

House Bill 1153

By: Representatives Oliver of the 84th, Holcomb of the 101st, Frye of the 122nd, Ali of the 106th, Williams of the 37th, and others

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 imposition, rate, computation, exemptions, and credits, so as to provide a tax
3 credit for newly constructed residences built by a residential contractor or builder that are
4 sold to taxpayers earning no more than 80 percent of the area median income; to provide for
5 application and approval; to provide for rules, regulations, and forms; to provide for related
6 matters; to provide for an effective date and applicability; to repeal conflicting laws; and for
7 other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

13 "48-7-43.

14 (a) As used in this Code section, the term 'area median income' means the median income
15 for the area in which a newly constructed residence is located as determined by the
16 department.

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17 (b) Beginning January 1, 2027, a state tax credit against the tax imposed by this article
18 shall be allowed with respect to each newly constructed residence built by a residential
19 contractor or builder that is sold to a taxpayer earning no more than 80 percent of the area
20 median income. In no event shall the total amount of the tax credit under this Code section
21 for a taxable year exceed the taxpayer's income tax liability.

22 (c) A taxpayer seeking to claim a tax credit under this Code section shall submit an
23 application to the commissioner for approval of such tax credit. The commissioner shall
24 review such application and shall approve such application upon determining that it meets
25 the requirements of this Code section within 60 days after receiving such application.

26 (d)(1) The department shall be authorized to adopt rules and regulations to provide for
27 the administration of the tax credit provided by this Code section.

28 (2) The commissioner shall be authorized to promulgate any rules and forms relative to
29 the provisions of this Code section."

30 **SECTION 2.**

31 This Act shall become effective upon its approval by the Governor or upon its becoming law
32 without such approval and shall be applicable to all taxable years beginning on or after
33 January 1, 2027.

34 **SECTION 3.**

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