

House Bill 890

By: Representatives Parsons of the 42nd, Sims of the 169th, Martin of the 47th, and Abrams of the 84th

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, computation, and exemptions regarding income tax, so as to
3 provide for an income tax credit with respect to certain trucks and taxis that are fueled by
4 natural gas; to provide for an income tax credit with respect to construction of refueling
5 stations for natural gas vehicles; to provide for conditions and limitations; to provide for
6 powers, duties, and authority of the state revenue commissioner with respect to the
7 foregoing; to provide for an effective date; to provide for applicability; to repeal conflicting
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

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

14 "48-7-29.18.

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

16 (1) 'Natural gas heavy-duty truck' means a vehicle, with a gross vehicle weight ratio
17 equal to or more than 26,000 pounds, that is fueled solely by natural gas. Hybrid vehicles
18 that may be powered by electricity or fueled by gasoline or diesel fuel in addition to
19 natural gas are not included in this definition. In order to qualify for a tax credit under
20 this Code section, a natural gas heavy-duty truck must be registered in Georgia and be
21 operated in this state at least 50 percent of the time.

22 (2) 'Taxi' means a vehicle that is fueled solely by natural gas and used as a commercial
23 taxi in this state. Hybrid vehicles that may be powered by electricity or fueled by
24 gasoline or diesel fuel in addition to natural gas are not included in this definition. In
25 order to qualify for a tax credit under this Code section, a taxi shall be a new, not used,
26 vehicle that is registered and licensed to operate in Georgia.

27 (b) A taxpayer shall be allowed a credit against tax imposed by Code Section 48-7-20 or
 28 48-7-21 for the amount expended to purchase a natural gas heavy-duty truck or taxi not to
 29 exceed \$20,000.00 or 80 percent of the incremental cost of the natural gas heavy-duty truck
 30 or taxi over a comparable diesel truck or taxi, whichever is less.

31 (c)(1) The tax credits allowed under this Code section shall be limited to \$15,000,000.00
 32 in 2013 and \$25,000,000.00 in each year from 2014 through 2017. The tax credits
 33 allowed under this Code section shall expire on December 31, 2017.

34 (2) In each year that this tax credit is allowed, 90 percent shall be allocated to truck
 35 purchasers and 10 percent shall be allocated to taxi purchasers.

36 (d) In no event shall the total amount of any tax credit provided under this Code section
 37 for a taxable year exceed the taxpayer's income tax liability. For taxable years ending on
 38 or before December 31, 2017, any unused tax credit shall be allowed the taxpayer against
 39 succeeding years' tax liabilities. No such credit shall be allowed the taxpayer against prior
 40 years' tax liabilities.

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

43 **SECTION 2.**

44 Said article is further amended by adding a new Code section to read as follows:

45 "48-7-29.19.

46 (a) As used in this Code section, the term 'natural gas refueling station' means a refueling
 47 station built to refill vehicles that run on natural gas.

48 (b) A taxpayer shall be allowed a credit against tax imposed by Code Section 48-7-20 or
 49 48-7-21 for the amount expended to construct a natural gas refueling station not to exceed
 50 the actual amount expended or \$25,000.00, whichever is less.

51 (c) In no event shall the total amount of tax credits allowed by this Code section exceed
 52 \$500,000.00 per year. The tax credits allowed by this Code section shall expire on
 53 December 31, 2017.

54 (d) In no event shall the total amount of any tax credit provided under this Code section
 55 for a taxable year exceed the taxpayer's income tax liability. For taxable years ending on
 56 or before December 31, 2017, any unused tax credit shall be allowed the taxpayer against
 57 succeeding years' tax liabilities. No such credit shall be allowed the taxpayer against prior
 58 years' tax liabilities.

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

61 **SECTION 3.**

62 This Act shall become effective upon its approval by the Governor or upon its becoming law
63 without such approval and shall be applicable to all taxable years beginning on or after
64 January 1, 2012.

65 **SECTION 4.**

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