

House Bill 59

By: Representatives Jamieson of the 22nd, Royal of the 140th, Houston of the 139th, Buck of the 112th and Sims of the 130th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 48-7-120 of the Official Code of Georgia Annotated, relating to
2 failure to pay estimated income tax, so as to change the method of calculating underpayment
3 amounts; to provide an effective date; to provide for applicability; to repeal conflicting laws;
4 and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 48-7-120 of the Official Code of Georgia Annotated, relating to failure to pay
8 estimated income tax, is amended by striking subsection (b) and inserting in its place a new
9 subsection (b) to read as follows:

10 "*(b) Amount of underpayment.* For purposes of subsection (a) of this Code section, the
11 amount of the underpayment shall be the ~~excess~~ lesser of paragraph (1) of this subsection
12 or an amount equal to 100 percent of the tax shown on the return of the taxpayer for the
13 preceding taxable year over paragraph (2) of this subsection when those paragraphs are as
14 follows:

- 15 (1) The amount of the installment which would be required to be paid if the estimated
16 tax were equal to 70 percent (66 2/3 percent in the case of individuals referred to in
17 subsection (b) of Code Section 48-7-115, relating to income from farming and fishing)
18 of the tax shown on the return for the taxable year or, if no return was filed, 70 percent
19 (66 2/3 percent in the case of individuals referred to in subsection (b) of Code Section
20 48-7-115, relating to income from farming and fishing) of the tax for the year; and
21 (2) Any amount of the installment paid on or before the last date prescribed for
22 payment."

