

Income/Franchise:

Georgia: Amended Rule Reflects State Law Permitting Some Affiliates to File Consolidated Income Tax Return

Amended Rule 560-7-3-.13 Consolidated Returns, Ga. Dept. of Rev. (2/25). The Georgia Department of Revenue (Department) amended 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 changes address how to make and terminate the Georgia consolidated return election, as well as compute underlying Georgia corporate income tax liability. The amended regulation applies to taxable years beginning on or after January 1, 2023. Please contact us with any questions.

URL: <https://dor.georgia.gov/taxes/tax-rules-and-policies/income-tax-regulations>

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>

— Kent Clay (Charlotte)
Managing Director
Deloitte Tax LLP
kclay@deloitte.com

Joe Garrett (Birmingham)
Managing Director
Deloitte Tax LLP
jogarrett@deloitte.com

Cari Sorsa (Atlanta)
Senior Manager
Deloitte Tax LLP
csorsa@deloitte.com

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