

ADOPTED

Representatives Fludd of the 64th, Powell of the 171st, Harrell of the 106th, and Teasley of the 37th of the offers the following amendment:

1 *Amend the substitute to HB 936 (LC 34 4944ERS) by deleting line 3 and inserting in lieu*
2 *thereof the following:*

3 clarify

4 *By deleting line 5 and inserting in lieu thereof the following:*

5 an income tax credit for employers who hire certain qualified parolees for full-time jobs;
6 to provide for rules and regulations related to such income tax credit; to provide for certain
7 conditions and limitations; to require annual reporting of certain statistics related to such
8 credit; to provide for definitions; to provide for an effective date and applicability; to
9 provide for related matters; to repeal conflicting laws; and for other purposes.

10 *By deleting lines 7 through 24 and renumbering Section 2 on line 25 and Section 3 on line*
11 *93 as Sections 1 and 2, respectively.*

12 *By deleting line 26 and inserting in lieu thereof the following:*

13 Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the
14 imposition, rate, computation, and exemptions from income taxes, is amended by revising
15 paragraph (1) of subsection (e) of Code Section

16 *By replacing line 160 with the following:*

17 **SECTION 3.**

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

19 "48-7-40.31.

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

21 (1) 'Employer' means an enterprise or organization, whether corporation, partnership,
22 limited liability company, proprietorship, association, trust, business trust, real estate
23 trust, or other form of organization, and its affiliates, which is registered and authorized
24 to use the federal employment verification system known as 'E-Verify' or any successor
25 federal employment verification system and is engaged in or carrying on any business
26 activities within this state.

27 (2) 'Full-time job' means employment which:

28 (A) Is located in this state;

29 (B) Involves a regular work week of 30 hours or more;

30 (C) Has no predetermined end date; and

31 (D) Pays at or above the average hourly wage of the county with the lowest average
 32 hourly wage in the state, as reported in the most recently available annual issue of the
 33 Georgia Employment and Wages Averages Report of the Department of Labor.

34 (3) 'Qualified parolee' means an individual who has been granted parole in accordance
 35 with Code Section 42-9-45 within 12 months preceding his or her date of hire for a
 36 full-time job.

37 (b)(1) For the period beginning on or after January 1, 2017, and before January 1, 2020,
 38 an employer that employs a qualified parolee in a full-time job for at least 40 weeks
 39 during a 12 month period shall be eligible for an income tax credit in the amount of
 40 \$2,500.00 for each qualified parolee so employed against the tax imposed under this
 41 article during such 12 month period; provided, however, that a qualified parolee first
 42 employed in a full-time job by such employer before January 1, 2017, shall not qualify.

43 (2) An employer shall only be eligible to receive credits provided by this subsection in
 44 an amount up to \$50,000.00 per taxable year.

45 (3) An employer shall only be eligible to receive the credit provided by this subsection
 46 once per individual.

47 (c) In no event shall the credit provided by subsection (b) of this Code section for a taxable
 48 year exceed the employer's income tax liability. Any unused portion of the credit provided
 49 by subsection (b) of this Code section shall be permitted to be carried forward and applied
 50 to the employer's tax liability for the subsequent three years. The credit provided by
 51 subsection (b) of this Code section shall not be applied against the employer's prior years'
 52 tax liabilities.

53 (d) On or before September 1 of 2018, 2019, and 2020, the commissioner shall issue a
 54 report to the chairpersons of the Senate Finance Committee and the House Committee on
 55 Ways and Means concerning the tax credit created by this Code section, which shall
 56 include the following statistics for the preceding taxable year:

57 (1) The total number of employers that claimed a credit provided by this Code section;
 58 and

59 (2) The number and total value of all credits earned and all credits applied during such
 60 tax year pursuant to this Code section.

61 (e) The commissioner shall promulgate rules and regulations and forms necessary to
 62 implement and administer the provisions of this Code section."

63 **SECTION 4.**

64 (a) This Act shall become effective on July 1, 2016.

65 (b) Section 3 of this Act shall be applicable to taxable years beginning on or after January
66 1, 2017.

67 **SECTION 5.**