

House Bill 468 (AS PASSED HOUSE AND SENATE)

By: Representative Jamieson of the 22nd

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 **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 lesser of the excess of paragraph (1) or paragraph
12 (2) of this subsection over paragraph ~~(2)~~ (3) of this subsection when those paragraphs are
13 as follows:

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

20 (2) The amount of the installment required to be paid if the estimated tax were equal to
21 100 percent of the tax shown on the return for the preceding taxable year, as long as the
22 preceding taxable year was a taxable year of 12 months, and a tax return was filed for
23 such preceding taxable year; and

24 ~~(2)~~(3) Any amount of the installment paid on or before the last date prescribed for
25 payment."

