

House Bill 292

By: Representatives Jones of the 143rd, McClain of the 109th, Buckner of the 137th, Mathiak of the 82nd, Neal of the 79th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated,
2 relating to imposition, rate, computation, exemptions, and credits from income taxes, so as
3 to provide for the certification of certain employers as living wage employers; to provide for
4 definitions; to provide for a tax credit for such employers that employ individuals in new
5 living wage jobs for at least one year; to provide for conditions and limitations; to provide
6 for penalties; to provide for rules and regulations; to provide for related matters; to provide
7 for an effective date and applicability; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

13 "48-7-40.37.

14 (a) As used in this Code section, the term:

15 (1) 'Employer' means an enterprise or organization, whether a corporation, partnership,
16 limited liability company, proprietorship, association, trust, business trust, real estate

17 trust, or other form of organization, and its affiliates, which is registered and authorized
18 to use the federal employment verification system known as 'E-Verify' or any successor
19 federal employment verification system and is engaged in or carrying on any business
20 activities within this state.

21 (2) 'Living wage job' means employment which:

22 (A) Is located in this state;

23 (B) Involves a regular, full-time work week of 30 hours or more;

24 (C) Has no predetermined end date; and

25 (D) Pays at least \$15.00 per hour.

26 (b)(1) Each employer with five or more employees who are all employed in living wage
27 jobs shall be eligible to apply to the Department of Community Affairs for certification
28 as a living wage employer.

29 (2) A living wage employer shall lose its certification if it employs fewer than three
30 individuals who are all employed in living wage jobs or if it employs an individual in any
31 position, whether full time or part time, for which such individual is paid less than \$15.00
32 per hour.

33 (3) A living wage employer may advertise its status as a living wage employer.

34 (4) Each living wage employer shall report to the Department of Community Affairs if
35 at any time such living wage employer fails to meet the eligibility requirements for
36 certification as a living wage employer. A living wage employer that violates the
37 provisions of this paragraph may be suspended by the commissioner of community affairs
38 from the certification program and the tax credit created by this Code section for a period
39 of between one and five years.

40 (c) Each living wage employer shall be allowed an income tax credit in the amount of
41 \$3,500.00 against the tax imposed under this article for each individual who is first hired
42 by such living wage employer on or after January 1, 2026, and who is employed
43 continuously by such living wage employer in a living wage job for one year, provided that

44 such living wage employer remains certified as a living wage employer at the time such a
45 living wage employer claims the credit allowed by this subsection.

46 (d)(1) A living wage employer shall only be eligible to receive the credit provided for
47 in subsection (c) of this Code section once per individual.

48 (2) In no event shall the credit provided for in subsection (c) of this Code section for a
49 taxable year exceed the living wage employer's income tax liability. Any unused portion
50 of the credit provided for in subsection (c) of this Code section shall be permitted to be
51 carried forward and applied to such living wage employer's tax liability for the
52 subsequent three years. The credit provided for in subsection (c) of this Code section
53 shall not be applied against such living wage employer's prior years' tax liabilities.

54 (e) The commissioner and the commissioner of community affairs shall promulgate rules
55 and regulations and forms necessary to implement and administer the provisions of this
56 Code section."

57 **SECTION 2.**

58 This Act shall become effective on July 1, 2025, and shall be applicable to all taxable years
59 beginning on or after January 1, 2026.

60 **SECTION 3.**

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