

House Bill 564

By: Representatives Drenner of the 57th, Porter of the 119th, Benfield of the 56th, Post 1, Noel of the 44th and Gardner of the 42nd, Post 3

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, and computation of income taxes, so as to provide that an
3 individual taxpayer shall be entitled to an income tax credit for the purchase of a qualified
4 premium energy efficient appliance for use in the taxpayer's residence; to provide that the
5 Environmental Protection Division of the Department of Natural Resources develop
6 standards for and certify qualified premium energy efficient appliances; to provide for the
7 amount of such credits and their application; to provide for related matters; to repeal
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

11 Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to
12 imposition, rate, and computation of income taxes, is amended by adding a new Code
13 Section 48-7-29.9 to read as follows:

14 "48-7-29.9.

15 (a) For taxable years beginning on or after January 1, 2004, an individual taxpayer shall
16 be entitled to an income tax credit for the purchase during the taxable year of a qualified
17 premium energy efficient appliance for use in the taxpayer's residence, as provided in this
18 Code section.

19 (b) The Environmental Protection Division of the Department of Natural Resources shall
20 certify qualified premium energy efficient appliances for purposes of this Code section.
21 The division shall establish energy efficiency standards for premium qualified appliances
22 substantially in conformity with the following specifications:

23 (1) Clothes washer efficiency performance shall be determined using the United States
24 Department of Energy Appendix JI test procedure for residential clothes washers and in
25 order to qualify:

- 1 (A) A clothes washer with a tub volume greater than 2.0 cubic feet shall have a
2 minimum Modified Energy Factor (MEF) of 1.40 and a maximum Water Factor (WF)
3 of 9.50 gallons/cubic foot/cycle; and
- 4 (B) A clothes washer with a tub of 2.0 cubic feet or less shall have a minimum
5 Modified Energy Factor (MEF) of 1.40 and a maximum Water Factor (WF) of 10.25
6 gallons/cubic foot/cycle;
- 7 (2) Refrigerator/freezers shall have at least 15 percent lower energy consumption than
8 that allowed by the July 1, 2001, United States Department of Energy standard for
9 refrigerator/freezers;
- 10 (3) Freezers shall have at least 15 percent lower energy consumption than that allowed
11 by the July 1, 2001, United States Department of Energy standard for freezers;
- 12 (4) Dishwashers shall have an Energy Factor of 0.58 cycles/kWh or better; and
- 13 (5) Water heater efficiency requirements shall be based on the Energy Factor established
14 by the United States Department of Energy, as derived from the USDOE Appendix E test
15 procedure for residential water heating equipment and:
- 16 (A) Electric units shall have an energy factor of 1.0 or greater; and
- 17 (B) Natural gas, propane, or oil fired units shall have an Energy Factor of 0.70 or
18 greater.
- 19 (c) The amount of the credit allowed by this Code section shall be 25 percent of the
20 purchase price of the qualified premium energy efficient appliance.
- 21 (d) In no event shall the total amount of the tax credit under this Code section for a taxable
22 year exceed the taxpayer's income tax liability. Any unused tax credit shall be allowed to
23 be carried forward to apply to the taxpayer's next three succeeding years' tax liability. No
24 such tax credit shall be allowed the taxpayer against prior years' tax liability."

25 **SECTION 2.**

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