

House Bill 960

By: Representatives Pezold of the 133rd, Holcomb of the 81st, and Cooke of the 18th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated,
2 relating to general provisions for financial affairs, so as to provide that the General Assembly
3 shall not pass any law containing, modifying, or extending a tax incentive for a person
4 outside this state that is not also offered in a proportionate amount and under proportionate
5 conditions to a person conducting similar or related business in this state; to provide for a
6 definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 1 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated, relating to
10 general provisions for financial affairs, is amended by adding a new Code section to read as
11 follows:

12 "28-5-7.

13 (a) As used in this Code section, the term 'tax incentive' means, whether direct or indirect,
14 an exemption, exclusion, or deduction from the base of a tax, a credit against a tax, a
15 deferral of a tax, a rebate of taxes paid, a tax abatement, or a preferential tax rate.

16 (b) The General Assembly shall not pass any law containing, modifying, or extending a
17 tax incentive if it provides a tax incentive to entice a person outside this state to invest in
18 this state, unless such tax incentive is offered in a proportionate amount and under
19 proportionate conditions to any person that is already conducting similar or related business
20 in this state."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.