business. If more than one business activity is conducted at an establishment, then only  
98 the jobs engaged in the qualifying activities of manufacturing medical equipment or  
99 supplies or manufacturing pharmaceuticals or medicine in this state shall be eligible for  
100 such additional per job tax credit.

101 (2) The additional tax credit provided for in paragraph (1) of this subsection shall be  
102 claimed separately from the job tax credit under Code Section 48-7-40 or 48-7-40.1 but  
103 shall, except as provided in this Code section, be allowed subject to the conditions and  
104 limitations set forth in Code Section 48-7-40 or 48-7-40.1 and shall be in addition to the  
105 credit allowed under Code Section 48-7-40 or 48-7-40.1; provided, however, that the  
106 amount allowed to offset taxes imposed by this article shall be 100 percent; and provided,  
107 further, that when such tax credit exceeds a business enterprise's liability for taxes  
108 imposed by this article in a taxable year, the excess may be taken as a credit against such  
109 business enterprise's quarterly or monthly payment under Code Section 48-7-103 in the  
110 same manner as provided under Code Section 48-7-40 or 48-7-40.1 but not subject to the  
111 dollar limitations provided therein. Additionally, such tax credit shall be disallowed  
112 during any year in which a business enterprise does not qualify as a medical equipment  
113 and supplies manufacturer or as a pharmaceutical and medicine manufacturer.

114 (3) The additional tax credit provided for in paragraph (1) of this subsection may be used  
115 in conjunction with the tax credit provided for under Code Section 48-7-40.15.

116 (c) The additional tax credit provided for under paragraph (1) of subsection (b) of this  
117 Code section shall be subject to the following conditions and limitations:

(1) Any tax credit claimed under subsection (b) of this Code section but not used in any taxable year may be carried forward for ten years from the close of the taxable year in which the qualified jobs were established; and

(2) No taxpayer shall be eligible for the tax credit provided for under subsection (b) of this Code section for any job for which the taxpayer claims the tax credit provided for under Code Section 48-7-40.1A, or for any job claimed pursuant to Code Section 48-7-40 or 48-7-40.1 prior to July 1, 2021.

(d) This Code section shall be effective as of July 1, 2021, and shall be applicable to taxable years beginning on or after January 1, 2021."

#### **SECTION 2-2.**

Said title is further amended in Code Section 48-7-40.1A, relating to job tax credit for PPE manufacturers, by adding a new paragraph to subsection (c) to read as follows:

"(3) No taxpayer shall be eligible for the tax credit provided for under subsection (b) of this Code section for any job for which the taxpayer claims the tax credit provided for under Code Section 48-7-40.1B."

#### **SECTION 2-3.**

Said title is further amended by revising subsections (g), (i), and (p) of Code Section 48-7-40.24, relating to conditions for taking job tax credit by business enterprises and calculating credit, as follows:

"(g) To qualify for the credit provided by this Code section, a new full-time job must be created by the close of the seventh taxable year following the business enterprise's withholding start date, unless the purchase or acquisition of qualified investment property is made as provided in paragraph (5) of subsection (a) of this Code section, in which case a new full-time job must be created by the close of the eighth taxable year following the business enterprise's withholding start date based on a \$600 million qualified investment

143 or the end of the tenth taxable year based on an \$800 million qualified investment. ~~In no~~  
144 ~~event may a credit be claimed under this Code section for more than 4,500 new full-time~~  
145 ~~employee jobs created by any one project; provided, however, that the taxpayer may claim~~  
146 ~~the credits provided by Code Sections 48-7-40 and 48-7-40.1 for any such additional jobs~~  
147 ~~if the taxpayer meets the terms and conditions thereof."~~

148 "(i)(1) Except as provided in subsection (g) of this Code section and paragraph (2) of this  
149 subsection, a taxpayer who is entitled to and takes credits provided by this Code section  
150 for a qualified project shall not be allowed to take any of the credits authorized by Code  
151 Section 48-7-40, 48-7-40.1, 48-7-40.2, 48-7-40.3, 48-7-40.4, 48-7-40.6, 48-7-40.7,  
152 48-7-40.8, 48-7-40.9, 48-7-40.10, 48-7-40.11, 48-7-40.15, 48-7-40.17, or 48-7-40.18 for  
153 jobs, investments, child care, or ground-water usage shifts created by, arising from,  
154 related to, or connected in any way with the same project. Provided such taxpayer  
155 otherwise qualifies, such taxpayer may take any credit authorized by Code Section  
156 48-7-40.5 for the costs of retraining an employee located at the site or sites of such  
157 project or the facility or facilities resulting therefrom, but only for costs incurred more  
158 than five years after the date the facility or facilities first become operational.

159 (2) On and after July 1, 2021, a taxpayer who is entitled to and takes credits authorized  
160 by this Code section for a high-impact aerospace defense project as such term is defined  
161 in Code Section 48-7-40.25 may also take the credits authorized by Code Section  
162 48-7-40.17 for such project; provided, however, that the taxpayer may not take the credits  
163 authorized by this Code section and Code Section 48-7-40.17 with respect to such project  
164 in the same taxable year."

165 "(p) Any taxpayer whose qualified project is certified on or after June 30, 2021, pursuant  
166 to paragraph (2) of subsection (b) of this Code section that subsequently claims the tax  
167 credit available under subsection (d) of this Code section in connection with the qualified  
168 project shall report annually to a panel composed of the commissioner of community  
169 affairs, the commissioner of economic development, and the director of the Office of

Planning and Budget, the total number of such taxpayer's full-time employees working at the qualified project and the total amount of qualified investment property made into the qualified project. Such reports shall be due by December 31 of each year. This annual reporting requirement will extend through the end of the recapture period as defined in paragraph (13) of subsection (a) of this Code section.

(q) Notwithstanding Code Sections 48-2-15, 48-7-60, and 48-7-61, such panel shall compile the annual reports provided pursuant to paragraph (p) of this Code section, and beginning June 30, 2026, and every two years thereafter, shall furnish a compiled report to the chairperson of the House Committee on Ways and Means and the chairperson of the Senate Finance Committee. Such compiled report shall aggregate the annual reports supplied by taxpayers whose qualified projects are subject to the reporting requirement in subsection (p) of this Code section.

(r) The commissioner shall promulgate any rules and regulations necessary to implement and administer this Code section."

#### **SECTION 2-4.**

Said title is further amended by revising Code Section 48-7-40.25, relating to conditions for credit for business enterprises with existing manufacturing facilities and calculating credit, as follows:

"48-7-40.25.

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

(1) 'Business enterprise' means any business or the headquarters of any such business which is engaged in manufacturing. Such term shall not include retail businesses.

(2) 'Force majeure' means any:

(A) Explosions, implosions, fire, conflagrations, accidents, or contamination;

(B) Unusual and unforeseeable weather conditions such as floods, torrential rain, hail, tornadoes, hurricanes, lightning, or other natural calamities or acts of God;



(C) Acts of war (whether or not declared), carnage, blockade, or embargo;

(D) Acts of public enemy, acts or threats of terrorism or threats from terrorists, riot, public disorder, or violent demonstrations;

(E) Strikes or other labor disturbances; or

(F) Expropriation, requisition, confiscation, impoundment, seizure, nationalization, or compulsory acquisition of the site of a qualified project or any part thereof;

but such term shall not include any event or circumstance that could have been prevented, overcome, or remedied in whole or in part by the taxpayer through the exercise of reasonable diligence and due care, nor shall such term include the unavailability of funds.

(3) 'Full-time employee' means an individual holding a full-time employee job.

(4) 'Full-time employee job' and 'full-time job' mean employment of an individual which:

(A)(i) With respect to a qualified project, is located in this state at the manufacturing facility resulting from such a qualified project; and

(ii) With respect to a high-impact aerospace defense project certified pursuant to paragraph (2) of subsection (b) of this Code section on or after July 1, 2021, is located in this state and results from such project;

(B) Involves a regular work week of 35 hours or more;

(C) Has no predetermined end date; and

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

For purposes of this paragraph, leased employees will be considered employees of the company using their services, and such persons may be counted in determining the company's credits under this Code section if their employment otherwise meets the definition of full-time job contained herein. In addition, an individual's employment shall not be deemed to have a predetermined end date solely by virtue of a mandatory retirement age set forth in a company policy of general application. The employment of

any individual in a bona fide executive, administrative, or professional capacity, within the meaning of Section 13 of the federal Fair Labor Standards Act of 1938, as amended, 29 U.S.C. Section 213(a)(1), as such act existed on January 1, 2002, shall not be deemed to have a predetermined end date solely by virtue of the fact that such employment is pursuant to a fixed-term contract, provided that such contract is for a term of not less than one year.

(4.1) 'High-impact aerospace defense project' means a qualified project with the additional limitations that it is:

(A) To be constructed by a business enterprise that is a prime aerospace defense contractor with greater than 40 percent of its revenues derived from sales to the United States government in its most recently completed tax year; and

(B) Certified by the commissioner of economic development as materially supportive of the mission of the Georgia Joint Defense Commission and the Governor's Defense Initiative. In making such a certification, the commissioner shall consider whether the project will support the goals of the Georgia Joint Defense Commission set forth in paragraphs (2), (3), and (4) of Code Section 20-4-121.

(5) 'Investment requirement' means the requirement that:

(A) With respect to a qualified project, a minimum of \$800 million in qualified investment property shall have been purchased or acquired for use in such a qualified project and be in service; or

(B) With respect to a high-impact aerospace defense project certified pursuant to paragraph (2) of subsection (b) of this Code section on or after July 1, 2021, a minimum of \$500 million in qualified investment property shall have been purchased or acquired for use in such project and be in service.

(6) 'Job maintenance requirement' means the requirement that the monthly average number of full-time employees employed by the business enterprise during the first 60 months of the recapture period must equal or exceed 90 percent of the job requirement.

(7) 'Job requirement' means the requirement that:

(A) With respect to a qualified project, the number of full-time employees must equal or exceed 1,800; or

(B) With respect to a high-impact aerospace defense project certified pursuant to paragraph (2) of subsection (b) of this Code section on or after July 1, 2021, the number of full-time employees must equal or exceed 1,000.

(8) 'Qualified investment property' means all real and personal property purchased or acquired by a taxpayer for use in a qualified project, including, but not limited to, amounts expended on land acquisition, improvements, buildings, building improvements, and machinery and equipment to be used in the manufacturing facility.

(9) 'Qualified project' means the construction of a new manufacturing facility in this state. For purposes of this paragraph, the term 'manufacturing facility' means a single facility, including contiguous parcels of land, improvements to such land, buildings, building improvements, and any machinery or equipment that is used in the process of making, fabricating, constructing, forming, or assembling a product from components or from raw, unfinished, or semifinished materials, and any support facility. For purposes of this paragraph, the term 'support facility' means any warehouses, distribution centers, storage facilities, research and development facilities, laboratories, repair and maintenance facilities, corporate offices, sales or marketing offices, computer operations facilities, or administrative offices that are contiguous to the manufacturing facility that results from a qualified project, constructed or expanded as part of the same such project, and designed primarily for activities supporting the manufacturing operations at such manufacturing facility.

(10) 'Recapture period' means the period of ten consecutive taxable years that commences after the taxable year in which the taxpayer has met both the investment requirement and the job requirement.

(b) A business enterprise that has operated an existing manufacturing facility in this state for the immediately three preceding years and that is planning a qualified project shall be allowed to take the credit provided by this Code section under the following conditions:

(1) An application is filed with the commissioner that:

(A) Describes the qualified project to be undertaken by the business enterprise, including when such project will commence;

(B) Certifies that such project will meet the investment requirement and the job requirement prescribed by this Code section, stating when the business enterprise expects to meet such requirements; and

(C) With respect to a high-impact aerospace defense project, certifies that the taxpayer will purchase or acquire a minimum of \$800 million in qualified investment property and will employ at least 1,800 full-time employees, stating when the business enterprise expects to meet such requirements; and

~~(C)~~(D) Certifies that during the recapture period applicable to such project the business enterprise will meet the job maintenance requirement prescribed by this Code section; and

(2) Following the commissioner's referral of the application to a panel composed of the commissioner of community affairs, the commissioner of economic development, and the director of the Office of Planning and Budget, said panel, after reviewing the application, certifies that the new facility will have a significant beneficial economic effect on the region for which it is planned. The panel shall make its determination within 30 days after receipt from the commissioner of the taxpayer's application and any necessary supporting documentation. Although the panel's certification may be based upon other criteria, a project that meets the minimum job and investment requirements specified in paragraph (1) of this subsection will have a significant beneficial economic effect on the region for which it is planned if one of the following additional criteria is met:

(A) The full-time employee jobs ~~that will be located at the manufacturing facility~~ resulting from such project will pay average wages that are, as determined by the Georgia Department of Labor for all jobs, for the county in question:

- (i) Twenty percent above such average wage for projects located in tier 1 counties;
- (ii) Ten percent above such average wage for projects located in tier 2 counties; or
- (iii) Five percent above such average wage for projects located in tier 3 or tier 4 counties; or

(B) The project demonstrates high growth potential based upon the prior year's Georgia net taxable income growth of over 20 percent from the previous year, if the taxpayer's Georgia net taxable income in each of the two preceding years also grew by 20 percent or more.

(c) Any lease for a period of five years or longer of any real or personal property used in a new manufacturing facility which would otherwise constitute qualified investment property shall be treated as the purchase or acquisition thereof by the lessee. The taxpayer may treat the full value of the leased property as qualified investment property in the year in which the lease becomes binding on the lessor and the taxpayer.

(d) A business enterprise whose application is approved shall be allowed a credit against the tax imposed under this article in an amount equal to 6 percent of the cost of all qualified investment property purchased or acquired by the business enterprise in such year, subject to the conditions and limitations set forth in this Code section. Where the amount of such credit exceeds a business enterprise's liability for such taxes in a taxable year, the excess may be taken as a credit against such business enterprise's quarterly or monthly payment under Code Section 48-7-103. The taxpayer may file an election with the commissioner to take such credit against quarterly or monthly payments under Code Section 48-7-103 that become due before the due date of the income tax return on which such credit may be claimed. In the event of such an election, the commissioner shall confirm with the taxpayer a date, which shall not be later than 30 days after receipt of the taxpayer's election, when

the taxpayer may begin to take the credit against such quarterly or monthly payments. Each employee whose employer receives credit against such business enterprise's quarterly or monthly payment under Code Section 48-7-103 shall receive credit against his or her income tax liability under Code Section 48-7-20 for the corresponding taxable year for the full amount which would be credited against such liability prior to the application of the credit provided for in this subsection. Credits against quarterly or monthly payments under Code Section 48-7-103 and credits against liability under Code Section 48-7-20 established by this subsection shall not constitute income to the taxpayer.

(e) The credit granted under subsection (d) of this Code section shall be subject to the following conditions and limitations:

(1) In order to qualify as a basis for the credit, the investment in qualified investment property must occur no sooner than ~~April 1, 2003~~ the date of application by the taxpayer for the qualified project pursuant to paragraph (1) of subsection (b) of this Code section.

The credit may be taken beginning with the taxable year in which the taxpayer has met both the investment requirement and the job requirement, and for such first year the credit may include qualified investment property purchased or acquired in prior years but after ~~March 31, 2003~~ the date of application by the taxpayer for the qualified project pursuant to paragraph (1) of subsection (b) of this Code section. For each year in which a taxpayer claims the credit, the taxpayer shall attach a schedule to the taxpayer's Georgia income tax return which will set forth the following information, as a minimum:

- (A) A description of the qualified project;
- (B) The amount of qualified investment property acquired during the taxable year;
- (C) The amount of tax credit claimed for the taxable year;
- (D) The amount of qualified investment property acquired in prior taxable years;
- (E) Any tax credit previously taken by the taxpayer against Georgia income tax liabilities or the taxpayer's quarterly or monthly payments under Code Section 48-7-103;

(F) The amount of tax credit carried over from prior years;

(G) The amount of tax credit utilized by the taxpayer in the current taxable year;

(H) The amount of tax credit to be carried over to subsequent tax years; and

(I) The monthly average number of full-time jobs during the taxable year;

(2) Any credit claimed under this Code section but not fully used in the manner prescribed in subsection (d) of this Code section may be carried forward for 15 years from the close of the later of:

(A) The taxable year in which the qualified investment property was acquired; or

(B) The taxable year in which both the job requirement and investment requirement are satisfied.

The sale, merger, acquisition, or bankruptcy of any business enterprise shall not create new eligibility in any succeeding business entity but any unused investment tax credit may be transferred and continued by any transferee of the business enterprise;

(3) In the initial year in which the taxpayer claims the credit granted in subsection (d) of this Code section, the taxpayer shall include in the description of the project required by subparagraph (A) of paragraph (1) of this subsection information which demonstrates that ~~the taxpayer has met both the investment requirement and project includes the acquisition of qualified investment property having an aggregate cost equal to or exceeding \$800 million and that the job requirement was satisfied~~ during such year; and

(4) The utilization of the credit granted in subsection (d) of this Code section shall have no effect on the taxpayer's ability to claim depreciation for tax purposes on the assets acquired by the taxpayer, nor shall the credit have any effect on the taxpayer's basis in such assets for the purpose of depreciation.

~~(f)(1) Except as provided in paragraph (2) of this subsection, in~~ no event may credits exceeding \$50 million in the aggregate be claimed under this Code section with respect to any one project.

(2) In no event shall a taxpayer claim credits exceeding \$100 million in the aggregate under this Code section with respect to a high-impact aerospace defense project.

(g)(1) Except as provided in paragraph (2) of this subsection, a ~~A~~ taxpayer who is entitled to and takes credits provided by this Code section with respect to a qualified project shall not be allowed to take any of the credits authorized by Code Section 48-7-40, 48-7-40.1, 48-7-40.2, 48-7-40.3, 48-7-40.4, 48-7-40.6, 48-7-40.7, 48-7-40.8, 48-7-40.9, 48-7-40.10, ~~48-7-40.11~~, 48-7-40.15, 48-7-40.17, 48-7-40.18, or 48-7-40.24 with respect to jobs, investments, child care, or ground-water usage shifts created by, arising from, related to, or connected in any way with the same project. Such taxpayer may take any credit authorized by Code Section 48-7-40.5 for the cost of retraining an employee located at the site of such project or the manufacturing facility resulting therefrom, but only with respect to costs incurred more than five years after the date the manufacturing facility first becomes operational.

(2) A taxpayer who is entitled to and takes credits authorized by this Code section for a high-impact aerospace defense project certified pursuant to paragraph (2) of subsection (b) of this Code section on or after July 1, 2021, may also take the credits authorized by Code Sections 48-7-40.17 and 48-7-40.24 for such project.

(h)(1) ~~Not~~ With respect to each qualified project, not more than 60 days after the close of the fifth taxable year within the recapture period, the taxpayer shall file a report, using such form and providing such information as the commissioner may reasonably require, concerning whether it met the job maintenance requirement. If the taxpayer ~~has failed~~ fails to meet the job maintenance requirement, ~~the~~ such taxpayer ~~will~~ shall forfeit ~~the~~ its right to all credits provided by this Code section for such project.

(2) Within 60 days after the close of the tenth taxable year within the recapture period, any taxpayer that takes a credit allowed under this Code section with respect to a high-impact aerospace defense project shall file a report, using such form and providing such information as the commissioner may reasonably require, which establishes that the



taxpayer purchased or acquired at least \$800 million in qualified investment property and employs at least 1,800 full-time employees with respect to such high-impact aerospace defense project. If the taxpayer fails to establish that such objectives were met by the close of the tenth taxable year within the recapture period, such taxpayer shall forfeit its right to all credits provided by this Code section for such project.

(3) A taxpayer that forfeits ~~such its~~ right as provided in paragraph (1) or (2) of this subsection is liable for all past taxes imposed by this article and all past payments under Code Section 48-7-103 that were forgone by the state as a result of the credits provided by this Code section, plus interest at the rate established by Code Section 48-2-40 computed from the date such taxes or payments would have been due if the credits had not been taken. No later than 90 days after notification by the commissioner that the taxpayer has failed to meet the job maintenance requirement or the objectives required of a high-impact aerospace defense project, the taxpayer shall file amended income tax and withholding tax returns for all affected periods that recalculate those liabilities without regard to the forfeited credits and shall pay any additional amounts shown on such returns, with interest as provided herein.

(i) A taxpayer who fails to meet the job maintenance requirement or the objectives required of a high-impact aerospace defense project because of force majeure may petition the commissioner for relief from such requirement. Such a petition must be made with and at the same time as the report required by subsection (h) of this Code section. If the commissioner determines that force majeure materially affected the taxpayer's ability to meet the job maintenance requirement, but that the portion of any year so affected was six months or less, the commissioner shall calculate the taxpayer's monthly average number of full-time employees for purposes of subsection (h) of this Code section by disregarding the affected months. If the commissioner determines that the affected portion of any such year was more than six months, the taxable year shall be disregarded in its entirety for

purposes of the job maintenance requirement and the recapture period applicable to the qualified project shall be extended for an additional year.

(j) If the manufacturing facility resulting from a qualified project is abandoned at any time during the recapture period, the taxpayer will forfeit the right to all credits provided by this Code section for such project. A taxpayer that forfeits such right is liable for all past taxes imposed by this article and all past payments under Code Section 48-7-103 that were forgone by the state as a result of the credits provided by this Code section, plus interest at the rate established by Code Section 48-2-40 computed from the date such taxes or payments would have been due if the credits had not been taken. For purposes of this subsection, a manufacturing facility will be considered abandoned if there is, for any reason other than force majeure, a complete cessation of manufacturing operations for a period of 12 consecutive months or more during the recapture period. Not more than 60 days after the close of the recapture period, the taxpayer shall file a report, using such form and providing such information as the commissioner may require, concerning whether such an abandonment occurred. No later than 90 days after notification by the commissioner that an abandonment occurred, the taxpayer shall file amended income tax and withholding tax returns for all affected periods that recalculate those liabilities without regard to the forfeited credits and shall pay any additional amounts shown on such returns, with interest as provided herein.

(k) Unless more time is allowed therefor by Code Section 48-7-82 or 48-2-49, the commissioner may make any assessment attributable to the forfeiture of credits claimed under this Code section for the periods covered by any amended returns filed by a taxpayer pursuant to subsections (h) and (j) of this Code section within one year from the date such returns are filed. If the taxpayer fails to file the reports or any amended return required by subsections (h) and (j) of this Code section, the commissioner may assess additional tax or other amounts attributable to the forfeiture of credits claimed under this Code section at any time.

462 (l) The commissioner shall promulgate any rules and regulations necessary to implement  
463 and administer this Code section."

464 **PART III**  
465 **SECTION 3-1.**

466 Reserved.

467 **PART IV**  
468 **SECTION 4-1.**

469 Code Section 48-7-40.34 of the Official Code of Georgia Annotated, relating to tax credit for  
470 Class III railroads and reporting, is amended by revising subsections (c) through (h) as  
471 follows:

472 "(c)(1) The credit given under this Code section shall only be allowed once for each mile  
473 of railroad track in each taxable year.

474 (2) Such credit shall be given for each taxable year beginning on or after  
475 January 1, 2019, and ending on or before December 30, ~~2023~~ 2026, in which the  
476 conditions of this Code section have been met.

477 (d) If a credit is given under this Code section with respect to any railroad track, the basis  
478 of such railroad track shall be reduced by the amount of the credit so allowed.

479 (e) The tax credits given to a Class III railroad by this Code section that are not used by  
480 such Class III railroad shall be freely assignable one time between January 1, 2019, and  
481 January 1, ~~2024~~ 2027, by written agreement to a taxpayer subject to the tax imposed by this  
482 chapter.

483 (f) On or before September 1 of 2020 and annually thereafter until ~~2024~~ 2027, the  
484 commissioner shall issue a report to the chairpersons of the Senate Finance Committee and

the House Committee on Ways and Means concerning the tax credit created by this Code section, which shall include the following statistics for the preceding taxable year:

(1) The total number of taxpayers that claimed a credit provided by this Code section; and

(2) The number and total value of all credits earned and all credits applied during such tax year pursuant to this Code section.

(g) The commissioner shall promulgate such forms, rules, and regulations as are necessary to implement and administer the provisions of this Code section.

(h) This Code section shall be automatically repealed on January 1, ~~2024~~ 2027."

## **PART V**

### **SECTION 5-1.**

Part 1 of Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding sales and use taxes, is amended by revising paragraph (93) of Code Section 48-8-3, relating to exemptions from sales and use taxes, as follows:

"(93)(A) For the period commencing January 1, 2012, until June 30, ~~2021~~ 2023, sales of tangible personal property used for and in the construction of a competitive project of regional significance.

(B) The exemption provided in subparagraph (A) of this paragraph shall apply to purchases made during the entire time of construction of the competitive project of regional significance so long as such project meets the definition of a competitive project of regional significance within the period commencing January 1, 2012, until June 30, ~~2021~~ 2023.

(C) The department shall not be required to pay interest on any refund claims filed for local sales and use taxes paid on purchases made prior to the implementation of this paragraph.

(D) As used in this paragraph, the term 'competitive project of regional significance' means the location or expansion of some or all of a business enterprise's operations in this state where the commissioner of economic development determines that the project would have a significant regional impact. The commissioner of economic development shall promulgate regulations in accordance with the provisions of this paragraph outlining the guidelines to be applied in making such determination;"

#### SECTION 5-2.

Said part is further amended by revising paragraph (100) of Code Section 48-8-3, relating to exemptions from sales and use taxes, as follows:

"(100)(A) Sales of tickets, fees, or charges for admission to a fine arts performance or exhibition conducted within a facility in this state that is owned or operated by an organization which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, or a museum of cultural significance, if such organization's or museum's mission is to advance the arts in this state and to provide arts, educational, and culturally significant programming and exhibits for the benefit and enrichment of the citizens of this state.

(B) As used in this paragraph, the term 'fine arts' means music performed by a symphony orchestra, poetry, photography, ballet, dance, opera, theater, dramatic arts, painting, sculpture, ceramics, drawing, watercolor, graphics, printmaking, and architecture.

(C) This paragraph shall stand repealed and reserved on December 31, 2022 Reserved;"

**SECTION 5-3.**

Said part is further amended in Code Section 48-8-3.2, relating to sales tax exemptions for manufacturers, definitions, exemption, applicability, and examples, by revising paragraph (12) of subsection (e) as follows:

"(12) ~~Until July 1, 2020~~ For the period commencing on July 1, 2021, and ending on June 30, 2026, maintenance and replacement parts for machinery or equipment, stationary or in transit, used to mix, agitate, and transport freshly mixed concrete in a plastic and unhardened state, including but not limited to mixers and components, engines and components, interior and exterior operational controls and components, hydraulics and components, all structural components, and all safety components, provided that sales and use taxes on motor fuel used as energy in a concrete mixer truck shall not be exempt or refundable; and"

**SECTION 5-4.**

Said part is further amended by revising Code Section 48-8-3.4, relating to maximum amount of sales and use tax on boats, annual reporting, and termination, as follows:

"48-8-3.4.

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

(1) 'Boat' means a vehicle used or capable of being used as a means of transportation on the water.

(2) 'Event' means an uninterrupted period of time beginning when a boat arrives at a maintenance, refit, or repair facility in this state and ending when such boat departs such facility.

(b) Notwithstanding any other provision of this article, the maximum amount of sales and use tax imposed and collected to maintain, refit, or repair a boat in this state during a single event shall not exceed \$35,000.00.

(c) The commissioner shall promulgate any rules and regulations necessary to implement and administer this Code section, including, but not limited to, calling for an annual report to be issued to the department and the chairpersons of the House Committee on Ways and Means and the Senate Finance Committee that contains the following:

(1) The number of full-time and part-time positions created by the seller during the preceding tax year;

(2) The average salary of individuals employed in the reported positions; and

(3) The total revenue generated and sales and use taxes collected from qualifying events during the preceding year.

(d) This Code section shall be automatically repealed on June 30, ~~2025~~ 2031."

## **PART VI**

### **SECTION 6-1.**

Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation and exemptions from state income taxes, is amended by revising Code Section 48-7-29.8, relating to tax credits for the rehabilitation of historic structures, as follows:

"48-7-29.8.

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

(1) 'Certified rehabilitation' means repairs or alterations to a certified structure which are certified by the Department of Community Affairs as meeting the United States Secretary of the Interior's Standards for Rehabilitation or the Georgia Standards for Rehabilitation as provided by the Department of Community Affairs.

(2) 'Certified structure' means a historic building or structure that is located within a national historic district, individually listed on the National Register of Historic Places, individually listed in the Georgia Register of Historic Places, or is certified by the

Department of Community Affairs as contributing to the historic significance of a Georgia Register Historic District.

(3) 'Historic home' means a certified structure which, or any portion of which is or will, within a reasonable period, be owned and used as the principal residence of the person claiming the tax credit allowed under this Code section. Historic home shall include any structure or group of structures that constitute a multifamily or multipurpose structure, including a cooperative or condominium. If only a portion of a building is used as such person's principal residence, only those qualified rehabilitation expenditures that are properly allocable to such portion shall be deemed to be made to a historic home.

(4) 'Qualified rehabilitation expenditure' means any qualified rehabilitation expenditure as defined by Section 47(c)(2) of the Internal Revenue Code of 1986 and any amount properly chargeable to a capital account expended in the substantial rehabilitation of a structure that by the end of the taxable year in which the certified rehabilitation is completed is a certified structure. This term does not include the cost of acquisition of the certified structure, the cost attributable to enlargement or additions to an existing building, site preparation, or personal property.

(5) 'Substantial rehabilitation' means rehabilitation of a certified structure for which the qualified rehabilitation expenditures, at least 5 percent of which must be allocable to the exterior during the 24 month period selected by the taxpayer ending with or within the taxable year, exceed:

(A) For a historic home, the lesser of \$25,000.00 or 50 percent of the adjusted basis of the property as defined in subparagraph (a)(1)(B) of Code Section 48-5-7.2; or, in the case of a historic home located in a target area, \$5,000.00; or

(B) For any other certified structure, the greater of \$5,000.00 or the adjusted basis of the property.



(6) 'Target area' means a qualified census tract under Section 42 of the Internal Revenue Code of 1986, found in the United States Department of Housing and Urban Development document number N-94-3821; FR-3796-N-01.

(b) A taxpayer shall be allowed a tax credit against the tax imposed by this chapter in the year that the certified rehabilitation is placed in service, which may be up to two years after the end of the taxable year for which the credit was originally reserved:

(1) In the case of a historic home, equal to 25 percent of qualified rehabilitation expenditures, except that, in the case of a historic home located within a target area, an additional credit equal to 5 percent of qualified rehabilitation expenditures shall be allowed; and

(2) In the case of any other certified structure, equal to 25 percent of qualified rehabilitation expenditures.

Qualified rehabilitation expenditures may only be counted once in determining the amount of the tax credit available, and more than one entity may not claim a credit for the same qualified rehabilitation expenditures.

(c)(1) In no event shall credits for a historic home exceed \$100,000.00 in any 120 month period.

(2) The maximum credit for any other individual certified structure shall be \$5 million for any taxable year, except in the case that the project creates 200 or more full-time, permanent jobs or \$5 million in annual payroll within two years of the placed in service date, in which case the project is eligible for credits up to \$10 million for an individual certified structure. In no event shall more than one application for any individual certified structure under this paragraph be approved in any 120 month period.

(3)(A) Prior to January 1, 2022, in In no event shall credits issued under this Code section for projects earning more than \$300,000.00 in credits exceed in the aggregate \$25 million per calendar year.

(B) For calendar year 2022, in no event shall credits issued under this Code section exceed \$5 million in aggregate for all projects earning \$300,000.00 or less, or \$25 million in aggregate for all projects earning more than \$300,000.00.

(C) On and after January 1, 2023, in no event shall credits be issued under this Code section.

(d)(1) A taxpayer seeking to claim a tax credit under paragraph (2) of subsection (b) of this Code section shall submit an application to the commissioner for preapproval of such tax credit. Such application shall include a precertification from the Department of Community Affairs certifying that the improvements to the certified structure are to be consistent with the Department of Community Affairs Standards for Rehabilitation. The Department shall have the authority to require electronic submission of such application in the manner specified by the department. The commissioner shall preapprove the tax credits within 30 days based on the order in which properly completed applications were submitted. In the event that two or more applications were submitted on the same day and the amount of funds available will not be sufficient to fully fund the tax credits requested, the commissioner shall prorate the available funds between or among the applicants. For applications on projects over the annual \$25 million limitation, those applications shall be given priority the following year.

(2) In order to be eligible to receive the credit authorized under subsection (b) of this Code section, a taxpayer must attach to the taxpayer's state tax return a copy of the completed certification of the Department of Community Affairs verifying that the improvements to the certified structure are consistent with the Department of Community Affairs Standards for Rehabilitation.

(e)(1) If the credit allowed under paragraph (1) of subsection (b) of this Code section in any taxable year exceeds the total tax otherwise payable by the taxpayer for that taxable year, the taxpayer may apply the excess as a credit for succeeding years until the earlier of:

(A) The full amount of the excess is used; or

(B) The expiration of the tenth taxable year after the taxable year in which the certified rehabilitation has been completed.

(2) Any tax credits with respect to credits earned by a taxpayer under paragraph (2) of subsection (b) of this Code section and previously claimed but not used by such taxpayer against its income tax may be transferred or sold in whole or in part by such taxpayer to another Georgia taxpayer, subject to the following conditions:

(A) A taxpayer who makes qualified rehabilitation expenditures may sell or assign all or part of the tax credit that may be claimed for such costs and expenses to one or more entities, but no further sale or assignment of any credit previously sold or assigned pursuant to this subparagraph shall be allowed. All such transfers shall be subject to the maximum total limits provided by subsection (c) of this Code section;

(B) A taxpayer who sells or assigns a credit under this Code section and the entity to which the credit is sold or assigned shall jointly submit written notice of the sale or assignment to the department not later than 30 days after the date of the sale or assignment. The notice must include:

(i) The date of the sale or assignment;

(ii) The amount of the credit sold or assigned;

(iii) The names and federal tax identification numbers of the entity that sold or assigned the credit or part of the credit and the entity to which the credit or part of the credit was sold or assigned; and

(iv) The amount of the credit owned by the selling or assigning entity before the sale or assignment and the amount the selling or assigning entity retained, if any, after the sale or assignment;

(C) The sale or assignment of a credit in accordance with this Code section does not extend the period for which a credit may be carried forward and does not increase the total amount of the credit that may be claimed. After an entity claims a credit for

eligible costs and expenses, another entity may not use the same costs and expenses as the basis for claiming a credit;

(D) Notwithstanding the requirements of this subsection, a credit earned or purchased by, or assigned to, a partnership, limited liability company, Subchapter 'S' corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of that entity and claimed under this Code section in accordance with the provisions of any agreement among the partners, members, or shareholders of that entity and without regard to the ownership interest of the partners, members, or shareholders in the rehabilitated certified structure, provided that the entity or person that claims the credit must be subject to Georgia tax; and

(E) Only a taxpayer who earned a credit, and no subsequent good faith transferee, shall be responsible in the event of a recapture, reduction, disallowance, or other failure related to such credit.

(3) No such credit shall be allowed the taxpayer against prior years' tax liability.

(f) In the case of any rehabilitation which may reasonably be expected to be completed in phases set forth in architectural plans and specifications completed before the rehabilitation begins, a 60 month period may be substituted for the 24 month period provided for in paragraph (5) of subsection (a) of this Code section.

(g)(1) Except as otherwise provided in subsection (h) of this Code section, in the event a tax credit under this Code section has been claimed and allowed the taxpayer, upon the sale or transfer of the certified structure, the taxpayer shall be authorized to transfer the remaining unused amount of such credit to the purchaser of such certified structure. If a historic home for which a certified rehabilitation has been completed by a nonprofit corporation is sold or transferred, the full amount of the credit to which the nonprofit corporation would be entitled if taxable shall be transferred to the purchaser or transferee at the time of sale or transfer.

(2) Such purchaser shall be subject to the limitations of subsection (e) of this Code section. Such purchaser shall file with such purchaser's tax return a copy of the approval of the rehabilitation by the Department of Community Affairs as provided in subsection (d) of this Code section and a copy of the form evidencing the transfer of the tax credit.

(3) Such purchaser shall be entitled to rely in good faith on the information contained in and used in connection with obtaining the approval of the credit including, without limitation, the amount of qualified rehabilitation expenditures.

(h)(1) If an owner other than a nonprofit corporation sells a historic home within three years of receiving the credit, the seller shall recapture the credit to the Department of Revenue as follows:

(A) If the property is sold within one year of receiving the credit, the recapture amount will equal the lesser of the credit or the net profit of the sale;

(B) If the property is sold within two years of receiving the credit, the recapture amount will equal the lesser of two-thirds of the credit or the net profit of the sale; or

(C) If the property is sold within three years of receiving the credit, the recapture amount will equal the lesser of one-third of the credit or the net profit of the sale.

(2) The recapture provisions of this subsection shall not apply to a sale resulting from the death of the owner.

(i)(1) In the event that a taxpayer claims the tax credit under paragraph (2) of subsection (b) of this Code section and leases such certified structure, the department shall aggregate all total sales tax receipts from the certified structure.

(2) Any taxpayer claiming credits under paragraph (2) of subsection (b) of this Code section shall report to the department the average full-time employees employed at the certified structure. A full-time employee for the purposes of this Code section shall mean a person who works a job that requires 30 or more hours per week. Such reports must be

submitted to the department for five calendar years following the year in which the credit is claimed by the taxpayer.

(3) In the event that a taxpayer claims the tax credit under paragraph (2) of subsection (b) of this Code section and leases such certified structure, the department shall aggregate all total full-time employees at the certified structure.

(j) Notwithstanding Code Sections 48-2-15, 48-7-60, and 48-7-61, the department shall furnish a report to the chairperson of the House Committee on Ways and Means and the chairperson of the Senate Finance Committee by June 30 of each year. Such report shall contain the total sales tax collected in the prior calendar year and the average number of full-time employees at the certified structure and the total value of credits claimed for each taxpayer claiming credits under paragraph (2) of subsection (b) of this Code section.

(k) The tax credit allowed under paragraph (1) of subsection (b) of this Code section, and any recaptured tax credit, shall be allocated among some or all of the partners, members, or shareholders of the entity owning the project in any manner agreed to by such persons, whether or not such persons are allocated or allowed any portion of any other tax credit with respect to the project.

(l) The Department of Community Affairs and the Department of Revenue shall prescribe such regulations as may be appropriate to carry out the purposes of this Code section.

(m) The Department of Community Affairs shall report, on an annual basis, on the overall economic activity, usage, and impact to the state from the rehabilitation of eligible properties for which credits provided by this Code section have been allowed.

(n) This Code section shall stand repealed and reserved by operation of law on December 31, 2022."

## **SECTION 6-2.**

Section 2 of Ga. L. 2015, p. 1340, approved May 12, 2015, is hereby repealed in its entirety.

**PART VII**  
**SECTION 7-1.**

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended by revising paragraph (3) of subsection (a) of Code Section 48-7-40.12, relating to tax credit for qualified research expenses, as follows:

"(3) 'Business enterprise' means any business or the headquarters of any such business which is engaged in manufacturing, warehousing and distribution, processing, telecommunications, broadcasting, tourism, and research and development industries. Such term shall not include retail businesses. Any business or the headquarters of any such business that otherwise meets the definition of a business enterprise shall not be considered a retail business due to the retail activities of any of its affiliate entities, as such term is defined in subsection (a) of Code Section 48-7-42."

**SECTION 7-2.**

Said title is further amended by revising paragraph (68) of Code Section 48-8-3, relating to exemptions, as follows:

"(68)(A) The sale or lease of computer equipment to be incorporated into a facility or facilities in this state to any high-technology company classified under the 2017 North American Industrial Classification System code ~~51121, 51331, 51333, 51334, 51421, 52232, 54133, 54171, 54172, 334413, 334611, 513321, 513322, 514191, 334614, 511210, 517311, 517312, 517410, 517911, 517919, 518210, 522320, 541330, 541511, 541512, 541513, or 541519, 541713, 541715, or 541720~~ where such sale of computer equipment for any calendar year exceeds \$15 million or, in the event of a lease of such computer equipment, the fair market value of such leased computer equipment for any calendar year exceeds \$15 million.

(B) Any person making a sale or lease of computer equipment to a high-technology company as specified in subparagraph (A) of this paragraph shall collect the tax imposed on the sale by this article unless the purchaser furnishes such seller with a certificate issued by the commissioner certifying that the purchaser is entitled to purchase the computer equipment without paying the tax. As a condition precedent to the issuance of the certificate, the commissioner, at such commissioner's discretion, may require a good and valid bond with a surety company authorized to do business in this state as surety or may require legal securities, in an amount fixed by the commissioner, conditioned upon payment by the purchaser of all taxes due under this article in the event it should be determined that the sale fails to meet the requirements of this subparagraph.

(C)(i) As used in this paragraph, the term 'computer equipment' means any individual computer or organized assembly of hardware or software, such as a server farm, mainframe or midrange computer, mainframe driven high-speed print and mailing devices, and workstations connected to those devices via high bandwidth connectivity such as a local area network, wide area network, or any other data transport technology which performs one of the following functions: storage or management of production data, hosting of production applications, hosting of application systems development activities, or hosting of applications systems testing.

(ii) The term shall not include:

(I) Telephone central office equipment or other voice data transport technology, including any wireline or wireless telecommunication system; or

(II) Equipment with imbedded computer hardware or software which is primarily used for training, product testing, or in a manufacturing process.

(D) Any corporation, partnership, limited liability company, or any other similar entity which qualifies for the exemption and is affiliated in any manner with a nonqualified



corporation, partnership, limited liability company, or any other similar entity must conduct at least a majority of its business with entities with which it has no affiliation.

(E) Each high-technology company that has been issued a certificate of exemption pursuant to this paragraph shall report annually to the commissioner a list of the facilities for which all computer equipment exempted by this paragraph during the preceding calendar year was incorporated, as well as the amount of taxes exempted under this paragraph during the preceding calendar year. Such report shall be filed within 90 days after the end of the calendar year for which the high-technology company utilized a certificate of exemption pursuant to this paragraph and shall be subject to the confidentiality provisions of Code Section 48-2-15. The commissioner shall not issue a certificate of exemption under this paragraph for the calendar year next succeeding the reporting date to any high-technology company that has failed to comply with the reporting required by this subparagraph.

(F) The commissioner shall promulgate such rules and regulations as are necessary to implement the provisions of this paragraph.

(G) This paragraph shall stand repealed and reserved by operation of law at the last moment of June 30, 2023."

## **PART VIII**

### **SECTION 8-1.**

This Act shall become effective on July 1, 2021.

### **SECTION 8-2.**

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