

## Gross Receipts:

### Georgia Court of Appeals Affirms that Company Owes Atlanta Business Occupation Tax Based Only on Allocated Percentage of Gross Receipts

*Case No. A25A0120*, Ga. Ct. App. (6/17/25). The Georgia Court of Appeals (Court) affirmed that a company with several offices located nationwide, including one in Georgia within the City of Atlanta (City), owed the City's business occupation tax based only on an allocated percentage of its total Georgia gross receipts rather than the entire total – specifically, its total Georgia gross receipts must be divided by the total number of its offices nationwide contributing to those receipts, rather than just its one Georgia office, to compute its City business occupation tax liability pursuant to applicable state statutes and City ordinances. Under the facts in this case, it was undisputed that all of the company's offices nationwide had contributed to its Georgia gross receipts; and the Court reasoned that to read applicable state statutes to "exclude out-of-state locations, as the City advocates, would require us to read limiting language into the statute that the legislature did not provide." Accordingly, the Court granted summary judgment in the company's favor for partial refunds on the City's business occupation tax for the tax years at issue, as the City had incorrectly calculated the amount of taxes due. Please contact us with any questions.

**URL:** <https://efast.gaappeals.us/download?filingId=51578ed7-6376-40c3-bb1e-0e25dbba4f35>

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