

The Senate Finance Committee offered the following substitute to HB 556:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and
2 taxation, so as to provide for additional administrative powers, duties, and authorities of the
3 state revenue commissioner; to provide for dissemination of certain information regarding
4 tax executions; to provide for additional fees with respect to collection of tax liabilities; to
5 increase the amount of the retirement income exclusion for state income tax purposes; to
6 provide for extended filing and payment dates with respect to certain returns which have
7 been electronically filed; to provide for related matters; to provide an effective date; to repeal
8 conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
12 amended by adding a new Code section immediately following Code Section 48-3-28, to be
13 designated Code Section 48-3-29, to read as follows:

14 "48-3-29.

15 The commissioner may publish in the media or on the Internet for public access any or all
16 information with respect to executions issued for the collection of any tax, fee, license,
17 penalty, interest, or collection costs due the state which are recorded on the public records
18 of any county. The publication provided for in this Code section shall not constitute an
19 unlawful disclosure of any information even though the executions giving rise to the
20 information may be subsequently partially paid, paid and canceled, or withdrawn. The
21 commissioner shall provide for the removal of such information as published under this
22 Code section as soon as reasonably possible after the execution has been satisfied or
23 withdrawn."

1 Returns of corporations made on the basis of a calendar year shall be filed on or before the
 2 fifteenth day of March following the close of the calendar year, and returns of corporations
 3 made on the basis of a fiscal year shall be filed on or before the fifteenth day of the third
 4 month following the close of the fiscal year. Returns required for a taxable year relating to
 5 returns of domestic import sales corporations and former domestic import sales
 6 corporations and foreign sales corporations shall be filed on or before the fifteenth day of
 7 the ninth month following the close of the taxable year. The commissioner may allow
 8 further time for filing returns in the case of sickness or other disability or whenever in his
 9 judgment good cause exists for the extension. In case a taxpayer is granted an extension of
 10 time to file a return, the commissioner may require a tentative return to be filed on or
 11 before the due date of the return for which the extension is granted. A tentative return shall
 12 be made on the usual form, shall be plainly marked 'tentative,' shall state the estimated
 13 amount of the tax believed to be due, and shall be properly signed by the taxpayer."

14 SECTION 5.

15 Said title is further amended by striking Code Section 48-7-80, relating to time and place of
 16 payment of tax on basis of calendar or fiscal year, and inserting in its place a new Code
 17 Section 48-7-80 to read as follows:

18 "48-7-80.

19 The total amount of tax imposed by this chapter on taxpayers other than corporations shall
 20 be paid to the commissioner on or before April 15 following the close of the calendar year.
 21 If the return of a taxpayer other than a corporation is made on the basis of a fiscal year, the
 22 tax shall be paid to the commissioner on or before the fifteenth day of the fourth month
 23 following the close of the fiscal year. However, in the case a taxpayer's return is allowed
 24 to be filed at a later date, pursuant to the Internal Revenue Code of 1986 as it existed on or
 25 after January 1, 2003, because the taxpayer has electronically filed returns, the date of
 26 payment shall be extended without interest and penalty to the date the return is allowed to
 27 be filed pursuant to the Internal Revenue Code of 1986 as it existed on or after January 1,
 28 2003. The total amount of tax imposed by this chapter on corporations shall be paid to the
 29 commissioner on or before March 15, following the close of the calendar year. If the return
 30 of a corporation is made on the basis of a fiscal year, the tax shall be paid to the
 31 commissioner on or before the fifteenth day of the third month following the close of the
 32 fiscal year."

33 SECTION 6.

34 This Act shall become effective upon its approval by the Governor or upon its becoming law
 35 without such approval.

SECTION 7.

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