

House Bill 12

By: Representatives Cox of the 102nd, Thomas of the 100th, Holt of the 112th, Casas of the 103rd, Mumford of the 95th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to
2 income taxes, so as to provide that Georgia taxable net income of any taxpayer shall not
3 include income which is attributable directly to the business of any taxpayer which has been
4 relocated to certain vacant office space; to provide for conditions and limitations; to provide
5 an effective date; to provide for applicability; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to income taxes,
10 is amended by adding a new subsection at the end of Code Section 48-7-27, relating to
11 computation of taxable net income of individuals, to be designated subsection (f), to read as
12 follows:

13 "(f) Georgia taxable net income shall not include any income of a taxpayer which is
14 attributable directly to the business of the taxpayer which has been relocated to office space
15 which equals or exceeds 10,000 square feet and which has remained vacant for a period of
16 not less than six months. The exclusion provided for under this subsection shall commence
17 on the date of lease or purchase of the qualifying office space by such taxpayer and shall
18 continue for the ensuing 12 months or the date of sale of such office space or the date of
19 termination of the lease of such office space, whichever comes first."

20 **SECTION 2.**

21 Said chapter is further amended by adding a new subsection at the end of Code Section
22 48-7-31, relating to taxation of corporations, to be designated subsection (f), to read as
23 follows:

24 "(f) Georgia taxable net income of a foreign or domestic corporation shall not include any
25 income of such corporation which is attributable directly to the business of the corporation

1 which has been relocated to office space which equals or exceeds 10,000 square feet and
2 which has remained vacant for a period of not less than six months. The exclusion
3 provided for under this subsection shall commence on the date of lease or purchase of the
4 qualifying office space by such corporation and shall continue for the ensuing 12 months
5 or the date of sale of such office space or the date of termination of the lease of such office
6 space, whichever comes first."

7 **SECTION 3.**

8 This Act shall become effective January 1, 2006, and shall be applicable to all taxable years
9 beginning on or after January 1, 2006.

10 **SECTION 4.**

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