

House Bill 1199

By: Representatives Carson of the 46<sup>th</sup>, Blackmon of the 146<sup>th</sup>, Kelley of the 16<sup>th</sup>, and Williamson of the 112<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 48-1-2 of the Official Code of Georgia Annotated, relating to  
2 definitions regarding revenue and taxation, so as to revise the definition of the terms "Internal  
3 Revenue Code" and "Internal Revenue Code of 1986" to incorporate certain provisions of  
4 the federal law into Georgia law; to provide for related matters; to provide for an effective  
5 date and applicability; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 48-1-2 of the Official Code of Georgia Annotated, relating to definitions  
9 regarding revenue and taxation, is amended by revising paragraph (14) as follows:

10 "(14) 'Internal Revenue Code' or 'Internal Revenue Code of 1986' means for taxable years  
11 beginning on or after January 1, ~~2024~~ 2026, the provisions of the United States Internal  
12 Revenue Code of 1986, as amended, provided for in federal law enacted on or before  
13 January 1, ~~2025~~ 2026, except that Section 63(b)(5), Section 63(b)(6), Section 63(b)(7),  
14 Section 108(i), Section 163(e)(5)(F), Section 163(h)(4), ~~Section 168(b)(3)(I),~~ Section  
15 168(e)(3)(B)(vii), ~~Section 168(e)(3)(E)(ix), Section 168(e)(8),~~ Section 168(k), Section  
16 168(m), Section 168(n), Section 174A, Section 179(d)(1)(B)(ii), ~~Section 179(f)~~

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17 Section 179(e), Section 199, Section 224, Section 225, Section 381(c)(20),  
18 Section 382(d)(3), ~~Section 810(b)(4), Section 1400L, Section 1400N(d)(1),~~  
19 ~~Section 1400N(f), Section 1400N(j), Section 1400N(k), and Section 1400N(o)~~  
20 Section 6213(g)(2)(Y), and Section 6213(g)(2)(Z) of the Internal Revenue Code of 1986,  
21 as amended, shall be treated as if they were not in effect, and except that Section 170(p)  
22 of the Internal Revenue Code of 1986, as amended, shall be treated as it was in effect  
23 before the 2025 enactment of federal Public Law 119-21, and except that Section  
24 168(e)(7), Section 172(b)(1)(F), and Section 172(i)(1) of the Internal Revenue Code of  
25 1986, as amended, shall be treated as they were in effect before the 2008 enactment of  
26 federal Public Law 110-343, and except that Section 163(i)(1) of the Internal Revenue  
27 Code of 1986, as amended, shall be treated as it was in effect before the 2009 enactment  
28 of federal Public Law 111-5, and except that Section 13(e)(4) of 2009 federal Public Law  
29 111-92 shall be treated as if it was not in effect, and except that Section 118, Section  
30 163(j), Section 382(k)(1), and Section 174 of the Internal Revenue Code of 1986, as  
31 amended, shall be treated as they were in effect before the 2017 enactment of federal  
32 Public Law 115-97; provided, however, that all provisions in federal Public Law 117-58  
33 (Infrastructure Investment and Jobs Act) that change or affect in any manner Section 118  
34 shall be treated as if they were in effect, and except that all provisions in federal Public  
35 Law 116-136 (CARES Act) that change or affect in any manner Section 172 and Section  
36 461(l) shall be treated as if they were not in effect, and except that all provisions in  
37 federal Public Law 117-2 (American Rescue Plan Act of 2021) that change or affect in  
38 any manner Section 461(l) shall be treated as if they were not in effect, and except that  
39 the limitations provided in Section 179(b)(1) shall be \$250,000.00 for tax years beginning  
40 in 2010, shall be \$250,000.00 for tax years beginning in 2011, shall be \$250,000.00 for  
41 tax years beginning in 2012, shall be \$250,000.00 for tax years beginning in 2013, and  
42 shall be \$500,000.00 for tax years beginning in 2014, and except that the limitations  
43 provided in Section 179(b)(2) shall be \$800,000.00 for tax years beginning in 2010, shall

44 be \$800,000.00 for tax years beginning in 2011, shall be \$800,000.00 for tax years  
45 beginning in 2012, shall be \$800,000.00 for tax years beginning in 2013, and shall be \$2  
46 million for tax years beginning in 2014, and provided that Section 1106 of federal Public  
47 Law 112-95 as amended by federal Public Law 113-243 shall be treated as if it is in  
48 effect, except the phrase 'Code Section 48-2-35 (or, if later, November 15, 2015)' shall  
49 be substituted for the phrase 'section 6511(a) of such Code (or, if later, April 15, 2015),'  
50 and notwithstanding any other provision in this title, no interest shall be refunded with  
51 respect to any claim for refund filed pursuant to Section 1106 of federal Public Law  
52 112-95, and provided that subsection (b) of Section 3 of federal Public Law 114-292 shall  
53 be treated as if it is in effect, except the phrase 'Code Section 48-2-35' shall be substituted  
54 for the phrase 'section 6511(a) of the Internal Revenue Code of 1986' and the phrase 'such  
55 section' shall be substituted for the phrase 'such subsection.' In the event a reference is  
56 made in this title to the Internal Revenue Code or the Internal Revenue Code of 1954 as  
57 it existed on a specific date prior to January 1, ~~2025~~ 2026, the term means the provisions  
58 of the Internal Revenue Code or the Internal Revenue Code of 1954 as it existed on the  
59 prior date. Unless otherwise provided in this title, any term used in this title shall have  
60 the same meaning as when used in a comparable provision or context in the Internal  
61 Revenue Code of 1986, as amended. For taxable years beginning on or after January 1,  
62 ~~2024~~ 2025, provisions of the Internal Revenue Code of 1986, as amended, which were  
63 as of January 1, ~~2025~~ 2026, enacted into law but not yet effective shall become effective  
64 for purposes of Georgia taxation on the same dates upon which they become effective for  
65 federal tax purposes."

66 **SECTION 2.**

67 This Act shall become effective upon its approval by the Governor or upon its becoming law  
68 without such approval and shall be applicable to all taxable years beginning on or after  
69 January 1, 2025.

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**SECTION 3.**

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