

Income/Franchise:

Georgia: Proposed Rule Changes Reflect State Law Permitting Some Affiliates to File Consolidated Income Tax Return

Notice IT-2024-1 (Consolidated Returns) – [Proposed Amended Rule 560-7-3-.13 Consolidated Returns], Ga. Dept. of Rev. (1/16/24). The Georgia Department of Revenue (Department) released proposed amendments to its state corporate income tax rule pertaining to consolidated returns, reflecting legislation enacted in 2022 [see H.B. 1058 (2022), and previously issued Multistate Tax Alert for more details on this 2022 legislation] that authorizes some Georgia affiliated corporations to elect filing their Georgia income tax returns on a consolidated basis and provides that such election generally is irrevocable and binding on both the Department and electing Georgia affiliated group for a period of five years. The proposed changes address how to make and terminate the Georgia consolidated return election, as well as compute underlying Georgia corporate income tax liability. Written comments on this proposal are due by February 20, 2024, and a related public hearing is scheduled for the same date. Please contact us with any questions.

URL: <https://dor.georgia.gov/document/document/notice-it-2024-1pdf/download>

URL: <https://www.legis.ga.gov/legislation/61411>

URL: <https://www2.deloitte.com/content/dam/Deloitte/us/Documents/Tax/us-tax-georgia-enacts-elective-consolidated-filing-for-affiliated-corporations.pdf>

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