

The Senate Committee on Finance offered the following substitute to HB 308:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to  
2 income taxes, so as to revise a tax credit for certain medical preceptor rotations; to add  
3 dentistry; to increase the value of the tax credit; to revise definitions; to provide for an  
4 aggregate annual cap; to provide for an application and preapproval process; to extend the  
5 sunset provision for such tax credit; to provide for related matters; to provide for an effective  
6 date and applicability; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to income taxes,  
10 is amended by revising Code Section 48-7-29.22, relating to tax credits for certain medical  
11 preceptor rotations, as follows:

12 "48-7-29.22.

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

14 (1) 'Advanced practice registered nurse student' means an individual participating in a  
15 training program in this state that is accredited by a nationally recognized accrediting

16 body for advanced practice registered nursing programs for the training of individuals to  
17 become advanced practice registered nurses as defined in Code Section 43-26-3.

18 (2) 'Community based faculty preceptor' means an individual who is a physician as  
19 defined in Code Section 43-34-21, a licensed dentist as defined in Code Section 43-11-1,  
20 an advanced practice registered nurse as defined in Code Section 43-26-3, or a physician  
21 assistant as defined in Code Section 43-34-102 and who is licensed as such by this state.

22 (3) 'Medical student' means an individual participating in a training program in this state  
23 that is approved by the Georgia Composite Medical Board for the training of doctors of  
24 medicine or doctors of osteopathic medicine or by the Georgia Board of Dentistry for the  
25 training of dentists.

26 (4) 'Physician assistant student' means an individual participating in a training program  
27 in this state that is approved by the Georgia Composite Medical Board for the training of  
28 individuals to become physician assistants as defined in Code Section 43-34-102.

29 (5) 'Preceptorship rotation' means a period of preceptorship training of one or more  
30 medical students, physician assistant students, or advanced practice registered nurse  
31 students that in aggregate totals 160 hours.

32 (6) 'Preceptorship training' means uncompensated community based training of a medical  
33 student, advanced practice registered nurse student, or physician assistant student  
34 matriculating in a training program in Georgia.

35 (b)(1) A community based faculty preceptor shall be allowed a credit against the tax  
36 imposed by Code Section 48-7-20 if he or she conducts a preceptorship rotation.

37 (2) Such credit shall be accrued on a per preceptorship rotation basis in the amount of  
38 ~~\$500.00 for the first, second, or third preceptorship rotation and \$1,000.00 for the fourth,~~  
39 ~~fifth, sixth, seventh, eighth, ninth, or tenth~~ \$1,000.00 for each preceptorship rotation  
40 completed in one calendar year by a community based faculty preceptor who is a  
41 physician as defined in Code Section 43-34-21 or a licensed dentist as defined in Code  
42 Section 43-11-1 and ~~\$375.00 for the first, second, or third preceptorship rotation and~~

43 ~~\$750.00 for the fourth, fifth, sixth, seventh, eighth, ninth, or tenth~~ \$750.00 for each  
44 preceptorship rotation completed in one calendar year by a community based faculty  
45 preceptor who is an advanced practice registered nurse as defined in Code Section  
46 43-26-3 or a physician assistant as defined in Code Section 43-34-102.

47 (3) An individual shall not accrue credit for more than ten preceptorship rotations in one  
48 calendar year.

49 (c)(1) A community based faculty preceptor shall not be eligible to earn hours credited  
50 toward preceptorship training if he or she has not registered with the state-wide Area  
51 Health Education Centers (AHEC) Program Office at Augusta University.

52 (2) The AHEC Program Office at Augusta University shall administer the Preceptor Tax  
53 Incentive Program and certify preceptorship rotations for the department on behalf of all  
54 eligible public and private training programs for medicine, osteopathic medicine,  
55 dentistry, advanced practice nursing, and physician assistant at institutions in this state  
56 for the department.

57 (d) To receive the credit allowed by this Code section, a community based faculty  
58 preceptor shall claim such credit on his or her return for the tax year in which he or she  
59 completed the preceptorship rotation which was preapproved in accordance with subsection  
60 (g.1) of this Code section; shall certify that he or she did not receive payment during such  
61 tax year from any source for the training of a medical student, advanced practice registered  
62 nurse student, or physician assistant student; and shall submit supporting documentation  
63 as prescribed by the commissioner.

64 (e) In no event shall the total amount of the tax credit under this Code section for a taxable  
65 year exceed the taxpayer's income tax liability. No such tax credit shall be allowed the  
66 taxpayer against prior or succeeding years' tax liability.

67 (f)(1) On August 1, 2020, and annually thereafter, the commissioner and the AHEC  
68 Program Office at Augusta University shall issue a report to the Governor, the

69 chairperson of the Senate Finance Committee, and the chairperson of the House  
70 Committee on Ways and Means concerning the tax credit created by this Code section.

71 (2) Such report shall include, for the prior calendar year, the:

72 (A) Number of community based faculty preceptors claiming a credit;

73 (B) Total number of preceptorship rotations completed;

74 (C) Number of medical students, advanced practice registered nurse students, and  
75 physician assistant students who participated in a preceptorship rotation; and

76 (D) Total amount of credits awarded pursuant to this Code section.

77 (g) The commissioner shall be authorized to promulgate any rules and regulations  
78 necessary to implement and administer the provisions of this Code section.

79 (g.1) On and after January 1, 2024:

80 (1) The aggregate amount of tax credits allowed pursuant to this Code section shall not  
81 exceed \$3 million for any calendar year;

82 (2) Each year, any individual who believes that he or she will be eligible for the tax  
83 credit allowed by this Code section may apply to the commissioner for preapproval of a  
84 specified number of preceptorship rotations for such tax credit. Such individuals shall  
85 file the application in the method and manner established by the commissioner, which  
86 shall require each individual to certify to the commissioner that he or she is a community  
87 based faculty preceptor and that he or she expects to meet the conditions of this Code  
88 section for the year in which the application is filed, as well as the number of  
89 preceptorship rotations applied for;

90 (3) The commissioner shall accept and review all applications and shall notify applicants  
91 whether, for the given year, they are preapproved to claim the tax credit allowed by this  
92 Code section or that their application to claim such tax credit was denied. The  
93 commissioner shall issue preapprovals on a first come, first served basis and until the  
94 aggregate cap for the year has been fully preapproved; and

95 (4) No taxpayer shall claim the tax credit allowed under this Code section for any year  
96 unless he or she has been preapproved by the commissioner and has satisfied the  
97 conditions required in this Code section for the taxable year for which the tax credit is  
98 claimed.

99 (h) This Code section shall stand repealed by operation of law at the last moment of  
100 December 31, ~~2023~~ 2026."

101 **SECTION 2.**

102 This Act shall become effective on January 1, 2024, and shall be applicable to all taxable  
103 years beginning on or after January 1, 2024.

104 **SECTION 3.**

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