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Georgia Tax Credits: Details of the Business and Personal Credits Allowed against Georgia's Corporate and Individual Income Tax (2015 edition)

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Introduction

This report presents a comprehensive list of all tax credits allowed against Georgia income tax liabilities by their Department of Revenue tax credit number if available. Based on current Georgia state law, there are 40 tax credits allowed against the corporate and individual income tax.

Tax credits are a form of special treatment within the income tax code that results in a reduction in the taxpayer's tax liability. Tax credits are very common methods of providing preferential tax treatment for certain groups or activities. For instance, individuals who incur expenses for the care of their aged parents or their young children can receive a tax credit for a portion of those expenses. Employers can receive a tax credit for certain increases in employment levels or certain investments. The existence of a tax credit for a particular activity is not necessarily inappropriate; and if the activity places an undue burden on individuals that is not borne by other individuals, the state may find it appropriate to compensate the affected individual. Furthermore, tax credits are often used as a means to stimulate employment and economic development or to foster the development of emerging markets or technology.

The incentive provided by tax credits differs from other tax relief policies. The other means of tax relief are provided though deductions from taxable income for certain expenses and by means of exclusions where certain types of income are not included in the taxable income calculation. Tax credits differ from these alternative relief mechanisms because they tend to be the most generous forms of tax relief in the sense that a $100 tax credit reduces the tax liability by $100. On the other hand, the value of a $100 exemption or deduction reduces the tax liability by $100 times the marginal tax rate faced by the taxpayer. Since this rate is most often 6 percent for Georgia taxpayers, the value of a $100 exemption or deduction is in most cases equal to $6. Thus, tax credits provide a much larger incentive effect.

Like other states, Georgia has increased the number of tax credits over time. Some tax credits undergo substantial modifications and there is a growing trend toward imposing a sunset on new credits. On the other hand, because of the nature of any tax preference, these tax credits are not subject to an automatic annual review by policymakers. Therefore, many are allowed to continue without any information as to their effectiveness in fulfilling their objective or their cost in terms of reduced state revenues.

The purpose of this report is to provide a comprehensive list of all tax credits allowed against the Georgia individual and corporate income tax with a focus on the activities that are supported by tax credits and the legal environment in which the tax credits are administered. The intent is not to draw conclusions on the effectiveness of the tax credit, and this report provides no information on that subject. The information provided in this document comes from an extensive review of the Georgia code, credit reports provided by the Georgia Department of Revenue, and other publically available documents and websites describing the tax credits. A list of these credits is provided in the table of contents. Each credit is summarized and categorized based on the characteristics of each credit, such as the credit rate, sunset dates, administrative control, limitations on the use of the credit, and interactions with other credits and carry forward periods. Information on the amount of the credit utilized over the 2009-2013[1] period is presented for those credits for which the information is available. In some cases, information on utilization is not available.

[1] For those credits for which information is available, cost of utilization includes reported usage through June 18, 2015.

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I. Business Income Tax Credits

A. EMPLOYMENT

1. *Tax credit for business enterprises and tax credit for business enterprises in less developed areas (also referred to as the Employer's Jobs Tax Credit, DOR credit #103)*

The credit provides a statewide job tax credit. Any business or headquarters engaged in manufacturing (including biomedical manufacturing and manufacturing of alternative energy products for use in solar, wind, battery, bioenergy, biofuel, and electric vehicle enterprises), warehousing and distribution, processing, telecommunications, broadcasting, tourism, and research and development. Retail establishments are only allowed the credit if located in one of the 40 least developed counties of the state. Average wages must be greater than the average wage of the county in the state with the lowest average wage. To be eligible employers must offer health insurance to all new employees. Employers do not have to pay any portion of health insurance premiums unless this benefit is provided to existing employees. With respect to §48-7-40.1, if any subsequent redrawing or alteration of census tracts results in an area no longer being in a census tract adjacent to a federal military installation, this change shall not disqualify an area which has previously qualified if the area continues to have pervasive poverty as described therein.

Code Section: §48-7-40 and §48-7-40.1
Effective: §48-7-40: Taxable years beginning on or after January 1, 1990; §48-7-40.1: Taxable years beginning on or after January 1, 1994
Date of Last Modification: 2014
Form: IT-CA, IT-WH

Cost of Utilizing Credit over 2009-2013*: $302,893,565 (Total includes amounts claimed under the New Facilities Jobs Tax Credit)
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: Tier 1 (counties 1-71), $3,500 per job annually for five years for two or more jobs created; Tier 2 (counties 72-106), $2,500 per job annually for five years for 10 or more jobs created; Tier 3 (counties 107-141), $1,250 per job annually for five years for 15 or more jobs created; Tier 4 (counties 142-159), $750 per job annually for five years for 25 or more jobs created; An additional $500 credit per job is available for any business locating in a county that is part of a Joint Development Authority. An existing business enterprise as defined in O.C.G.A. §48-7-40 qualifies for an additional $500 credit for each new fulltime job provided all conditions are met.

Sunset Date: None
Period of Carry Forward: 10 years from the close of the taxable year in which the jobs were created
Transferrable/Used against withholding: Credits can be used against income tax withholding in Tier 1 counties and in less developed census tracts. In addition, credits can be used against withholding where a business enterprise is engaged in a competitive project located in a Tier 2 county and where the amount of the credit exceeds such business enterprise's liability for taxes, or where a

business enterprise is engaged in a competitive project located in Tier 3 or Tier 4 county and where the amount of the credit exceeds 50 percent of such business enterprise's liability.
Limitations on Credit: In Tier 1 and 2 counties, credits may offset 100 percent of business enterprise's liability. In Tier 3 and 4 counties, credits may offset 50 percent of business enterprise's liability.

Administered by: Department of Community Affairs and Department of Revenue
Overlap/Interaction with other state credits: Taxpayer cannot claim the jobs tax credit and the investment tax credit (O.C.G.A. §§48-7-40.2, 48-7-40.3, or 48-7-40.3) or an optional investment tax credit (O.C.G.A. §§48-7-40.7, 48-7-40.8, or 48-7-40.9) for the same project. Taxpayer cannot claim the jobs tax credit and the quality jobs tax credit for the same jobs.

2. Establishing or relocating quality jobs tax credit (also referred to as the Quality Jobs tax credit, DOR credit #130 and prior to 2009 as the Headquarters tax credit, DOR credit #113)

This credit is for employers creating new high-wage jobs or relocating high-wage jobs to the state. A quality job or high-wage job is defined as a job located in the state; has 30 hours a week of regular work; a job that is not already located in Georgia; pays at or above 110 percent of the average wage of the county in which it is located.

Code Section: §48-7-40.17
Effective: Taxable years beginning on or after January 1, 2009
Date of Last Modification: 2012
Form: IT-QJ, IT-WH

Cost of Utilizing Credit over 2009-2013*: $32,722,137
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: Equal to $2,500 annually per eligible new quality job where the job pays 110 percent or more but less than 120 percent of the average wage of the county in which the new quality job is located; equal to $3,000 annually per eligible new quality job where the job pays 120 percent or more but less than 150 percent of the average wage of the county in which the new quality job is located; equal to $4,000 annually per eligible new quality job where the job pays 150 percent or more but less than 175 percent of the average wage of the county in which the new quality job is located; equal to $4,500 annually per eligible new quality job where the job pays 175 percent or more but less than 200 percent of the average wage of the county in which the new quality job is located; and equal to $5,000 annually per eligible new quality job where the job pays 200 percent or more of the average wage of the county in which the new quality job is located.

Sunset Date: None
Period of Carry Forward: 10 years
Transferrable/Used against withholding: Can be taken against quarterly or monthly income tax withholding
Limitations on Credit: New quality jobs can be claimed for five years. Employers have seven years from the year in which they first become eligible for the credit to create new quality jobs.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: Taxpayer cannot claim the quality jobs tax credit and the investment tax credit (O.C.G.A. §§48-7-40.2, 48-7-40.3, or 48-7-40.3) or an optional

investment tax credit (O.C.G.A. §§48-7-40.7, 48-7-40.8, or 48-7-40.9) for the same project. Taxpayer cannot claim the quality jobs tax credit and the jobs tax credit for the same jobs.

3. Conditions for taking job tax credit by business enterprises (also referred to as the New Facilities Jobs Credit or the Mega Credit, DOR credit #118)

For business enterprises that first qualified in a taxable year beginning before January 1, 2009, $450 million in qualified investment property must be purchased for the project within a six-year period. The manufacturer must also create at a minimum 1,800 new jobs within a six-year period and can receive credit for up to a maximum of 4,500 jobs.

For business enterprises that first qualify in a taxable year beginning on or after January 1, 2009; (1) the definition of business enterprise is any enterprise or organization which is registered and authorized to use the federal employment verification system known as "E-Verify" or any successor federal employment verification system and is engaged in or carrying on any business activities within this state. Retail businesses are not included in the definition of a business enterprise; (2) in general, the business enterprise must meet the job creation requirement of 1,800 eligible full-time employees and either the qualified investment requirement of $450 million in qualified investment property, or the payroll requirement of $150 million in total annual Georgia W-2 reported payroll within the seventh-year period.

A panel composed of the commissioner of community affairs, the commissioner of economic development, and the director of the Office of Planning and Budget, must certify that the new or expanded facility or facilities will have a significant beneficial economic effect on the region for which they are planned. Although the panel's certification may be based upon other criteria, a project that meets the minimum job creation requirement and either the payroll requirement or qualified investment property requirement, as applicable, will have a significant beneficial economic effect on the region for which it is planned if one of the following additional criteria is met:

- The project will create new full-time employee jobs with average wages that are
  - 20 percent above such average wage for projects located in Tier 1 counties;
  - 10 percent above such average wage for projects located in Tier 2 counties; or
  - 5 percent above such average wage for projects located in Tier 3 or Tier 4 counties; or
- The project demonstrates high growth potential based upon the prior year's Georgia net taxable income growth of over 20 percent from the previous year, if the taxpayer's Georgia net taxable income in each of the two preceding years also grew by 20 percent or more.

Code Section: §48-7-40.24
Effective: Taxable years beginning on or after January 1, 2003
Date of Last Modification: 2012
Form: Application is approved by panel.

Cost of Utilizing Credit over 2009-2013*: $302,893,565 (Includes amounts claimed under the Employer's Job Tax Credit)

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: $5,250 per job created annually for five years. New full-time jobs can be created by the close of the eighth taxable year following the business enterprise's withholding start date.

Sunset Date: None
Period of Carry Forward: 10 years
Transferrable/Used against withholding: Excess credits may be used against income tax withholding.
Limitations on Credit: See below

Administered by: Department of Revenue
Overlap/Interaction with other state credits: A taxpayer who is entitled to and takes credits provided by this Code section for a qualified project shall not be allowed to take any of the credits authorized by O.C.G.A. §§48-7-40, 48-7-40.1, 48-7-40.2, 48-7-40.3, 48-7-40.4, 48-7-40.6, 48-7-40.7, 48-7-40.8, 48-7-40.9, 48-7-40.10, 48-7-40.11, 48-7-40.15, 48-7-40.17, or 48-7-40.18 for jobs, investments, child care, or ground-water usage shifts created by, arising from, related to, or connected in any way with the same project.

This credit cannot be claimed for more than 4,500 new full-time employee jobs created by any one project; however the business enterprise may claim credits under O.C.G.A. §48-7-40 and §48-7-40.1 for any such additional jobs if the business enterprise meets the statutory requirements.

4. *Conditions for credit for business enterprises with existing manufacturing facilities (also referred to as the New Manufacturing Facilities Property Credit, DOR credit #120)*

This is an incentive for a manufacturer who has operated a manufacturing facility in this state for at least three years and who spends $800 million on a new manufacturing facility in this state. There is also the requirement that the number of full-time employees equal or exceed 1,800. However, these do not have to be new jobs to Georgia. An application is filed which a panel must approve.

Code Section: §48-7-40.25
Effective: Taxable years beginning on or after January 1, 2003
Date of Last Modification: 2005
Form: Application is approved by panel.

Cost of Utilizing Credit over 2009-2013*: Not Available
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: 6 percent of cost of all qualified investment property purchased or acquired by the business enterprise in such year

Sunset Date: None
Period of Carry Forward: 15 years from the close of the later of the taxable year in which the qualified investment property was acquired or the taxable year in which both the job requirement and investment requirement was satisfied
Transferrable/Used against withholding: Excess credits can be used against the income tax withholding liability.
Limitations on Credit: Credits may not exceed $50 million with respect to any single project.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: A business enterprise who is entitled to and takes credits provided by this Code section for a qualified project shall not be allowed to take any of the credits authorized by O.C.G.A. §§48-7-40, 48-7-40.1, 48-7-40.2, 48-7-40.3, 48-7-40.4, 48-7-40.6,

48-7-40.7, 48-7-40.8, 48-7-40.9, 48-7-40.10, 48-7-40.11, 48-7-40.15, 48-7-40.17, 48-7-40.18 or 48-7-40.24 for jobs, investments, child care, or ground-water usage shifts created by, arising from, related to, or connected in any way with the same project. Such taxpayer may take any credit authorized by O.C.G.A. §48-7-40.5 for the cost of retraining an employee located at the site of such project or the manufacturing facility, but only with respect to costs incurred more than five years after the date the manufacturing facility first becomes operational.

B. INVESTMENT

5. Tax credit for existing manufacturing and telecommunication facilities (also referred to as the Manufacturer's Investment Tax Credit, DOR credit #106)

Taxpayer must invest a minimum of $50,000 per project per location during the tax year to receive credit. Eligible taxpayers must have been in operation for the immediately preceding three years. Leased property for a period of five years or longer is eligible for the credit.

Code Sections: §§48-7-40.2, 48-7-40.3, and 48-7-40.4
Effective: Taxable years beginning on or after January 1, 1994
Date of Last Modification: 2000
Form: IT-IC and IT-APP

Cost of Utilizing Credit over 2009-2013*: $115,333,988
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: Tier 1 counties: 5 percent general, 8 percent for recycling, pollution control or defense conversion activities; Tier 2 counties: 3 percent general and 5 percent for recycling, pollution control or defense conversion activities; Tier 3 or tier 4 counties: 1 percent general and 3 percent for recycling, pollution control or defense conversion activities.

Sunset Date: None
Period of Carry Forward: 10 years
Transferrable/Used against withholding: No/No
Limitations on Credit: Prior approval is required. Can be used to offset up to 50 percent of the taxpayer's tax liability.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: Taxpayers may not apply for the jobs tax credit, headquarters job tax credit, investment tax credit, or the quality jobs tax credit for the same project. Taxpayer must elect either the optional or investment tax credit.

6. Optional tax credit for existing manufacturing and telecommunications facilities (also referred to as the Optional Investment Tax Credit, DOR credit #107)

An alternative investment tax credit available for investments in manufacturing or telecommunications facilities or support facilities that have been operating for the three immediately preceding years. The credit is available for investments in excess of $5 million and placed in service no earlier than January 1, 1996, for Tier 1 counties. The investment threshold is $10 million for Tier 2 counties and is $20 million for Tier 3 and Tier 4 counties.

Code Sections: §§48-7-40.7, 48-7-40.8, and 48-7-40.9
Effective: Taxable years beginning on or after January 1, 1996

Date of Last Modification: 2000
Form: OIT-APP

Cost of Utilizing Credit over 2009-2013*: $5,382,680
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: In the case of Tier 1 counties, the aggregate value of credit is 10 percent of cost of qualified investment and is taken over a 10 year period. In the case of Tier 2 counties the applicable rate is 8 percent and is 6 percent in the case of Tier 3 and Tier 4 counties and is taken over a 10 year period. The annual credit allowed is the minimum of:

- 90 percent of the excess of the tax determined without regard to any credits over the base year average; or
- The excess of the aggregate amount of the credit allowed over the sum of the amounts of credit already used in the years following the base year.

The base year average is the average tax liability for the current tax year and the past two years computed without regard to any tax credits.

Sunset Date: None
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: See below.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: Taxpayers may not apply for the jobs tax credit, headquarters job tax credit, optional investment tax credit, or the quality jobs tax credit for the same project. Taxpayers cannot take this credit and the investment tax credit for the same project.

7. *Income tax credit for certain qualified investments for a limited period of time (also referred to as the Angel Investor Tax Credit, DOR credit #132)*

A tax credit for qualified investments made in certain Georgia headquartered small businesses. Qualified investments include investments in a corporation, LLC, or general or limited partnership that is headquartered in the state and which was organized no more than three years before the qualified investment was made. The business must have no more than 20 employees and $500,000 or less in gross annual consolidated revenue and less than $1 million in aggregate gross proceeds from the issuance of equity or debt instruments. Qualified businesses are primarily engaged in manufacturing, processing, online and digital warehousing, software development, information technology services, research and development. Qualified businesses are not primarily involved in retail sales, real estate or construction, professional services, gambling, natural resource extraction, financial, brokerage, or investment activities, insurance, entertainment, amusement, recreation, or athletic or fitness activity for which an admission is charged.

A qualified investor is defined as an accredited investor as that term is defined by the United States Securities and Exchange Commission who is a resident or nonresident with a tax obligation to the state, or a pass-through entity which is formed for investment purposes, has no business operations, has committed capital under management of equal to or less than $5 million, and is not capitalized with funds raised or pooled through private placement memoranda directed to institutional investors.

A venture capital fund or commodity fund with institutional investors or a hedge fund shall not qualify as a qualified investor.

Code Sections: §48-7-40.30
Effective: January 1, 2011
Date of Last Modification: 2015
Forms: IT-QBR, IT-QI-AP, IT-QI

Cost of Utilizing Credit over 2009-2013*: $54,105
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: A qualified investor that makes a qualified investment directly in a qualified business in calendar year 2011-2018 shall be allowed a tax credit of 35 percent of the amount invested commencing on January 1 of the second year following the year in which the qualified investment was made.
Sunset Date: Credit does not apply to qualified investments made after December 31, 2018.
Period of Carry Forward: Five years
Transferrable/Used against withholding: Five years from the close of the taxable year in which the qualified investment was made.
Limitations on Credit: The credit cannot exceed the taxpayer's income tax liability. The credit amount allowed to an individual, either for one or more qualified investments in a single tax year and shall not exceed $50,000. Aggregate cap: for investments made in calendar years 2011, 2012 or 2013 and claimed two years after the investment was made: $10 million; for investments made in calendar years 2014, 2015, 2016, 2017, or 2018 and claimed two years after the investment was made: $5 million.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: Qualified businesses must not have utilized the tax credit described in §40-7-40.26 (the film tax credit).

8. *Tax credit for qualified investments (also referred to as the Seed Capital tax credit, DOR credit #126)*

This provides a tax credit for certain qualified investments made on or after July 1, 2008, in a research fund, the purpose of which is to provide early-stage financing for businesses formed as a result of the intellectual property resulting from the research conducted in the research universities in this state. In addition, a qualified investment under O.C.G.A. §48-7-40.28 means a cash investment in a legal entity in which the research fund has invested; provided, however, that such investment has been made by the taxpayer at the invitation of the research fund with the express intention of permitting the taxpayer making such qualified investment to qualify for the credit.

Code Section: §§48-7-40.27 and 40.28
Effective: Applicable to investments made on or after July 1, 2008
Date of Last Modification: 2008
Form: IT-SCF

Cost of Utilizing Credit over 2009-2013*: $474,956
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: O.C.G.A. §48-7-40.27 - 25 percent of taxpayer's qualified investment; O.C.G.A. §48-7-40.28 - 10 percent of the taxpayer's qualified investment if the qualified investment is in the form of a legal entity in which the research fund has invested.

Sunset Date: O.C.G.A. §48-7-40.27 Once the research fund reaches $30 million in total qualified investments, investors shall no longer be eligible for a credit with respect to all subsequent qualified investments; O.C.G.A. §48-7-40.28. Once the total amount of qualified investments reaches $75 million, investors shall no longer be eligible for a credit with respect to all subsequent qualified investments.
Period of Carry Forward: 10 years
Transferrable/Used against withholding: No/No
Limitations on Credit: Credit cannot exceed taxpayer's liability.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: O.C.G.A. §48-7-40.27: taxpayer cannot claim this credit for a cash investment if they claim the tax credit provided in O.C.G.A. §48-7-40.28 for such cash investment; O.C.G.A. §48-7-40.28: taxpayer cannot claim this credit for a cash investment into the research fund.

C. SUPPLEMENTAL CREDITS

9. Additional jobs tax credit based on increase in port traffic (also referred to as the Port Activity Tax Credit, DOR credit #114)

For taxable years beginning before January 1, 2010, businesses or the headquarters of any such businesses engaged in manufacturing (including biomedical manufacturing and manufacturing of alternative energy products for use in solar, wind, battery, bioenergy, biofuel, and electric vehicle enterprises), warehousing and distribution, processing, telecommunications, broadcasting, tourism, or research and development that have increased shipments out of Georgia ports during the previous 12-month period by more than 10 percent over their 1997 base year port traffic, or by more than 10 percent over 75 net tons, five containers or 10 20-foot equivalent units (TEU's) during the previous 12-month period are qualified for increased job tax credits or investment tax credits.

For all taxable years beginning on or after January 1, 2010, the total amount of net tons, containers, or twenty-foot equivalent units (TEU's) of product actually imported into this state or exported out of this state by way of a waterborne ship or vehicle through a port facility during the second preceding 12 month period.

NOTE: Base year port traffic must be at least 75 net tons, five containers, or 10 TEU's. If not, the percentage increase in port traffic will be calculated using 75 net tons, five containers, or 10 TEU's as the base. The taxpayer or business enterprise must meet all statutory and regulatory requirements for the underlying credit, the jobs tax credit or investment tax credit, in order to claim the port activity tax credit.

Code Section: §48-7-40.15
Effective: Taxable years beginning on or after January 1, 1998
Date of Last Modification: 2012
Form: Taxpayer must attach a schedule as described in O.C.G.A. §48-7-40.15 to claim this credit. Form for the appropriate applicable tax credit must also be filed (Job tax credit; Form IT-CA; Investment Tax Credit; Form IT-IC; Optional Investment Tax Credit; Form IT-OIT).

Cost of Utilizing Credit over 2009-2013*: Employer's Jobs Tax Credit (114J) $5,889,925, Manufacturer's Investment Tax Credit (114M) = $18,307,842

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: Credit is an enhancement of the jobs tax credit or is claimed in lieu of the investment tax credit or optional investment tax credit- additional job tax credit of $1,250 per job; in lieu of the investment tax credit under O.C.G.A. §§48-7-40.2, 48-7-40.3, or 48-7-40.4 a credit of 5 percent, or in lieu of optional investment tax credit under O.C.G.A. §§48-7-40.7, 48-7-40.8, and 48-7-40.9 a credit of 10 percent.
Sunset Date: None
Period of Carry Forward: 10 years, provided that the increase in port traffic remains above the minimum level established in this Code section and the qualified investment property remains in service
Transferrable/Used against withholding: No/No
Limitations on Credit: No credit shall be allowed in years in which the port traffic of the taxpayer does not remain above the minimum level established. The tax credit is limited to 50 percent of the taxpayer's state income tax liability.

A business enterprise can only claim the port activity tax credit as an enhancement to both the jobs and investment credits if such business enterprise has increased its port traffic of products during the previous 12 month period by more than 20 percent above its base year port traffic, has increased employment by 400 or more no sooner than January 1, 1998, and has purchased or acquired qualified investment property having an aggregate cost in excess of $20 million no sooner than January 1, 1998.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: Must also claim the Jobs Tax Credit, or the Investment Tax Credit or the Optional Investment Tax Credit

D. ECONOMIC DEVELOPMENT

10. Tax credit for film, video, or digital production in state (also referred to as the Film tax credit, DOR credit #122 and #133)

Production companies which have at least $500,000 of qualified expenditures in a state certified production may claim this credit. Certification must be approved through the Georgia Department of Economic Development. There are special calculation provisions for production companies whose average annual total production expenditures in this state exceeded $30 million for 2002, 2003 and 2004.

Code Section: §48-7-40.26
Effective: Taxable years beginning on or after January 1, 2005
Date of Last Modification: 2015
Form: IT-FC, IT-WH

Cost of Utilizing Credit over 2009-2013*: $711,961,974

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: 20 percent of the base investment in the state, with an additional 10 percent for including a qualified Georgia promotion
Sunset Date: None. This credit is not available for qualified interactive entertainment production companies and affiliates for taxable years beginning on or after January 1, 2019.

Period of Carry Forward: Five years, except that qualified interactive entertainment production companies and affiliates are not eligible for carry forward
Transferrable/Used against withholding: Excess credits earned by companies other than an interactive entertainment company can be used against the income tax withholding liability. Credits earned by companies other than an interactive entertainment company, can be sold or transferred by the production company to a Georgia taxpayer.
Aggregate State Caps: For qualified interactive entertainment production companies and affiliates: $25 million for taxable year beginning on or after January 1, 2013 and before January 1, 2014; $12.5 million per taxable years beginning on or after January 1, 2014 and before January 1, 2019.
Limitations on Credit: Credits can be used to offset 100 percent of taxpayer liability. For any qualified interactive entertainment company and its affiliates, credits may not exceed in any single year $5 million for taxable year beginning on or after January 1, 2013 and before January 1, 2014 or $1.5 million for taxable years beginning on or after January 1, 2014 and before January 1, 2019.

Administered by: Film Office of the Georgia Department of Economic Development and Department of Revenue
Overlap/Interaction with other state credits: Resident employees included in the film tax credit by the production company must be permanently excluded from the jobs tax credit (O.C.G.A. §§48-7-40 and 48-7-40.1) and the quality jobs tax credit (O.C.G.A. §48-7-40.17).

11. Tax credit for qualified research expenses (DOR credit #112)

This credit is for expenses resulting from research conducted in Georgia by businesses engaged in the manufacturing, warehousing and distribution, processing, telecommunications, tourism, or research and development industries. Firms with R&D expenditures in excess of 10 percent of the base amount, where the base amount is defined to be the product of a business enterprise's Georgia gross receipts in the current taxable year and the average of the ratios of its aggregate qualified research expenses to Georgia gross receipts for the preceding three taxable years or 0.300, whichever is less. Business enterprise means any business or the headquarters of any such business that is engaged in manufacturing, warehousing and distribution, processing, telecommunications, broadcasting, tourism, and research and development industries. Such term shall not include retail businesses. A tax credit is allowed provided that the business enterprise for the same taxable year claims and is allowed a research credit under Section 41 of the Internal Revenue Code of 1986, as amended.

Code Section: §48-7-40.12
Effective: Taxable years beginning on or after January 1, 1998
Date of Last Modification: 2012
Form: IT-RD

Cost of Utilizing Credit over 2009-2013*: $50,598,766
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: 10 percent of the excess over the base amount of research expenditures
Sunset Date: None
Period of Carry Forward: 10 years
Transferrable/Used against withholding: If the amount of credit exceeds 50 percent of the business' remaining GA net income tax liability after all other credits have been applied in the taxable year, the excess credit can be used against payroll withholding.

Limitations on Credit: Credit cannot exceed 50 percent of the business enterprise's remaining Ga. net income tax liability after all other credits have been applied.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

12. Credit against taxes for existing business enterprises undergoing qualified business expansion

Existing businesses engaged in manufacturing, warehousing and distribution, processing, telecommunications, broadcasting, tourism, or research and development industries that have been in operation in this state for at least five years and that create at least 500 new full-time jobs within the taxable year. Such businesses shall not include retail businesses.

A panel composed of the commissioner of community affairs, the commissioner of economic development, and the director of the office of planning and budget must certify that the expansion will have a beneficial economic effect on the region for which it is planned.

Code Section: §48-7-40.21
Effective: Tax years beginning on or after January 1, 2001
Date of Last Modification: 2008
Form: IT-QBE

Cost of Utilizing Credit over 2009-2013*: Not Available
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: An approved existing business enterprise is allowed to take credits available through §48-7-40 against its withholding tax liability.

Sunset Date: None
Period of Carry Forward: 10 years
Transferrable/Used against withholding: No/Yes
Limitations on Credit: Application may only be made where the amount of such credit exceeds 50 percent of the existing business enterprise's income tax liability. $5 million limit on tax credit per taxpayer and no credit is allowed if the net employment increase falls below 500 new-full time jobs. The credit shall not apply to more than 5 taxable years.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: §48-7-40

E. EMPLOYEE BENEFIT

13. Tax credit for qualified health insurance expenses (DOR credit #129)

Employer credit for the premiums paid for a high-deductible health plan. Employers must employ 50 or fewer persons for whom the employer provides high deductible health plans as defined by Section 223 of the Internal Revenue Code and in which such employees are enrolled. The qualified health insurance must be made available to all employees and compensated individuals of the employer pursuant to the applicable provisions of Section 125 of the Internal Revenue Code. The qualified health insurance premium expense must equal at least $250 annually.

Code Section: §48-7-29.13
Effective: Taxable years beginning on or after January 1, 2009

Date of Last Modification: 2009
Form: IT-QHIE

Cost of Utilizing Credit over 2009-2013*: $1,593,621
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: $250 per employee enrolled for 12 consecutive months in a qualified health plan
Sunset Date: None
Period of Carry Forward: Credit can be carried forward until completely utilized.
Transferrable/Used against withholding: No/No
Limitations on Credit: Cannot exceed taxpayer's income tax liability.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

14. Tax credit for federal qualified transportation fringe benefits (DOR credit #108)

A tax credit provided to employers for the cost of providing any federally qualified transportation benefit to an employee.

Code Section: §48-7-29.3
Effective: Taxable years beginning on or after January 1, 2001
Date of Last Modification: 2000
Form: None

Cost of Utilizing Credit over 2009-2013*: $68,867
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: $25 per employee receiving the benefit, provided that in no event shall the total amount of such tax credit exceed the annual amount expended by the employer in providing such federal qualified transportation fringe benefits to such employees

Sunset Date: None
Period of Carry Forward: Three years
Transferrable/Used against withholding: No/No
Limitations on Credit: Cannot exceed the taxpayer's income tax liability. Employees must use the fringe benefit at least 10 workdays per month for the employer to qualify for the credit.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

15. Credit to business enterprises for motor vehicles (DOR credit #111)

This is a credit given to certain business enterprises engaged for the purchase or lease of a motor vehicle that is used exclusively to provide transportation for its employees. In order to qualify, a business enterprise must certify that each vehicle carries an average daily ridership of not less than four employees for an entire taxable year. Qualifying businesses include only those engaged in manufacturing, warehousing and distribution, processing, telecommunications, broadcasting, tourism, research and development industries, child care businesses, or retail businesses.

Code Section: §48-7-40.22
Effective: Taxable years beginning on or after January 1, 2002

Date of Last Modification: 2008
Form: None

Cost of Utilizing Credit over 2009-2013*: $279,429
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: $3,000 per vehicle for Tier 1 counties, $2,000 for Tier 2 counties
Sunset Date: None

Period of Carry Forward: Credit can be carried forward until utilized.
Transferrable/Used against withholding: No/No
Limitations on Credit: Tax credit cannot exceed income tax liability for that year.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: Cannot take the credit under this provision and under the low or zero emission vehicle credit (§48-7-40.16) for the same vehicle.

16. Tax credits for employers providing child care (also referred to as Employer's Credit for Purchasing Child Care Property and the Employer's Credit for Providing or Sponsoring Child Care for Employees, DOR credit #104 and #105)

Tax credit for expenses related to an employer who purchases qualified child care property; and a tax credit for employers who provide or sponsor child care for employees.

Code Section: §48-7-40.6
Effective: Credit for cost of operation- taxable years beginning on or after January 1, 1994; Credit for Cost of Qualified Child Care Property- taxable years beginning on or after January 1, 2000.
Date of Last Modification: 2004
Form: IT-CCC75 & IT-CCC100

Cost of Utilizing Credit over 2009-2013*: $43,742,792
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: In the case of purchasing child care property, the credit rate is 100 percent. In the case of employer-provided or sponsored childcare, the credit rate is up to 75 percent of employer's direct costs.

Sunset Date: None
Period of Carry Forward: Three years for purchase of child care property; five years for employer-sponsored child care expenses
Transferrable/Used against withholding: No/No
Limitations on Credit: Can be used to offset 50 percent of taxpayer's tax liability. In the case of employer purchased property, the taxpayer can take a credit worth 10 percent per year for 10 years. A recapture schedule applies for property that is transferred or committed to a use other than child care within 14 years after the property is placed in service.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

F. HOUSING

17. Tax credit for qualified low-income building (also referred to as the Low-Income Housing Tax Credit, DOR credit #109)

This is a credit against Georgia income taxes for taxpayers owning developments which receive the federal Low-Income Housing Tax Credit and that are placed in service on or after January 1, 2001. A development consists of a housing project with restricted rents that do not exceed 30 percent of median income for at least 40 percent of its units occupied by persons or families having incomes of 60 percent or less of the median income or at least 20 percent of the units occupied by persons or families having incomes of 50 percent or less of the median income.

Code Section: §48-7-29.6
Effective: Taxable years beginning on or after January 1, 2001
Date of Last Modification: 2001
Form: IT-HC

Cost of Utilizing Credit over 2009-2013*: $367,688,800
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: Equal in value to the federal credit
Sunset Date: None
Period of Carry Forward: Three years
Transferrable/Used against withholding: Yes/No
Limitations on Credit: Credit cannot exceed tax liability. Must apply for federal credit to receive state credit. Cannot exceed value of federal credit when combined with the total amount of credits under O.C.G.A. §33-1-18.

Administered by: Department of Community Affairs, Department of Revenue, and Office of Insurance and Safety Commissioner
Overlap/Interaction with other state credits: None

18. Tax credit for the rehabilitation of historic structures (DOR #121)

A credit for the certified rehabilitation of a certified structure or historic home. Standards set by the Department of Natural Resources must be met.

Code Section: §48-7-29.8
Effective: Taxable years beginning on or after January 1, 2004
Date of Last Modification: 2015
Form: IT-RHC

Cost of Utilizing Credit over 2009-2013*: $6,370,468
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: In the case of a historic home, the credit is equal to 25 percent of the qualified rehabilitation expenses with an additional 5 percent credit for historic homes located in a target area. In the case of other certified structures, the credit is equal to 25 percent of the qualified rehabilitation expenditures.

For all certified rehabilitations completed on or after January 1, 2017: Qualified rehabilitation expenditures may only be counted once in determining the amount of the tax credit available, and more than one entity may not claim a credit for the same qualified rehabilitation expenditures.

Sunset Date: December 31, 2021
Period of Carry Forward: 10 years
Transferrable/Used against withholding: Yes/No
Limitations on Credit: For taxable years beginning on or after January 1, 2009, the credit cannot exceed $100,000 for a historic home over a 10-year period. The maximum credit for any other certified project is, in general, $5 million a year. For a certified project that creates 200 or more full-time jobs or $5 million in payroll, the maximum credit is $10 million. Only one application per 120 month period may be accepted at a time for a certified structure.

For all certified rehabilitations completed on or after January 1, 2017: For any individual certified structure other than a historic home, the maximum credit shall be $5 million for any taxable year, except in the case that the project creates 200 or more full-time, permanent jobs or $5 million in annual payroll within two years of the placed in service date, in which case the project is eligible for credits up to $10 million for an individual certified structure. In no event shall more than one application for any individual certified structure be approved in a 10-year period. In no event shall credits issued for projects earning more than $300,000.00 in credits exceed in the aggregate $25 million per calendar year.

Administered by: Department of Natural Resources and Department of Revenue
Overlap/Interaction with other state credits: None

G. ENVIRONMENTAL

19. Diesel particulate emission reduction technology equipment tax credit (DOR credit #110)

This is a credit given to any person who installs diesel particulate emission reduction equipment at any truck stop, depot, or other facility. For purposes of this credit diesel particulate emission reduction technology equipment is any equipment that provides for heat, air conditioning, light, and communications for the driver's compartment of a commercial motor vehicle parked at a truck stop, depot, or other facility the use of which results in the engine being turned off with a corresponding reduction of particulate emissions from such vehicle's diesel engine.

Code Section: §48-7-40.19
Effective: Taxable years beginning on or after January 1, 2001
Date of Last Modification: 2000
Form: None

Cost of Utilizing Credit over 2009-2013*: $9,550

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: 10 percent of the total cost of the diesel particulate emission reduction technology equipment and the cost of installation of such equipment

Sunset Date: None
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: None

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

20. Electric Vehicle Charger and Electric Vehicle Conversion Credit (DOR credit #119)

The credit applies to the lesser of 10 percent or $2,500 of the expenses associated with the purchase or lease of an electric vehicle charger. The credit also applies to the lesser of 10 percent or $2,500 of the expenses associated with the conversion of a conventionally-fueled vehicle to an electric vehicle. The electric vehicle charger credit is only available only to business enterprises that are not retail and are engaged in manufacturing, warehousing and distribution, processing, telecommunications, tourism or research and development industries. Individual homes and retail businesses do not qualify for the electric vehicle charger credit. A qualified charger must be rated greater than 130 volts and is designed to charge on-road vehicles. The charger must be installed in Georgia, accessible to the public and remain in Georgia for five consecutive years.

Code Section: §48-7-40.16
Effective: Taxable years beginning on or after January 1, 1998
Date of Last Modification: 2015
Form: EVC, LEV
Cost of Utilizing Credit over 2009-2013*: $8,679
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: A tax credit equal to 10 percent of the cost or $2,500, whichever is less, for the purchase or lease of an electric vehicle charger and/or for the conversion of a conventionally-fueled vehicle to an electric vehicle

Sunset Date: None
Period of Carry Forward: Five years
Transferrable/Used against withholding: No/No
Limitations on Credit: Credit is limited to a maximum of $2,500 per electric vehicle charger

Administered by: Department of Natural Resources and Department of Revenue
Overlap/Interaction with other state credits: None

21. Tax credit for qualified donation of real property (also referred to as the Land Conservation credit, DOR credit #124)

This provides for an income tax credit for the qualified donation of real property that qualifies as conservation land pursuant to Chapter 22 of Title 36.

Code Section: §48-7-29.12
Effective: Taxable years beginning on or after January 1, 2006
Date of Last Modification: 2015
Form: IT-CONSV

Cost of Utilizing Credit over 2009-2013*: $114,000,464
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: 25 percent of the fair market value of the donated property, or 25 percent of the difference between the fair market value and the amount paid to the donor if the donation is effected by a sale of property for less than fair market value, up to a maximum credit of $250,000 per individual, and $500,000 per corporation, and $500,000 per partnership

Sunset Date: December 31, 2016
Period of Carry Forward: 10 years
Transferrable/Used against withholding: Any credit earned by a taxpayer and previously claimed but not used by such taxpayer may be transferred or sold in whole or in part to another GA taxpayer, although only one transfer or sale is allowed of credits earned in a taxable year (transfer or sale may involve multiple transferees). Use against withholding not allowed.
Limitations on Credit: credit cannot exceed taxpayer's income tax liability for that year. The credits allowed under this provision may not exceed $30 million for 2016.

Administered by: Department of Natural Resources and Department of Revenue
Overlap/Interaction with other state credits: None

22. Income tax credit for transporting or diverting wood residuals (also referred to as the Wood Residuals Tax credit, DOR credit #128)

The Georgia Wood Residuals Tax Credit provides for a credit based on the value of "wood residuals" delivered to a qualified renewable biomass facility as defined by the Federal Energy Regulatory Commission which meets the open loop biomass standards promulgated pursuant to Section 45 of the Internal Revenue Code. For the purposes of the wood residuals tax credit, wood residuals include urban wood waste, land clearing residues, and pellets, but not wood from a US national forest.

Code Section: §48-7-29.14
Effective: July 1, 2008
Date of Last Modification: 2011
Form: None

Cost of Utilizing Credit over 2009-2013*: $0
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: Based on the value per ton of wood residuals as certified by the Georgia Forestry Commission

Sunset Date: None
Period of Carry Forward: Credit can be carried forward until utilized.
Transferrable/Used against withholding: No/No
Limitations on Credit: Credits cannot exceed taxpayer's tax liability. Aggregate Cap: calendar years 2008-2011, $2.5 million; calendar years 2012-2014, $5 million per year; calendar year 2015 and forward no cap exists.

Administered by: Department of Revenue and Georgia Forestry Commission
Review and Tracking Status: Statute requires quarterly reporting for public review of the status and availability of the tax credits.

GEFA shall provide an annual report of a determination of associated energy and economic benefits to the state.

DOR shall provide an annual report consisting of:

- The number of taxpayers that claimed the credits allowed under O.C.G.A. §48-7-29.14;
- The total amount of credits allowed.

Note: This credit was never implemented so a report has not been provided.

Overlap/Interaction with other state credits: From 2008-2014, the cap on the amount of credit claimed applied to both the clean energy property and the wood residuals tax credit. The clean energy property tax credit expired in 2014.

23. Income tax credit for certain qualified equipment that reduces business or domestic energy or water usage

The energy or water efficient equipment credit is an income tax credit for energy or water efficient equipment purchased for business or residential use. Examples of qualifying energy equipment include any dishwasher, clothes washer, furnace, air conditioner, central heating and air conditioning system, ceiling fan, fluorescent light bulb, dehumidifier, programmable thermostat, refrigerator, energy efficient water heater, sky lighting system, whole house fan, energy use meter, light-emitting diode lighting system, geothermal heating system, door, window, or window film which has been designated by the U.S. Environmental Protection Agency and the U.S. Department of Energy as meeting or exceeding each such agency's energy saving efficiency requirements or which have been designated as meeting or exceeding such requirements under each such agency's Energy Star program. Examples of qualified water efficient equipment include water conservation systems capable of storing rain water or gray water for future use and reusing the collected water for the same residential or commercial property and other products used for the conservation or efficient use of water which have been designated by the U.S. Environmental Protection Agency as meeting or exceeding such agency's water saving efficiency requirements or which have been designated as meeting or exceeding such requirements under such agency's Water Sense program. The credit is fully and solely funded with federal funds. If no federal funds are available then no credit is allowed.

Code Section: §48-7-40.29
Effective: January 1 of the year following the year in which federal funds are made available for funding this credit and in which the state auditor certifies in writing to the commissioner of natural resources and the state revenue commissioner that such funds have been received, have been deposited in the general fund, and are available for purposes of this tax credit.
Date of Last Modification: 2013
Form: N/A

Cost of Utilizing Credit over 2009-2013*: Not Available
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: 25 percent of the cost of the qualified equipment or $2,500, whichever is less

Sunset Date: None
Period of Carry Forward: Five years from the close of the taxable year in which the qualified equipment was placed in service
Transferrable/Used against withholding: No/No
Limitations on Credit: Aggregate amount of the credit claimed and allowed by taxpayers in any taxable year will be limited to the amount of federal funds granted to the state for this purpose. Tax

credits will be awarded on a first come, first served basis. Tax credits may not exceed taxpayer's income tax liability.

Administered by: Department of Natural Resources and Department of Revenue
Overlap/Interaction with other state credits: Taxpayers claiming this credit are not eligible to claim such equipment for the clean energy property tax credit.

24. Tax credit for shift from ground water usage

Taxpayers are allowed a credit against income tax for the use of facilities that result in reduced ground-water usage or that utilize a surface-water source. Facilities include buildings, machinery, and equipment used in the water conservation process. To be eligible for the credit a taxpayer must shift a minimum of 10 percent of annual permitted ground-water usage from ground-water sources due to the purchase of water from a qualified water conservation facility.

Code Section: §48-7-40.11
Effective: Taxable years beginning on or after January 1, 1997
Date of Last Modification: 2015
Form: N/A

Cost of Utilizing Credit over 2009-2013*: Not available
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: Credit shall be allowed in the fourth taxable year following the taxable year in which the shift from ground-water usage occurs. The credit amount shall be $0.0001 per gallon of the total gallons of relinquished and transferred annual ground water permit issued after July 1, 1996.

Sunset Date: December 31, 2016
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: The amount of the credit used in any year may not exceed 50 percent of the taxpayer's income tax liability for that year as determined without regard to other credits.

Administered by: Department of Natural Resources and Department of Revenue
Overlap/Interaction with other state credits: N/A

25. Tax credit for water conservation facilities and qualified water conservation investment property

A taxpayer who financially participates in qualified water conservation investment in this state shall be allowed a credit against their income tax liability in the taxable year following the year in which the modified manufacturing process or the new or expanded water conservation facility has been placed in service and in which the taxpayer has initiated a minimum 10 percent reduction in permit by relinquishment or transfer of annual permitted water usage from existing permitted ground-water sources.

Code Section: §48-7-40.10
Effective: Taxable years beginning on or after January 1, 1997
Date of Last Modification: 2015
Form: N/A

Cost of Utilizing Credit over 2009-2013*: Not Available

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: The amount of the credit allowed is a percentage of the taxpayer's qualified water conservation investment. For projects of $50,000 to $499,999, the credit for such taxpayer is equal to 10 percent; for projects of $500,000 to $799,999, the credit is equal to 8 percent; for projects of $800,000 to $999,999, the credit is equal to 6 percent; and for projects of $1 million or more, the credit is equal to 5 percent.

Sunset Date: December 31, 2016
Period of Carry Forward: 10 years
Transferrable/Used against withholding: No/No
Limitations on Credit: The amount of the credit used in any tax year cannot exceed 50 percent of the taxpayer's tax liability for that year. Qualified water conservation investments projects must cost a minimum of $50,000. The modified manufacturing process or the new or expanded water conservation facility must not be placed in service prior to January 1, 1997.

Administered by: Department of Natural Resources and Department of Revenue
Overlap/Interaction with other state credits: N/A

26. Tax credit for purchasers of alternative fuel for heavy duty and medium duty vehicles

A tax credit is provided to taxpayers who (1) purchase an alternative fuel heavy-duty vehicle or (2) purchase an alternative fuel medium-duty vehicle. Alternative fuel means electricity, liquid petroleum gas, natural gas, or hydrogen fuel. The term does not include hybrid electric drives unless the vehicle has a gross weight equal to or greater than 8,500 pounds and less than 26,000 pounds. Alternative fuel heavy-duty vehicle means a new commercial vehicle, with a gross vehicle weight ratio equal to or more than 26,001 pounds, primarily fueled by an alternative fuel (=>90 % alternative fuel and <=10% gasoline or diesel fuel). Alternative fuel medium-duty vehicle means a new commercial vehicle, with a gross vehicle weight ratio equal to 8,500 pounds or more and less than 26,001 pounds that is solely fueled by an alternative fuel. Both vehicle classifications must be produced by an original equipment manufacturer.

Code Sections: §§48-7-29.18 and 48-7-29.19
Effective: 2014
Date of Last Modification: Not applicable
Form: MH-LEV

Cost of Utilizing Credit over 2009-2013*: Not applicable until July 1, 2015.

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: The credit is not to exceed $20,000 per heavy-duty vehicle or $12,000 per medium-duty vehicle.

Sunset Date: July 1, 2017
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Aggregate State Caps: $2.5 million in each fiscal year
Taxpayer Limitations on Credit: Credit cannot exceed lesser of the taxpayer's income tax liability, or $250,000.

Administered by: Department of Natural Resources and Department of Revenue
Overlap/Interaction with other state credits: Credit shall not apply to any vehicle for which the taxpayer or an affiliated entity has applied for and received a tax credit as set forth in O.C.G.A. §48-7-40.16 (zero and low emission vehicle credit).

H. EDUCATION

27. Georgia Employer GED Tax Credit (DOR credit #101)

A tax credit is provided to employers that sponsor or provide, at no cost to their workers, an approved basic skills education program. A basic skills education is one that enhances reading, writing, or mathematical skills up to and including the 12th grade. Employee means any employee resident in Georgia who is employed for at least 24 hours a week, who has been continuously employed by the employer for at least 16 consecutive weeks, and who is eligible to take the GED test. Eligible expenses include instructor salaries, materials, supplies, and textbooks but excluding costs associated with renting or otherwise securing space.

Code Section: §48-7-41
Effective: 1991
Date of Last Modification: 2015
Form: IT-BE

Cost of Utilizing Credit over 2009-2013*: $695,284 (This total represents the amount taken under the previous form of this credit. The credit was substantially modified in 2015).
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: $400 for each employee who passes the basic skills test, designated as the test required to receive the GED diploma, that was paid for by the employer in a taxable year; or $1,200 for each employee who successfully completes an approved adult basic skills education program consisting of at least 40 hours of training while the employee is being compensated at his or her normal rate of pay, and passes the basic skills test that was paid for by the employer in a taxable year. No employer shall receive a credit if the employer requires the employee to reimburse or pay the employer for the cost of attending the adult basic skills education program or taking the basic skills education test. No single employer shall receive more than $100,000 in credits per calendar year.

Sunset Date: January 1, 2020
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Aggregate State Caps: $1 million per calendar year
Taxpayer Limitations on Credit: Credit cannot exceed taxpayer's income tax liability

Administered by: All educational training must be approved by the Technical College System of Georgia; Department of Revenue
Overlap/Interaction with other state credits: None

28. Tax credit for employers providing approved retraining programs (DOR credit #102)

The tax credit reimburses employers for the cost of providing retraining services to their employees. As of January 1, 2009, retraining programs shall not include any retraining on commercially, mass produced software packages for word processing, data base management, presentations, spreadsheets, e-mail, personal information management, or computer operating systems except a retraining tax credit shall be allowable for those providing support or training on such software.

Code Section: §48-7-40.5
Effective: Taxable years beginning on or after January 1, 1994.
Date of Last Modification: 2009
Form: IT-RC

Cost of Utilizing Credit over 2009-2013*: $122,959,711
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: The lesser of $500 or one-half the costs of retraining per full-time employee

Sunset Date: None
Period of Carry Forward: 10 years
Transferrable/Used against withholding: No/No
Limitations on Credit: Credit amount shall not exceed 50 percent of the amount of the taxpayer's income tax liability for the taxable year. Credit cannot exceed $1,250 per year per full-time employee who has completed more than one approved training program.

Administered by: Technical College System of Georgia and Department of Revenue
Overlap/Interaction with other state credits: None

29. Qualified education tax credit (DOR credit #125)

This provides a tax credit for qualified tuition and fee expenses paid to a student scholarship organization.

Code Section: §48-7-29.16
Effective: Taxable years beginning on or after January 1, 2008
Date of Last Modification: 2013
Form: IT-QEE-TP1, IT-QEE-TP2, IT-QEE-SSO1, IT-QEE-SSO2

Cost of Utilizing Credit over 2009-2013*: $172,138,649
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: $1,000 per individual/HH filer, $1,250 for an individual taxpayer filing a married filing separate return, and $2,500 per joint filer. A corporation shall be allowed a credit equal to the lesser of 75 percent of the corporation's income tax liability or 100 percent of the education expense. Individuals who are members of a limited liability company (duly formed under state law), a shareholder of a Subchapter "S" corporation, or a partner in a partnership shall be subject to a limit of the amount expended or $10,000 per tax year, whichever is less.

Sunset Date: None
Period of Carry Forward: Five years
Transferrable/Used against withholding: No/No
Limitations on Credit: Cannot exceed taxpayer's tax liability. Aggregate credits allowed cannot exceed $58 million per calendar year and after 2013 is no longer adjusted for inflation. Credits are available on a first come-first served basis. No credit shall be allowed under this Code section with respect to any amount deducted from Georgia taxable net income by the taxpayer as a charitable

contribution to a bona fide charitable organization qualified under Section 501(c)(3) of the Internal Revenue Code.

Administered by: Department of Revenue and Department of Education
Review and Tracking Status: DOR shall keep an ongoing list of the amount of credit available under this code section.
Overlap/Interaction with other state credits: None

I. CREDIT TO OFFSET OTHER TAXES

30. Tax credit for depository financial institutions (also referred to as the Bank Tax Credit, DOR #115)

Depository financial institutions are allowed a credit against their state income tax liability equal to the sum of the amount of business licenses taxes paid to local governments under O.C.G.A. §48-6-93 and any special state occupation tax paid to the state under O.C.G.A. §48-6-95.

Code Section: §48-7-29.7
Effective: 2000
Date of Last Modification: 2000
Form: 900, PT440

Cost of Utilizing Credit over 2009-2013*: $42,525,046
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: A dollar for dollar credit is allowed.

Sunset Date: None
Period of Carry Forward: Five years
Transferrable/Used against withholding: No/No
Limitations on Credit: Cannot exceed taxpayer's liability. Excess amounts may be carried forward five years from the tax year in which the unused credit arose.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: Credit cannot be taken against the corporate net worth tax.

II. Personal Income Tax Credits

A. HEALTH CARE

1. Tax credit for rural physicians

Licensed physicians practicing in a rural county and residing in a rural county or a county contiguous to the rural county in which they practice and primarily admits patients to a rural hospital and practices in the fields of family practice, obstetrics and gynecology, pediatrics, internal medicine, or general surgery are eligible for this credit.

Code Section: §48-7-29
Effective: Taxable years beginning on or after January 1, 1996
Date of Last Modification: 2002
Form: IND-CR

Cost of Utilizing Credit over 2009-2013*: $3,608,244

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: Maximum amount of $5,000 can be taken annually for up to five years.

Sunset Date: None
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: Cannot exceed taxpayer's income tax liability. Credit cannot be claimed for more than five years, provided that the physician continues to qualify as a rural physician.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

B. CAREGIVING AND QUALITY OF LIFE

2. *Retrofitting certain single-family homes with accessibility features*

Qualified permanently disabled persons are allowed a credit for the purchase of a new single-family home containing special accessibility features or are allowed a credit for the retrofit of an existing single-family home.

Code Section: §48-7-29.1
Effective: Taxable years beginning on or after January 1, 1999
Date of Last Modification: 1998
Form: IND-CR

Cost of Utilizing Credit over 2009-2013*: $1,080,004

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: The credit for the purchase of a new single-family home is $500. The credit for retrofit of an existing home shall be equal to $125 for each accessibility feature or the actual cost of the accessibility feature, whichever is lower. The aggregate amount of the credit in the case of a retrofit cannot exceed $500.

Sunset Date: None
Period of Carry Forward: Three years
Transferrable/Used against withholding: No/No
Limitations on Credit: Credit allowed cannot exceed taxpayer's income tax liability or $500 per residence.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

3. *Tax credit for qualified caregiving expenses*

This credit is for taxpayers or individuals related to the taxpayer by blood, marriage or adoption, with expenses related to the care of a qualified family member who is at least 62 years of age and who has been determined to be disabled by the Social Security Administration. Examples of qualifying expenses include, but are not limited to, payments made for home health services, personal care services, adult day care, health care equipment and supplies which have been determined to be medically necessary.

Code Section: §48-7-29.2
Effective: Taxable years beginning on or after January 1, 1999
Date of Last Modification: 2002
Form: IND-CR

Cost of Utilizing Credit over 2009-2013*: $1,428,487

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: The value of the credit is equal to no more than 10 percent of the total amount expended for qualifying caregiving expenses for a qualifying family member.

Sunset Date: None
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: The credit cannot exceed $150 or the taxpayer's income tax liability, whichever is less.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

4. *Tax credit for qualified child and dependent care expenses*

Taxpayers are allowed a credit for qualified child and dependent care expenses. The eligible expenses are defined by the federal Dependent Care Credit (Internal Revenue Code Section 21).

Code Section: §48-7-29.10
Effective: Taxable years beginning on or after January 1, 2006
Date of Last Modification: 2006
Form: IND-CR

Cost of Utilizing Credit over 2009-2013*: $159,345,131

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: 30 percent of the amount eligible to be claimed under the federal tax credit for child and dependent care expenses

Sunset Date: None. This credit is tied to the federal credit. In the event the federal credit ceases to exist, the state credit will no longer exist.
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: Cannot exceed taxpayer's income tax liability

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

5. *Tax credit for adoption of foster child*

Taxpayers are allowed a tax credit for the adoption of a foster child who is less than 18 years of age and who is in a foster home or otherwise in the foster care system under the Division of Family and Children Services of the Georgia Department of Human Services.

Code Section: §48-7-29.15
Effective: Tax years beginning on or after January 1, 2008
Date of Last Modification: 2009
Form: IND-CR

Cost of Utilizing Credit over 2009-2013*: $8,581,511

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: $2,000 per year beginning with the year the adoption becomes final and ending in the year in which the adopted child turns 18 years of age

Sunset Date: None
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: Cannot exceed taxpayer's income tax liability. The credit applies to adoptions occurring in the taxable years beginning on or after January 1, 2008.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

C. INCOME SUPPORT

6. Low-Income Credit

A non-refundable tax credit is available to taxpayers with federal AGI of less than $20,000. The credit amount is graduated based on AGI amounts up to the maximum $20,000 with a maximum credit of $26 per dependent, including the taxpayer and if a joint return, the spouse.

Code Section: §48-7A-3
Effective: Taxable years beginning on or after January 1, 1992
Date of Last Modification: 2010
Form: 500 or 500EZ

Cost of Utilizing Credit over 2009-2013*: $57,513,750

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: Taxpayers with AGI less than $6,000 are eligible for a tax credit of $26. Taxpayers with AGI of more than $5,999 but less than $8,000 are eligible for a credit of $20. Taxpayers with AGI of more than $7,999 but less than $10,000 are eligible for a tax credit of $14. Taxpayers with AGI of more than $9,999 but less than $15,000 are eligible for a tax credit of $8. Taxpayers with AGI of more than $14,999 but less than $20,000 are eligible for a tax credit of $5.

Sunset Date: None
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: Cannot exceed taxpayer's income tax liability. No person who receives a food stamp allotment or who is incarcerated or confined in a federal, state, or local correctional facility for all or part of a tax year is eligible for the credit for that tax year.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

D. TREATMENT OF TAXES PAID

7. Reciprocity (also referred to as the credit for taxes paid to another state)

Taxpayers with income taxed by another state are allowed a credit for the tax paid to another state.

Code Section: §48-7-28
Effective: 1931
Date of Last Modification: 1987
Form: 500

Cost of Utilizing Credit over 2009-2013*: $1,005,106,317
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: 100 percent of taxes paid to the other state
Sunset Date: None
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: Cannot exceed taxpayer's income tax liability. Value of credit cannot exceed the tax that would be due if the income were taxed by Georgia.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

E. INSURANCE & DISASTER RELIEF

8. Tax credit for disaster assistance funds received

Taxpayers who receive disaster assistance from the Georgia Emergency Management Agency or the Federal Emergency Management Agency are allowed a credit against their income tax liability.

Code Section: §48-7-29.4
Effective: Taxable years beginning on or after January 1, 2000
Date of Last Modification: 2000
Form: IND-CR

Cost of Utilizing Credit over 2009-2013*: $903,949
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: The credit amount is equal to $500 or the actual amount of the assistance, whichever is less.

Sunset Date: None
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: Credit cannot exceed income tax liability.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: None

9. Tax credit for qualified life insurance premiums for National Guard and Air National Guard members

This credit is available for members of the Georgia National Guard and Air National Guard on active duty for more than 90 consecutive days and who purchase qualified life insurance through the Services' Group Life Insurance Program administered by the U.S. Department of Veterans Affairs.

Code Section: §48-7-29.9
Effective: Tax years beginning on or after January 1, 2005
Date of Last Modification: 2009
Form: IND-CR

Cost of Utilizing Credit over 2009-2013*: $3,531,032
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: The value of the credit is equal to the cost of the premiums of the life insurance policy.

Sunset Date: None
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: Credit cannot exceed income tax liability or the amount expended for the life insurance premiums.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: N/A

F. EDUCATION

10. Tax credit for private driver education courses of minors

A taxpayer is allowed a tax credit for expenses incurred for the participation of each dependent minor child at a private driver training school licensed by the Department of Driver Services.

Code Section: §48-7-29.5
Effective: Taxable years beginning on or after January 1, 2001
Date of Last Modification: 2008
Form: IND-CR

Cost of Utilizing Credit over 2009-2013*: $2,957,312
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: The credit amount is $150 or the cost of the qualified driver education class, whichever is less.

Sunset Date: None
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: Credit cannot exceed the taxpayer's income tax liability and can only be taken once per each dependent minor child of a taxpayer. No credit will be allowed with respect to any driver education expenses either deducted or subtracted by the taxpayer in arriving at Georgia taxable net income or with respect to any driver education expenses for which amounts were excluded from Georgia net taxable income.

Administered by: Department of Revenue and Department of Driver Services
Overlap/Interaction with other state credits: N/A

III. Recently Eliminated Credits

INCOME TAX CREDIT FOR LOW AND ZERO EMISSION VEHICLES

This is a credit for the purchase or lease of a new low or zero emission vehicle that is registered in the state of Georgia.

Code Section: §48-7-40.16
Effective: Taxable years beginning on or after January 1, 1998
Date of Last Modification: 2015
Form: Must be certified by the Environmental Protection Agency of the Department of Natural Resources

Cost of Utilizing Credit over 2009-2013*: $1,411,768 (Low-Emission); $15,830,589 (Zero-Emission);
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: In the case of the Low Emission vehicle credit, the credit is equal to the lesser of 10 percent of the cost of the vehicle or $2,500 for the purchase or lease of a new vehicle. In the case of the Zero Emission vehicle credit, the credit is equal to the lesser of 20 percent of the cost of the vehicle or $5,000, for the purchase or lease of a new zero emission vehicle.

Sunset Date: July 1, 2015
Period of Carry Forward: Five years
Transferrable/Used against withholding: No/No
Limitations on Credit: A low speed vehicle does not qualify for this credit. A hybrid vehicle does not qualify for this credit.

Administered by: Environmental Protection Division of the Department of Natural Resources and Department of Revenue
Overlap/Interaction with other state credits: A business enterprise cannot claim the credit under O.C.G.A. §48-7-40.22, the business enterprise vehicle credit, and the low or zero emission credit (§48-7-40.16(b)) for the same vehicle.

INCOME TAX CREDIT FOR CLEAN ENERGY PROPERTY (DOR CREDIT #127)

The Georgia Clean Energy Property tax credit provides for a credit for the construction, purchase, or lease of clean energy property that is placed in service in Georgia between July 1, 2008 and December 31, 2014. The credit applies to solar, wind and energy efficiency projects, geothermal heat pumps, and certain biomass equipment for making electricity.

Code Section: §48-7-29.14
Effective: July 1, 2008
Date of Last Modification: 2011
Form: IT-CEP-AP; IT-CEP

Cost of Utilizing Credit over 2009-2013*: $6,066,563

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: The clean energy property tax credit is based on the cost of clean energy property placed into service in Georgia. The maximum credit for each installation is limited to the lesser of either 35 percent of the cost of the clean energy property or the caps as identified in the statute.

Sunset Date: December 31, 2014
Period of Carry Forward: Five years
Transferrable/Used against withholding: Not transferrable, can be used against withholding.
Limitations on Credit: Credits cannot exceed taxpayer's tax liability. Aggregate Cap: calendar years 2008-2011, $2.5 million; calendar years 2012-2014, $5 million per year. The credit allowed for calendar years 2012, 2013, and 2014 must be taken in four equal installments over four successive years beginning with the taxable year in which the credit is allowed.

A person that receives a grant from GEFA under O.C.G.A. §50-23-21 is not eligible to claim any tax credit under the clean energy property tax credit with respect to the same clean energy property.

Administered by: Georgia Environmental Finance Authority and Department of Revenue
Review and Tracking Status: Statute requires quarterly reporting for public review of the status and availability of the tax credits.

GEFA shall provide an annual report of a determination of associated energy and economic benefits to the state.

DOR shall provide an annual report consisting of:

- The number of taxpayers that claimed the credits allowed under O.C.G.A. §48-7-29.14;
- The cost of business property and clean energy property with respect to which credits were claimed;
- The location and type of clean energy property installed; and
- The total amount of credits allowed.

Overlap/Interaction with other state credits: None

INCOME TAX CREDITS FOR TELEWORKING

Employers who permit their employees to telework will be allowed an income tax credit for expenses incurred up to $1,200 per participating employee. In addition, employers are allowed a maximum annual credit of $20,000.00 per employer for preparing an assessment of a teleworking plan for their business. This credit shall be allowed only once per employer.

Code Section: §48-7-29.11
Effective: July 1, 2007
Date of Last Modification: 2009
Form: IT-TW

Cost of Utilizing Credit over 2009-2013*: $502,963

*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: The credit is equal to 100 percent of eligible expenses if the participating employee agrees to telework at least 12 days per month and if the employer's principal place of business is located in an area designated by the United States Environmental Protection Agency as a nonattainment area under the federal Clean Air Act, 42 U.S.C. Section 7401. The credit is equal to 75 percent for each employee teleworking at least 12 days a month. The credit is equal to 25 percent for each employee teleworking at least five days per month.

Sunset Date: 2011
Period of Carry Forward: None
Transferrable/Used against withholding: No/No
Limitations on Credit: maximum value is $1,200 per participating employees; $20,000 per employer for telework assessment costs; Prior approval to claim credit is required. Aggregate Cap: calendar year 2008, $2 million; calendar year 2009, $2 million; calendar year 2010, $2.5 million; calendar year 2011, $2.5 million.

Administered by: Department of Revenue
Review and Tracking Status: DOR shall make available a public report disclosing the employer names and amounts of credit claimed.
Overlap/Interaction with other state credits: None

ALTERNATIVE TAX CREDIT FOR BASE YEAR PORT TRAFFIC INCREASES (ALSO REFERRED TO AS THE ALTERNATIVE PORT TAX CREDIT)

It allows the credit to any business enterprise located in a Tier 2 or 3 county or in a less developed area and which qualifies and receives the Jobs Tax Credit and which:

- Consists of a distribution facility of greater than 650,000 square feet in operation in this state prior to December 31, 2008;
- Distributes product to retail stores owned by the same legal entity or its subsidiaries as such distribution facility; and
- Has a minimum of eight retail stores in this state in the first year of operations.

Code Section: §48-7-40.15A
Effective: May 5, 2009
Date of Last Modification: 2013
Form: Taxpayer must attach a schedule with information described in O.C.G.A. §48-7-40.15A to claim the credit.

Cost of Utilizing Credit over 2009-2013*: Not available
*Source: Georgia Department of Revenue, Summer 2015. *Amounts only include returns processed as of June 18, 2015.*

Credit Rate: The credit is computed as marginal increases to other credits - additional job tax credit of $1,250 per job.

Sunset Date: December 31, 2014
Period of Carry Forward: 10 years, provided that the increase in port traffic remains above the minimum level established in this Code section
Transferrable/Used against withholding: No/No
Limitations on Credit: Cannot apply for alternate port activity tax credit provided for §48-7-40.15A(b) and the port activity tax credit provided in §48-7-40.15(b) for any taxable year unless such business enterprise has increased its port traffic of products during the previous twelve month period by more than 20 percent above its base year port traffic, and also has increased employment by 400

or more no sooner than January 1, 1998. The tax credit is limited to 50 percent of the taxpayer's state income tax liability. No credit shall be allowed in years in which the port traffic of the taxpayer does not remain above the minimum level established.

Administered by: Department of Revenue
Overlap/Interaction with other state credits: Business enterprise must claim the jobs tax credit under O.C.G.A. §48-7-40.1.

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