

House Bill 1140

By: Representatives May of the 111<sup>th</sup>, Smith of the 70<sup>th</sup>, Knight of the 126<sup>th</sup>, Manning of the 32<sup>nd</sup>, and Jerguson of the 22<sup>nd</sup>

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 the imposition, rate, and computation of income tax, so as to provide for an  
3 income tax credit with respect to qualified water efficient product expenses; to provide for  
4 definitions; to provide for conditions and limitations; to provide for powers, duties, and  
5 authority of the state revenue commissioner with respect to the foregoing; to provide an  
6 effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the  
10 imposition, rate, and computation of income tax, is amended by adding a new Code section  
11 to read as follows:

12 "48-7-29.13.

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

14 (1) 'Qualified water efficient product expense' means the expenditure of funds by the  
15 taxpayer for water efficient products installed in the taxpayer's single-family home on or  
16 after January 1, 2008, if such home is the taxpayer's primary residence, in the tax year  
17 for which the credit under this Code section is claimed and allowed.

18 (2) 'Water efficient product' means any product used for the conservation or efficient use  
19 of water which has been designated by the United States Environmental Protection  
20 Agency as meeting or exceeding such agency's water saving efficiency requirements or  
21 which has been designated as meeting or exceeding such requirements under such  
22 agency's Water Sense program.

23 (b) A taxpayer shall be allowed a credit against the tax imposed by Code Section 48-7-20  
24 for qualified water efficient product expenses in an amount not to exceed the actual amount  
25 expended or \$250.00, whichever is less.

1 (c) In no event shall the total amount of the tax credit under this Code section for a taxable  
2 year exceed the taxpayer's income tax liabilities. Any unused tax credit shall be allowed  
3 the taxpayer against succeeding years' tax liabilities. No such tax credit shall be allowed  
4 the taxpayer against prior years' tax liability.

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

7 **SECTION 2.**

8 This Act shall become effective upon its approval by the Governor or upon its becoming law  
9 without such approval and shall be applicable to all taxable years beginning on or after  
10 January 1, 2008.

11 **SECTION 3.**

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