

House Bill 412

By: Representative Stephens of the 164th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 48-7-40.12 of the Official Code of Georgia Annotated, relating to
2 tax credit for qualified research expenses, so as to remove certain limitations on the use of
3 a tax credit for research and development by a business enterprise; to provide for related
4 matters; to provide for an effective date and applicability; to repeal conflicting laws; and for
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 48-7-40.12 of the Official Code of Georgia Annotated, relating to tax credit for
9 qualified research expenses, is amended by revising subsection (d) as follows:

10 "(d) Any unused credit claimed under this Code section may be carried forward ten years
11 from the close of the taxable year in which the qualified research expenses were made. ~~The~~
12 ~~credit taken in any one taxable year shall not exceed 50 percent of the business enterprise's~~
13 ~~remaining Georgia net income tax liability after all other credits have been applied."~~

14 **SECTION 2.**

15 This Act shall become effective on July 1, 2011, and shall be applicable to taxable year 2012
16 and taxable years thereafter.

17 **SECTION 3.**

18 All laws and parts of laws in conflict with this Act are repealed.