

The Senate Committee on Rules offered the following substitute to HB 1199:

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~~ 2025, 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)(7), Section 108(i), Section 163(e)(5)(F),
14 Section 163(h)(4), ~~Section 168(b)(3)(I)~~, Section 168(e)(3)(B)(vii),
15 ~~Section 168(e)(3)(E)(ix)~~, ~~Section 168(e)(8)~~, Section 168(k), Section 168(m),
16 Section 168(n), Section 174A, Section 179(d)(1)(B)(ii), ~~Section 179(f)~~ Section 179(e),

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

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

65 **SECTION 2.**

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

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SECTION 3.

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