

House Bill 609 (COMMITTEE SUBSTITUTE) (AM)

By: Representatives Jackson of the 148<sup>th</sup>, Stephens of the 150<sup>th</sup>, Day of the 153<sup>rd</sup> and Heard of the 89<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 48-7-40.15 of the Official Code of Georgia Annotated, relating to alternative income tax credits for base year port traffic increases, so as to increase the amount of such credits; to remove certain limitations; to provide for automatic repeal; to provide an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 48-7-40.15 of the Official Code of Georgia Annotated, relating to alternative income tax credits for base year port traffic increases, is amended by striking subsections (b) and (c) and inserting in their place new subsections (b) and (c) to read as follows:

"(b)(1) In the case of any business enterprise which has increased its port traffic of products during the previous 12 month period by more than 10 percent above its base year port traffic and is qualified to claim a job tax credit under Code Section 48-7-40 for jobs added at any time ~~between~~ on or after January 1, 1998, ~~and July 1, 2002~~, there shall be allowed an additional ~~\$500.00~~ \$1250.00 job tax credit against the tax imposed under this article.

(2) The tax credit described in this subsection shall be allowed subject to the conditions and limitations set forth in Code Section 48-7-40 and shall be in addition to the credit allowed under Code Section 48-7-40; provided, however, such credit shall not be allowed during a year if the port traffic does not remain above the minimum level established in this Code section.

(c) In the case of any business enterprise which has increased its port traffic of products during the previous 12 month period by more than 10 percent above its base year port traffic and is qualified to claim a tax credit under Code Section 48-7-40.2, 48-7-40.3, 48-7-40.4, 48-7-40.7, 48-7-40.8, or 48-7-40.9 upon qualified investment property added at any time ~~between~~ on or after January 1, 1998, ~~and July 1, 2002~~, there shall be allowed a credit against the tax imposed under this article in an amount equal to the applicable

1 percentage amount otherwise allowed under Code Section 48-7-40.2 or 48-7-40.7 to  
2 business enterprises for the cost of such property. The tax credit described in this  
3 subsection shall be allowed subject to the conditions and limitations set forth in Code  
4 Section 48-7-40.2 or 48-7-40.7, as applicable, except that such property may be placed in  
5 service in any county without regard to its tier designation. Such credit shall also be in lieu  
6 of and not in addition to the credit authorized under Code Sections 48-7-40.2, 48-7-40.3,  
7 48-7-40.4, 48-7-40.7, 48-7-40.8, and 48-7-40.9."

#### 8 **SECTION 1A.**

9 Said Code section is further amended by adding a new subsection at the end thereof, to be  
10 designated subsection (f), to read as follows:

11 "(f) This Code section shall stand repealed in its entirety on January 1, 2008."

#### 12 **SECTION 2.**

13 This Act shall become effective upon its approval by the Governor or upon its becoming  
14 law without such approval and shall be applicable to all taxable years beginning on or  
15 after January 1, 2001.

#### 16 **SECTION 3.**

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