

House Bill 1461

By: Representative Royal of the 164th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 48-7-40.12 of the Official Code of Georgia Annotated, relating to
2 the state income tax credit for qualified research expenses, so as to change certain provisions
3 with respect to carrying forward unused credit; to provide an effective date; to provide for
4 applicability; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 48-7-40.12 of the Official Code of Georgia Annotated, relating to the state
8 income tax credit for qualified research expenses, is amended by striking subsection (d) and
9 inserting in its place a new subsection (d) to read as follows:

10 "(d) Any unused credit claimed under this Code section may be carried forward ~~ten years~~
11 ~~from the close of the taxable year in which the qualified research expenses were made to~~
12 apply to succeeding years' tax liability of the business enterprise. The credit taken in any
13 one taxable year shall not exceed 50 percent of the business enterprise's remaining Georgia
14 net income tax liability after all other credits have been applied."

15 **SECTION 2.**

16 This Act shall become effective upon its approval by the Governor or upon its becoming law
17 without such approval and shall be applicable to all taxable years beginning on or after
18 January 1, 2002.

19 **SECTION 3.**

20 All laws and parts of laws in conflict with this Act are repealed.