

House Bill 932

By: Representatives Sainz of the 180th, Ballard of the 147th, Bonner of the 73rd, Newton of the 127th, DeLoach of the 167th, and others

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 48-7-40.1 of the Official Code of Georgia Annotated, relating to tax
2 credits for business enterprises in less developed areas, so as to provide for certain military
3 zones that qualify for designation as less developed areas during a limited period of time; to
4 provide for related matters; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 48-7-40.1 of the Official Code of Georgia Annotated, relating to tax credits for
8 business enterprises in less developed areas, is amended by revising subsection (c) as
9 follows:

10 "(c) The commissioner of community affairs, and the commissioner of economic
11 development in areas qualifying under the provisions of paragraphs (1), (3), and (4) of this
12 subsection, also shall be authorized to include in the designation provided for in
13 subsection (b) of this Code section:

14 (1) Any area composed of ten or more contiguous census tracts which, in the opinion of
15 the commissioner of community affairs and the commissioner of economic development,
16 undergoes a sudden and severe period of economic distress caused by the closing of one
17 or more business enterprises located in such area;

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18 (2) Any area composed of one or more census tracts adjacent to a federal military
19 installation where pervasive poverty is evidenced by a 15 percent poverty rate or greater
20 as reflected in the most recent decennial census; provided, however, that the subsequent
21 redrawing or alteration of census tracts in a manner which results in an area no longer
22 being in a census tract adjacent to a federal military installation shall not disqualify an
23 area which has previously qualified under this paragraph if the area continues to have
24 pervasive poverty as described in this paragraph;

25 (2.1) Any census tract in a county that contains a federal military installation with a
26 garrison of at least 5,000 federal or military personnel combined and also contains an
27 industrial park that is owned and operated by a governmental entity;

28 (2.2) For 2025 and 2026, any census tract in a county that contains a federal military
29 installation with a garrison of at least 5,000 federal or military personnel;

30 (3) Any area composed of one or more contiguous census tracts which, in the opinion
31 of the commissioner of community affairs and the commissioner of economic
32 development, is or will be adversely impacted by the loss of one or more jobs, businesses,
33 or residences as a result of an airport expansion, including noise buy-outs, or the closing
34 of a business enterprise which, in the opinion of the commissioner of community affairs
35 and the commissioner of economic development, results or will result in a sudden and
36 severe period of economic distress; or

37 (4) Any area which is within or adjacent to one or more contiguous census block groups
38 with a poverty rate of 15 percent or greater as determined from data in the most current
39 United States decennial census, where the area is also included within a state enterprise
40 zone pursuant to Chapter 88 of Title 36 or where a redevelopment plan has been adopted
41 pursuant to Chapter 61 of Title 36 and which, in the opinion of the commissioner of
42 community affairs and the commissioner of economic development, displays pervasive
43 poverty, underdevelopment, general distress, and blight.

44 No designation made pursuant to this subsection shall operate to displace or remove any
45 other area previously designated as a less developed area. Notwithstanding any provision
46 of this Code section to the contrary, in areas designated as suffering from pervasive poverty
47 under this subsection, job tax credits shall be allowed as provided in this Code section, in
48 addition to business enterprises, to any lawful business."

49 **SECTION 2.**

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