

House Bill 1037

By: Representative Scott of the 153rd

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 provide that a portion of net long-term capital gains shall be excluded from state taxable
4 income of corporations and individuals; to provide for an effective date; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to
9 imposition, rate, computation, and exemptions regarding income taxes, is amended in Code
10 Section 48-7-21, relating to taxation of corporations, by adding at the end of subsection (b)
11 a new paragraph to read as follows:

12 "(17) For all taxable years beginning on or after January 1, 2011, there shall be
13 subtracted from taxable income an amount equal to 50 percent of the total net amount of
14 long-term capital gains subject to federal income taxation."

15 **SECTION 2.**

16 Said article is further amended in subsection (a) of Code Section 48-7-27, relating to
17 computation of taxable net income of individuals, by deleting "and" at the end of paragraph
18 (14); replacing the period at the end of paragraph (15) with "; and"; and adding a new
19 paragraph to read as follows:

20 "(16) For all taxable years beginning on or after January 1, 2011, an amount equal to 50
21 percent of the total net amount of long-term capital gains subject to federal income
22 taxation."

23

SECTION 3.

24 This Act shall become effective upon its approval by the Governor or upon its becoming law
25 without such approval.

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SECTION 4.

27 All laws and parts of laws in conflict with this Act are repealed.