

House Bill 538 (RULES COMMITTEE SUBSTITUTE)

By: Representatives O'Neal of the 146th, Fleming of the 117th, Smith of the 129th, Keen of the 179th, and Rynders of the 152nd

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 for certain benefits for members of the national guard or
3 reserve components of the armed services of the United States; to provide for certain
4 automatic license or registration extension; to provide for an exemption regarding continuing
5 education requirements; to provide for nonapplicability; to provide for an income tax credit
6 for certain qualified life insurance premiums; to provide for conditions and limitations; to
7 provide for powers, duties, and authority of the state revenue commissioner with respect to
8 the foregoing; to provide for related matters; to provide an effective date; to provide for
9 applicability; to repeal conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

12 Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to income taxes,
13 is amended by adding a new Code section at the end of Article 1, relating to general
14 provisions, to be designated Code Section 48-7-6, to read as follows:

15 "48-7-6.

16 (a) Notwithstanding any provision of law to the contrary, any member of the national
17 guard or any reserve component of the armed services of the United States who serves on
18 active duty for at least 90 consecutive days shall by operation of this subsection
19 automatically be granted an extension, without fee charged for such extension, of any
20 annual license or registration otherwise required under any other provision of law by the
21 state or any agency, department, board, bureau, or commission of the state. Such extension
22 shall continue until the otherwise regular expiration date which occurs in the year next
23 succeeding the year in which such active duty ceases.

24 (b) Notwithstanding any provision of law to the contrary, any member of the national
25 guard or any reserve component of the United States who qualifies for the license or

1 registration extension under subsection (a) of this Code section shall be exempt from any
2 continuing education requirements during such automatic extension period.

3 (c) This Code section shall not apply to attorneys."

4 SECTION 2.

5 Said chapter is further amended by adding a new Code section immediately following Code
6 Section 48-7-29.8, to be designated Code Section 48-7-29.9, to read as follows:

7 "48-7-29.9.

8 (a) As used in this Code section, the term:

9 (1) 'Active duty' means full time duty in the United States armed forces, other than active
10 duty for training, for a period of more than 90 consecutive days.

11 (2) 'Active duty for training' means full time duty in the United States armed forces for
12 a period of more than 90 consecutive days for training purposes performed by members
13 of the national guard and air national guard who are residents of this state.

14 (3) 'Qualified life insurance' means insurance coverage through the Servicemembers'
15 Group Life Insurance Program administered by the United States Department of Veterans
16 Affairs for the maximum benefit amount available under such program for the loss of life
17 of a member of the national guard or air national guard who is a resident of this state
18 while on active duty or active duty for training.

19 (b) A taxpayer shall be allowed a credit against the tax imposed by Code Section 48-7-20
20 in an amount not to exceed the amount expended for qualified life insurance premiums.

21 (c) The credit provided under this subsection:

22 (1) Shall be claimed and allowed in the year in which the majority of such days are
23 served. In the event an equal number of consecutive days are served in two calendar
24 years, then the exclusion shall be claimed and allowed in the year in which the ninetieth
25 day occurs; and

26 (2) Shall apply with respect to each taxable year in which such member serves for such
27 qualifying period of time.

28 (d) In no event shall the total amount of the tax credit under this Code section for a taxable
29 year exceed the taxpayer's income tax liability. Any unused tax credit shall be allowed the
30 taxpayer against succeeding years' tax liability. No such credit shall be allowed the
31 taxpayer against prior years' tax liability.

32 (e) The commissioner shall be authorized to promulgate any rules and regulations
33 necessary to implement and administer the provisions of this Code section."

