

House Bill 1029

By: Representatives Scott of the 153rd, Casas of the 103rd, Cox of the 102nd, Lane of the 167th,
and Byrd of the 20th

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 imposition, rate, computation, and exemptions regarding income taxes, so as to
3 abolish state income tax for corporations; to provide for the collection of prior income taxes;
4 to provide that this Act shall not abate or affect prosecutions, punishments, penalties,
5 administrative proceedings or remedies, or civil actions related to certain violations; to
6 provide for an effective date; to provide for applicability; to repeal conflicting laws; and for
7 other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to
11 imposition, rate, computation, and exemptions regarding income taxes, is amended by
12 revising subsection (a) of Code Section 48-7-21, relating to taxation of corporations, as
13 follows:

14 "(a)(1)(A) For any taxable year beginning prior to January 1, 2011, every Every
15 domestic corporation and every foreign corporation shall pay annually an income tax
16 equivalent to 6 percent of its Georgia taxable net income.

17 (B) For any taxable year beginning on or after January 1, 2011, there shall not be a
18 corporate income tax and no corporate returns shall be required.

19 (2) Georgia taxable net income of a corporation shall be the corporation's taxable income
20 from property owned or from business done in this state. A corporation's taxable income
21 from property owned or from business done in this state shall consist of the corporation's
22 taxable income as defined in the Internal Revenue Code of 1986, with the adjustments
23 provided for in subsection (b) of this Code section and allocated and apportioned as
24 provided in Code Section 48-7-31."

25

SECTION 2.

26 (a) This Act shall become effective upon its approval by the Governor or upon its becoming
27 law without such approval.

28 (b) Tax, penalty, and interest liabilities and refund eligibility for prior taxable years shall not
29 be affected by the passage of this Act and shall continue to be governed by the provisions of
30 Chapter 7 of Title 48 of the Official Code of Georgia Annotated as it existed immediately
31 prior to the effective date of this Act.

32 (c) This Act shall not abate any prosecution, punishment, penalty, administrative
33 proceedings or remedies, or civil action related to any violation of law committed prior to the
34 effective date of this Act.

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SECTION 3.

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