

House Bill 1055 (AS PASSED HOUSE AND SENATE)

By: Representatives Levitas of the 82nd, Rice of the 51st, Ramsey of the 72nd, Cole of the 125th, and Smith of the 131st

A BILL TO BE ENTITLED

AN ACT

1 To amend provisions of the Official Code of Georgia Annotated relating to fees; to change
 2 the amount of the fees; to provide for new fees; to provide for promulgation of rules and
 3 regulations regarding fees; to change fees and certain other provisions regarding special
 4 license plates; to provide for the retention of certain fees by state agencies or other entities;
 5 to change fees and certain other provisions regarding bona fide coin operated amusement
 6 machines; to correct cross-references in the Official Code of Georgia Annotated; to amend
 7 Chapter 8 of Title 31 of the Official Code of Georgia Annotated, relating to the care and
 8 protection of indigent and elderly patients, so as to provide for a payment to be imposed on
 9 hospitals to be used to obtain federal financial participation for medical assistance payments
 10 under Medicaid; to provide for a short title; to provide for definitions; to establish a
 11 segregated account within the Indigent Care Trust Fund for the deposit of provider payments;
 12 to provide for a method for calculating and collecting the provider payment; to authorize the
 13 Department of Community Health to inspect hospital records for purposes of auditing
 14 provider payments; to provide for penalties for failure to pay a provider payment; to
 15 authorize the Department of Community Health to withhold Medicaid payments equal to
 16 amounts owed as a provider payment and penalty; to provide for the collection of payments
 17 by civil action and tax liens; to provide for the appropriation of funds in the segregated
 18 account for medical assistance payments; to provide for application of the "Georgia Medical
 19 Assistance Act of 1977"; to provide for automatic repeal of such amendments to said Chapter
 20 8; to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and
 21 taxation, so as to revise and change certain provisions regarding the manner and time of
 22 making the state ad valorem tax levy and gradually eliminate such levy over a period of time;
 23 to provide for applicability; to provide that such provisions shall not abate or affect
 24 prosecutions, punishments, penalties, administrative proceedings or remedies, or civil actions
 25 related to certain violations; to provide for a complete exclusion of certain retirement income
 26 from Georgia taxable net income over a period of time; to provide for related matters; to
 27 provide for effective dates; to repeal conflicting laws; and for other purposes.

28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

29 **PART I**

30 **SECTION 1-1.**

31 Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended by
32 revising Code Section 2-1-5, relating to license fees for grain dealers, commercial feed
33 dealers, and grain warehousemen, as follows:

34 "2-1-5.

35 An individual conducting business as a grain dealer, commercial feed dealer, and grain
36 warehouseman shall pay an annual license fee in an amount not ~~to exceed \$2,000.00~~ less
37 than \$1,500.00 nor more than \$3,000.00. Any fees collected pursuant to this Code section
38 shall be retained pursuant to the provisions of Code Section 45-12-92.1."

39 **SECTION 1-2.**

40 Said title is further amended by revising Code Section 2-2-8.1, relating to the Farmers and
41 Consumers Market Bulletin, as follows:

42 "2-2-8.1.

43 The Commissioner is authorized to publicize and request, by means of publication of
44 appropriate notices in the *Farmers and Consumers Market Bulletin* and the Poultry Market
45 News, contributions to be used exclusively for the compilation, publication, printing, and
46 distribution of the *Farmers and Consumers Market Bulletin* and the Poultry Market News.
47 ~~Any voluntary contribution made for such purpose shall be received by the Commissioner,~~
48 ~~shall be separately accounted for, need not be deposited in the state treasury, and shall be~~
49 ~~used and expended solely for the purpose donated."~~

50 **SECTION 1-3.**

51 Said title is further amended by revising subsection (f) of Code Section 2-7-55, relating to
52 registration of pesticides, as follows:

53 "(f) The applicant desiring to register a pesticide shall pay an annual registration fee to the
54 Commissioner for each pesticide registered for such applicant. The amount of such fee
55 shall be established by the Commissioner in an amount not ~~to exceed \$100.00~~ less than
56 \$100.00 nor more than \$200.00 per annum. All such registrations shall expire on
57 December 31 of any one year, provided that if the Commissioner adopts a multiple-year
58 registration period, the annual registration fee per product shall be compounded for the
59 number of years included in the multiple-year registration. A registration for a special local
60 need pursuant to subsection (i) of this Code section which is disapproved by the
61 administrator of the Environmental Protection Agency shall expire on the effective date of

62 the administrator's disapproval. Any fees collected pursuant to this Code section shall be
 63 retained pursuant to the provisions of Code Section 45-12-92.1."

64 **SECTION 1-4.**

65 Said title is further amended by revising subsection (b) of Code Section 2-7-57, relating to
 66 licensing of restricted use pesticide dealers, as follows:

67 "(b) Application for a license shall be accompanied by a ~~\$15.00~~ \$55.00 annual license fee,
 68 shall be on a form prescribed by the Commissioner, and shall include the full name of the
 69 person applying for such license. If the applicant is a partnership, association, corporation,
 70 or organized group of persons, the full name of each member of the firm or partnership or
 71 the names of the principal officers of the association or corporation shall be given on the
 72 application. Such application shall further state the address of the outlet to be licensed, the
 73 principal business address of the applicant, and any other necessary information prescribed
 74 by the Commissioner. Any fees collected pursuant to this Code section shall be retained
 75 pursuant to the provisions of Code Section 45-12-92.1."

76 **SECTION 1-4.1.**

77 Said title is further amended by repealing Code Section 2-7-66, relating to disposition of
 78 pesticide funds, and designating it as "Reserved."

79 **SECTION 1-4.2.**

80 Said title is further amended by revising subsection (b) of Code Section 2-7-71, relating to
 81 judicial actions after service of a stop sale, use, or removal order on a pesticide dealer or
 82 device, as follows:

83 "(b) If the pesticide or device is condemned, after entry of decree it shall be disposed of
 84 by destruction or sale as the court directs; and if such pesticide or device is sold, the
 85 proceeds, less costs, including legal costs, shall be ~~paid to the state treasury as provided in~~
 86 ~~Code Section 2-7-66~~ retained pursuant to the provisions of Code Section 45-12-92.1,
 87 provided that the pesticide or device shall not be sold contrary to this article or regulations
 88 adopted hereunder. Upon payment of costs and execution and delivery of a good and
 89 sufficient bond conditioned that the pesticide or device shall not be disposed of unlawfully,
 90 the court may direct that the pesticide or device be delivered to the owner thereof for
 91 relabeling, reprocessing, removal from the state, or otherwise bringing the product into
 92 compliance."

SECTION 1-5.

Said title is further amended by revising paragraph (1) of subsection (a) and subparagraph (b)(2)(C) of Code Section 2-7-99, relating to a pesticide contractor's license, as follows:

"(1) REQUIRED; ADDITIONAL REQUIREMENT; FEE. No person shall engage in the business of contracting for the application of any pesticide to the lands of another within this state at any time without a pesticide contractor's license issued by the Commissioner for each business location. In addition to the pesticide contractor's license, each business location must maintain, in full-time employment during all periods of operation, at least one certified commercial pesticide applicator. The Commissioner shall require an annual fee of ~~\$15.00~~ \$55.00 for each pesticide contractor's license issued. Any fees collected pursuant to this Code section shall be retained pursuant to the provisions of Code Section 45-12-92.1."

"(C) Issuance; fees; renewal. If the Commissioner finds the applicant qualified to apply pesticides in the classification or classifications he or she has applied for, the Commissioner shall issue a certified commercial pesticide applicator's license. Effective August 21, 1980, all new certified commercial pesticide applicator licenses shall be issued for a period of five years from the date of certification. The fee for the five-year license shall be ~~\$25.00~~ \$90.00. Licenses shall be subject to renewal on the day following expiration, based on such recertification requirements as the Commissioner may establish by regulation, ~~provided that all such licenses previously issued on an annual basis and expiring December 31, 1980, shall be renewable January 1, 1981, for the remaining portion of their five-year certification period.~~ Fees for such license renewals shall be:

<u>Expiration Date of</u> <u>Current Certification</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>
February 20	\$_____	\$11.00	\$16.00	\$21.00
April 20	_____	12.00	17.00	21.00
June 20	_____	13.00	18.00	23.00
August 20	_____	14.00	19.00	24.00
October 20	10.00	15.00	20.00	_____
December 20	10.00	15.00	20.00	_____ "

SECTION 1-6.

Said title is further amended by revising Code Section 2-9-33, relating to licenses for grain dealers, as follows:

127 "2-9-33.
 128 Unless the Commissioner refuses the application on one or more of the grounds provided
 129 in Code Section 2-9-36, he or she shall issue to an applicant, upon the execution and
 130 delivery of a bond as provided in Code Section 2-9-34, a state license entitling the
 131 applicant to conduct business as a dealer in grain. A fee in an amount fixed by rule or
 132 regulation of the Commissioner at not less than \$100.00 nor more than \$100.00 \$150.00
 133 per annum shall be charged for such license. All such licenses shall be renewed annually
 134 on or before June 30. Any license which is not renewed on or before such date shall expire
 135 on June 30. Any fees collected pursuant to this Code section shall be retained pursuant to
 136 the provisions of Code Section 45-12-92.1."

137 **SECTION 1-7.**

138 Said title is further amended by revising subsection (a) of Code Section 2-11-26, relating to
 139 licenses for retail and wholesale seed dealers, as follows:

140 "(a) For the purpose of carrying out this article, the Commissioner, who may act through
 141 his or her authorized agents, is authorized to issue a license to each retail and wholesale
 142 seed dealer, such license to be applied for by each seed dealer upon forms furnished for
 143 such purpose. A separate license shall be required for each point of sale, from which seed
 144 are sold, offered for sale, or exposed for sale. Out-of-state wholesale and retail seed
 145 dealers who sell or ship seed into this state shall obtain a license in the same manner. Such
 146 licenses shall be renewable in August of every third year following issuance. ~~Seed dealer~~
 147 ~~license fees shall be established by rule promulgated under this article.~~ A fee in an amount
 148 fixed by rule or regulation of the Commissioner at not less than \$70.00 nor more than
 149 \$100.00 per annum shall be charged for such license. Any fees collected pursuant to this
 150 Code section shall be retained pursuant to the provisions of Code Section 45-12-92.1."

151 **SECTION 1-8.**

152 Said title is further amended by revising subsection (a) and paragraph (1) of subsection (c)
 153 of Code Section 2-12-4, relating to fertilizer licenses, as follows:

154 "(a) No person whose name appears upon the label of a fertilizer shall distribute that
 155 fertilizer in Georgia until a fertilizer license has been obtained from the Commissioner. All
 156 licenses expire on the thirtieth day of June each year. The license fee shall be ~~\$50.00~~
 157 \$100.00 per year; and must be renewed annually with fees paid by July 1 of each year. If
 158 the license renewal fee is not paid by July 1, the applicable license fee shall increase in the
 159 manner prescribed by regulation. Any fees collected pursuant to this Code section shall
 160 be retained pursuant to the provisions of Code Section 45-12-92.1."

161 "(c)(1) No licensee shall distribute in this state a specialty fertilizer until it is registered
 162 with the Commissioner by the licensee whose name appears on the label, provided that
 163 custom-mixed specialty fertilizer shall not be required to be registered. An application
 164 for registration for each brand of each grade of specialty fertilizer shall be made on a
 165 form furnished by or otherwise acceptable to the Commissioner. Labels for each brand
 166 of each grade shall accompany the application. For all specialty products sold in
 167 container sizes of ten pounds or less, the annual registration fee shall be ~~\$50.00~~ \$60.00
 168 for each brand of each grade. Such fee shall be submitted with the registration and a
 169 renewal fee of ~~\$50.00~~ \$60.00 shall be due each July 1."

170 **SECTION 1-9.**

171 Said title is further amended by revising subsection (a) of Code Section 2-12-8, relating to
 172 fertilizer inspection fees, as follows:

173 "(a) There shall be paid to the Commissioner for all fertilizer distributed in this state to
 174 nonlicensees an inspection fee at the rate of ~~30¢~~ 60¢ per ton, provided that sales or
 175 exchanges between licensees and sales of containers of ten pounds or less are exempted
 176 from such fee; and provided, further, that the Commissioner may exempt by regulation
 177 certain other types of fertilizer from the inspection fee, when deemed appropriate. Any
 178 fees collected pursuant to this Code section shall be retained pursuant to the provisions of
 179 Code Section 45-12-92.1."

180 **SECTION 1-10.**

181 Said title is further amended by revising Code Section 2-12-43, relating to licensing
 182 agricultural liming material, as follows:

183 "2-12-43.

184 (a)(1) Each person whose name appears on the label of an agricultural liming material
 185 or who is responsible for guaranteeing such liming material must obtain a lime license
 186 from the Commissioner before distributing such product in Georgia.

187 (2) All licenses shall expire on June 30 of each year. The application for a license shall
 188 be submitted to the Commissioner on forms furnished by or otherwise acceptable to the
 189 Commissioner. Upon approval by the Commissioner, a copy of the license shall be
 190 furnished to the applicant. A new licensee shall pay a license fee of ~~\$50.00~~ \$70.00.
 191 Thereafter, the license fee shall be based on the annual tonnage of liming materials sold
 192 in Georgia by the licensee in the previous 12 month period ending June 30, in accordance
 193 with the following:

194 (A) A \$100.00 annual fee for licensees having sales of 10,000 tons or more of liming
 195 materials in this state; or

196 (B) A ~~\$50.00~~ \$70.00 annual fee for licensees having sales of less than 10,000 tons of
 197 liming materials in this state.

198 A lime license must be renewed annually and fees shall be received by July 1 of each
 199 calendar year, or the applicable license fee shall increase in the manner prescribed in the
 200 rules and regulations. Such license may be revoked for cause, after due notice and
 201 hearing, for a violation of this article or any rules or regulations adopted by the
 202 Commissioner pursuant to this article. Any fees collected pursuant to this Code section
 203 shall be retained pursuant to the provisions of Code Section 45-12-92.1.

204 (b)(1) No licensee shall distribute in this state an agricultural liming material until such
 205 product is registered with the Commissioner by the licensee whose name appears on the
 206 label. An application for registration for each brand and product name of liming
 207 materials shall be made on forms furnished by or otherwise acceptable to the
 208 Commissioner. Labels for each brand and product name shall accompany the application.
 209 The registration fee shall be ~~\$50.00~~ \$70.00 per product. Such fee shall be submitted with
 210 the registration, and a renewal fee of ~~\$50.00~~ \$70.00 shall be due each July 1. If renewal
 211 registration fees are not received by July 1 of each calendar year, the registration fee shall
 212 increase in the manner prescribed in the rules and regulations. Upon approval by the
 213 Commissioner, a copy of the registration shall be furnished to the applicant. Such
 214 registrations shall be considered permanent so long as no changes or deviations are made
 215 in the labels of such products and so long as the registration fees are paid as specified in
 216 this article and the rules and regulations of the Commissioner. Such registrations may
 217 be canceled for cause, after due notice and hearing, for a violation of this article or any
 218 rules and regulations adopted by the Commissioner pursuant to this article.

219 (2) A distributor shall not be required to register any brand of agricultural liming
 220 material which is already registered under this article by another person, provided the
 221 label does not differ in any respect."

222 **SECTION 1-11.**

223 Said title is further amended by revising subsection (c) of Code Section 2-12-73, relating to
 224 registration of soil amendments, as follows:

225 "(c) The registration fee shall be ~~\$50.00~~ \$55.00 per year for each product. Registration
 226 shall expire on December 31, annually, unless an application for renewal has been received
 227 prior to the expiration date. Any fees collected pursuant to this Code section shall be
 228 retained pursuant to the provisions of Code Section 45-12-92.1."

229 **SECTION 1-12.**

230 Said title is further amended by revising subsections (b), (d), and (f) of Code Section 2-13-6,
231 relating to a commercial feed license, as follows:

232 "(b) All licenses shall expire on December 31 of each year. Licenses are not transferable
233 and no credit or refund may be granted for licenses held for less than one full year. All
234 commercial feed licenses must be renewed by January 1 of each year. The license fee shall
235 be based upon the number of tons of commercial feed distributed in this state during the
236 preceding 12 month period ending December 31, provided that tonnage of small-package
237 products subject to registration as specified in subsection (d) of this Code section shall not
238 be used in calculating the license fee due. The amount of the license fee shall be based
239 upon the schedule as prescribed in the rules and regulations of the Commissioner but shall
240 not be less than ~~\$50.00~~ \$75.00 nor more than ~~\$1,000.00~~ \$2,000.00 per annum. Any fees
241 collected pursuant to this Code section shall be retained pursuant to the provisions of Code
242 Section 45-12-92.1."

243 "(d) No licensee shall distribute in this state a pet food or a specialty pet food in packages
244 of ten pounds or less which has not been registered. The application for registration shall
245 be submitted to the Commissioner on forms furnished by; or acceptable to; the
246 Commissioner. All registrations expire on December 31 of each year. An annual
247 registration fee of an amount prescribed in the rules and regulations of the Commissioner
248 is due by January 1. Such registration fee shall be ~~\$25.00~~ \$40.00 per product registered,
249 provided that the total of all such registration fees shall not exceed ~~\$1,000.00~~ \$2,000.00 per
250 annum for any licensee."

251 "(f) The license and registration fees provided by this Code section shall not exceed a total
252 amount of ~~\$1,000.00~~ \$2,000.00 per annum for any licensee."

253 **SECTION 1-13.**

254 Said title is further amended by revising subsections (a) and (b) of Code Section 2-14-102,
255 relating to a license for timber preservative treating, as follows:

256 "(a) Any fees collected pursuant to this Code section shall be retained pursuant to the
257 provisions of Code Section 45-12-92.1. Each person, firm, or corporation engaging in the
258 business of treating timber or timber products with preservatives in this state shall secure
259 an annual processor's license from the Commissioner of Agriculture before such treatment
260 is undertaken. The annual fee for this license shall be ~~\$25.00~~ \$120.00.

261 (b) Each person, firm, or corporation shipping into the state for sale or bringing into the
262 state for sale any treated timber or timber products processed outside the state shall secure
263 an annual dealer's license from the Commissioner. The annual fee for this license shall be
264 ~~\$25.00~~ \$120.00."

265 **SECTION 1-14.**

266 Said title is further amended by revising subsection (e) of Code Section 2-21-4, relating to
 267 registration of organic products, as follows:

268 "(e) On and after January 1, 2003, no person shall produce, process, distribute, or handle
 269 in this state any advertised, promoted, identified, tagged, stamped, packaged, or labeled
 270 organic food or feed ingredient, article, commodity, or product unless such person has first
 271 registered with the department; provided, however, that retail food sales establishments
 272 licensed under Article 2 of this chapter that do not process or repackage certified organic
 273 commodities shall be exempt from registration provisions set forth in this chapter. On and
 274 after January 1, 2003, no organization, business, firm, or individual shall act as a certifying
 275 entity in this state unless such organization, business, firm, or individual has first registered
 276 with the department. The Commissioner shall establish by regulation registration standards
 277 for producers, processors, distributors, handlers, and certifying entities not inconsistent
 278 with this chapter. Registration shall be made upon forms prescribed and furnished by the
 279 department. Registrations shall expire on the last day of December of the year for which
 280 they are issued. The Commissioner shall establish by rule a registration fee for certifying
 281 entities in an amount of not less than ~~\$25.00~~ \$75.00 nor more than ~~\$500.00~~ \$1,000.00 per
 282 annum and may establish classes of certifying entities with different registration fees for
 283 each class. Any fees collected pursuant to this Code section shall be retained pursuant to
 284 the provisions of Code Section 45-12-92.1."

285 **SECTION 1-15.**

286 Title 4 of the Official Code of Georgia Annotated, relating to animals, is amended by
 287 revising subsection (a) of Code Section 4-4-82, relating to licenses for poultry dealers,
 288 brokers, and market operators, as follows:

289 "(a) No poultry market operator shall engage in or carry on such business without first
 290 applying for and obtaining a license from the Commissioner. No poultry dealer or broker
 291 shall engage in or carry on such business without first applying for and obtaining a license
 292 from the Commissioner. There shall be a fee of ~~\$25.00~~ \$35.00 per annum for such license.
 293 Any fees collected pursuant to this Code section shall be retained pursuant to the provisions
 294 of Code Section 45-12-92.1."

295 **SECTION 1-16.**

296 Said title is further amended by revising subsection (b) of Code Section 4-10-5, relating to
 297 licensing of bird dealers, as follows:

298 "(b) Bird dealers' licenses shall be issued for a period of one year and shall be annually
 299 renewable. The department may establish separate classes of licenses, including wholesale

300 and retail licenses. The department shall fix fees for licenses so that the revenue derived
 301 from licenses shall approximate the total direct and indirect costs of administering this
 302 chapter; but the annual fee for any such license shall be at least ~~\$25.00~~ \$50.00 but shall not
 303 exceed ~~\$200.00~~ \$400.00. Any fees collected pursuant to this Code section shall be retained
 304 pursuant to the provisions of Code Section 45-12-92.1."

305 **SECTION 1-17.**

306 Said title is further amended by revising subsection (c) of Code Section 4-11-3, relating to
 307 licensing of pet dealers and kennel, stable, and animal shelter operators, as follows:

308 "(c) Licenses shall be issued for a period of one year and shall be annually renewable. The
 309 Commissioner may establish separate classes of licenses, including wholesale and retail
 310 licenses. The Commissioner shall fix fees for licenses so that the revenue derived from
 311 licenses shall approximate the total direct cost of administering this article. The
 312 Commissioner may establish different fees for the different classes of licenses established,
 313 but the annual fee for any such license shall be at least ~~\$25.00~~ \$50.00 but shall not exceed
 314 ~~\$200.00~~ \$400.00. Any fees collected pursuant to this Code section shall be retained
 315 pursuant to the provisions of Code Section 45-12-92.1."

316 **SECTION 1-18.**

317 Title 7 of the Official Code of Georgia Annotated, relating to banking and finance, is
 318 amended by revising paragraph (2) of subsection (b) Code Section 7-1-1011, relating to fees
 319 paid by mortgage lenders and mortgage brokers, as follows:

320 "(2) There shall be imposed on the closing of every mortgage loan subject to regulation
 321 under this article which, as defined in Code Section 7-1-1000, includes all mortgage
 322 loans, whether or not closed by a mortgage broker or mortgage lender licensee or
 323 registrant, a fee of ~~\$6.50~~ \$10.00. The fee shall be paid by the borrower to the collecting
 324 agent at the time of closing of the mortgage loan transaction. The collecting agent shall
 325 remit the fee to the department at the time and in the manner specified by regulation of
 326 the department. Revenue collected by the department pursuant to this subsection shall
 327 be deposited in the general fund of the state."

328 **SECTION 1-19.**

329 Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is
 330 amended by revising paragraph (5) of Code Section 8-2-135, relating to licenses for
 331 manufacturers of manufactured homes, as follows:

332 "(5) The license and renewal license fee shall be ~~\$300.00~~ \$440.00 per manufacturing
 333 plant which manufactures manufactured homes within the State of Georgia; ~~\$300.00~~

334 \$440.00 per out-of-state manufacturing plant which manufactures manufactured homes
 335 for the purpose of offering for sale, or having such homes sold, within the State of
 336 Georgia; and ~~\$200.00~~ \$300.00 per retailer location and retail broker which sells, offers
 337 for sale, or transports to sell such homes within the State of Georgia. The license shall
 338 be valid from January 1 through December 31 of the year in which it was issued. The fee
 339 for delinquent renewal applications received after January 10 of each year shall be double
 340 the regular annual renewal fee."

341 **SECTION 1-20.**

342 Said title is further amended by revising subsection (a) of Code Section 8-2-135.1, relating
 343 to the payment of a manufacturing inspection fee by manufactured home manufacturers, as
 344 follows:

345 "(a) During such time as the Commissioner's office is acting as the primary inspection
 346 agency pursuant to Section 623 of the National Manufactured Housing Construction and
 347 Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., or the regulations issued
 348 thereunder, every manufacturer who manufactures manufactured homes in Georgia shall
 349 pay to the Commissioner a manufacturing inspection fee for each manufactured home
 350 manufactured in Georgia, irrespective of whether the manufactured home is offered for sale
 351 in this state. This manufacturing inspection fee shall be ~~\$20.00~~ \$30.00 for each
 352 certification label, as defined in Section 623 of the National Manufactured Housing
 353 Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq. For any
 354 reinspection, a ~~\$10.00~~ \$15.00 additional fee shall be charged."

355 **SECTION 1-21.**

356 Said title is further amended by revising paragraph (1) of Code Section 8-2-161, relating to
 357 rules regulating installations of manufactured homes and mobile homes, as follows:

358 "(1) Establish rules and procedures for the licensure of installers as provided by Code
 359 Section 8-2-164 and the implementation and collection of an annual license fee, which
 360 shall be ~~\$200.00~~ \$300.00; and"

361 **SECTION 1-22.**

362 Said title is further amended by revising paragraph (2) of Code Section 8-2-164, relating to
 363 licensing installers of manufactured homes and mobile homes, as follows:

364 "(2) In addition to the requirements of paragraph (1) of this Code section, any installer
 365 performing any installation of any new or pre-owned manufactured or mobile home in
 366 this state shall first purchase a permit from the Commissioner. The cost of such permit
 367 shall be ~~\$40.00~~ \$60.00 for each manufactured or mobile home. Each installer shall

368 provide any information required by the Commissioner to be submitted to obtain a
 369 permit. A permit shall be attached by the installer to the panel box of each manufactured
 370 or mobile home upon completion of installation."

371 **SECTION 1-23.**

372 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is
 373 amended by revising Code Section 10-1-157, relating to inspections of samples of petroleum
 374 products, as follows:

375 "10-1-157.

376 The Commissioner of Agriculture shall, from time to time, collect or cause to be collected
 377 samples of all petroleum products subject to regulation under this part which are sold,
 378 offered, or exposed for sale in this state and cause such samples to be tested or analyzed
 379 by the state oil chemist. The state oil chemist shall certify, under oath, an analysis of each
 380 such sample and such certificate shall be competent evidence of the composition of such
 381 petroleum product in any legal proceeding. The Department of Agriculture shall have the
 382 power to implement rules and regulations necessary to carry out inspection of gasoline
 383 samples as provided for by this Code section."

384 **SECTION 1-24.**

385 Said title is further amended by adding a new subsection to Code Section 10-1-159, relating
 386 to inspections of self-measuring pumps, as follows:

387 "(g) The Department of Agriculture shall have the power to implement rules and
 388 regulations necessary to carry out inspections of self-measuring pumps provided for by this
 389 Code section."

390 **SECTION 1-25.**

391 Said title is further amended by repealing Code Section 10-1-161, relating to inspection of
 392 gasoline, and designating it as "Reserved."

393 **SECTION 1-26.**

394 Said title is further amended by revising Code Section 10-1-203, relating to evaluation of test
 395 reports of antifreeze offered for sale within this state, as follows:

396 "10-1-203.

397 Before any antifreeze shall be sold, exposed for sale, or stored, packed, or held with intent
 398 to sell within this state, a current certified test report thereof prepared by an independent
 399 laboratory recognized by the Department of Agriculture to do such testing must be
 400 submitted and evaluated under the supervision of the state oil chemist in the Department

401 of Agriculture. ~~Under~~ Upon application of the manufacturer or packer or distributor,
 402 submission of container label, and the payment of a license fee of ~~\$25.00~~ \$50.00 for each
 403 brand or type of antifreeze submitted, the state oil chemist shall evaluate the test report so
 404 submitted. Any fees collected pursuant to this Code section shall be retained pursuant to
 405 the provisions of Code Section 45-12-92.1. If the antifreeze is not adulterated or
 406 misbranded, if it meets the standards established and promulgated by the Commissioner
 407 of Agriculture, and if the antifreeze is not a type or kind that is in violation of this part, the
 408 Commissioner shall issue the applicant a written license or permit authorizing the
 409 wholesale and retail sale by the applicant and by others of such antifreeze in this state for
 410 the fiscal year in which the license is issued, which license or permit shall be subject to
 411 renewal annually. If the Commissioner shall find at a later date that the antifreeze product
 412 or substance to be sold, exposed for sale, or held with intent to sell has been materially
 413 altered or adulterated or that a change has been made in the name, brand, or trademark
 414 under which the antifreeze is sold or that it violates this part, the Commissioner is
 415 authorized to revoke or suspend the license or permit issued under this part of the licensee
 416 found in violation of this part after notice and hearing before the Commissioner. No
 417 license or permit for the sale of antifreeze in this state shall be issued until the application,
 418 fee, and label submission have been made as provided by this part, the certified test report
 419 has been evaluated by the state oil chemist, and the state oil chemist notifies the
 420 Commissioner of Agriculture that said antifreeze meets the requirements of this part."

421 **SECTION 1-27.**

422 Said title is further amended by revising Code Section 10-2-42, relating to licensing certified
 423 public weighers, as follows:

424 "10-2-42.

425 Certified public weighers shall be licensed for a period of one year beginning on July 1 and
 426 ending on June 30, next. A fee of ~~\$5.00~~ \$15.00 shall be paid to the Commissioner by each
 427 person so licensed at the time application is filed. A fee of ~~\$5.00~~ \$15.00 shall be required
 428 for each renewal of a license as a certified public weigher. In addition thereto, the
 429 applicant shall pay the actual cost of seals required under this article. Any fees collected
 430 pursuant to this Code section shall be retained pursuant to the provisions of Code Section
 431 45-12-92.1."

432 **SECTION 1-28.**

433 Said title is further amended by revising subsection (a) of Code Section 10-4-12, relating to
 434 a warehouseman's bond, as follows:

435 "(a) Every person intending to engage in business as a warehouseman under this article
 436 shall, prior to commencing such business and periodically thereafter as the Commissioner
 437 shall require, execute and file with the Commissioner a good and sufficient bond to the
 438 state to secure the faithful performance of his or her obligation as a warehouseman under
 439 the terms of this article and the rules and regulations prescribed under this article, such
 440 bond to be computed in direct ratio to the licensed storage capacity of the warehouse
 441 bonded. The bond shall be executed by a surety corporation authorized to transact business
 442 in this state and approved by the Commissioner. Such bond shall be upon forms prescribed
 443 by the Commissioner. Any and all bond applications shall be accompanied by a certificate
 444 of 'good standing' issued by the Commissioner of Insurance. If any company issuing a
 445 bond shall be removed from doing business in this state, it shall be the duty of the
 446 Commissioner of Insurance to notify the Commissioner of Agriculture within 30 days. The
 447 Commissioner shall have authority to fix the bond for any part of licensed storage capacity
 448 of the warehouse being used; but in no event shall the amount of the bond be required to
 449 exceed ~~12~~ 15 percent of the value of the products stored and the bond shall be in such form
 450 and amount and shall have such surety or sureties, subject to service of process in actions
 451 on the bonds with this state, as the Commissioner may prescribe; provided, however, the
 452 minimum bond to be posted for each warehouse shall be \$20,000.00 and the maximum
 453 bond to be required for each warehouse shall be ~~\$150,000.00~~ \$300,000.00."

454 **SECTION 1-29.**

455 Said title is further amended by revising Code Section 10-4-17, relating to licensing for
 456 warehouses, as follows:

457 "10-4-17.

458 Warehousemen coming under this article shall pay an annual license fee which includes
 459 all inspections in an amount based on storage capacity in an amount fixed by rule or
 460 regulation of the Commissioner. These fees shall not exceed actual cost of inspections and
 461 are inclusive. The amount paid shall be based on storage capacity and shall be at least
 462 ~~\$500.00~~ \$600.00 and no more than ~~\$2,000.00~~ \$2,500.00 for grain or cotton warehouses and
 463 ~~\$500.00~~ \$600.00 to ~~\$1,000.00~~ \$2,500.00 for other agricultural products facilities desiring
 464 to come under this article. Each license so issued shall expire on June 30 of each year, and
 465 each application for license must be accompanied by the license fee. Any fees collected
 466 pursuant to this Code section shall be retained pursuant to the provisions of Code Section
 467 45-12-92.1."

468 **SECTION 1-30.**

469 Said title is further amended by revising Code Section 10-4-101, relating to licensing fees
 470 for the sale of flue-cured leaf tobacco, as follows:

471 "10-4-101.

472 No person, real or corporate, shall operate, hold, or conduct an auction sale for the sale of
 473 flue-cured leaf tobacco within this state without first having obtained a license for the
 474 regular selling season in which the sale is made from the Commissioner of Agriculture.
 475 Each license so issued shall automatically expire at the end of the regular selling season.
 476 The regular selling season shall be deemed to have ended at the close of business on the
 477 marketing day any regulatory group or committee shall cause any of the sets of buyers
 478 normally assigned to the Georgia flue-cured leaf tobacco auction markets to be withdrawn
 479 for the purpose of reassigning them to auction markets in other tobacco belts. The
 480 Commissioner, in his or her discretion, may issue additional licenses to warehousemen at
 481 the end of the regular selling season as he or she deems necessary and desirable for
 482 'clean-up' sales or special sales, such licenses to terminate at the conclusion of the 'clean-up'
 483 or special sale. The license fee shall be ~~\$100.00~~ \$150.00 for each regular selling season
 484 with no additional fee for licenses issued for 'clean-up' or special sales. Licenses shall be
 485 subject to renewal from one regular selling season to another under such rules and
 486 regulations as the Commissioner shall prescribe. Any fees collected pursuant to this Code
 487 section shall be retained pursuant to the provisions of Code Section 45-12-92.1."

488 **SECTION 1-31.**

489 Said title is further amended by revising subsection (a) of Code Section 10-4-115, relating
 490 to a nonauction tobacco dealer's license, as follows:

491 "(a) Any person, firm, or corporation purchasing flue-cured leaf tobacco from producers
 492 other than at auction sales shall be required to apply to and obtain from the Commissioner
 493 of Agriculture a nonauction tobacco dealer's license prior to engaging in such purchase
 494 operations. Such license shall be renewable on an annual basis. There shall be an annual
 495 fee for each such license issued by the Commissioner. The amount of such fee shall be
 496 established by the Commissioner in an amount not to exceed ~~\$100.00~~ \$150.00 per annum.
 497 Any fees collected pursuant to this Code section shall be retained pursuant to the provisions
 498 of Code Section 45-12-92.1. Each applicant for a nonauction tobacco dealer's license shall
 499 indicate in writing to the Commissioner each year before the first auction sale of the
 500 tobacco-selling season an intent to buy flue-cured leaf tobaccos from producers other than
 501 at auction in order to be eligible for a nonauction tobacco dealer's license for that selling
 502 season."

503 **SECTION 1-32.**

504 Said title is further amended by revising Code Section 10-4-142, relating to a carry-over leaf
 505 tobacco storage and sale license, as follows:

506 "10-4-142.

507 No person, real or corporate, shall operate a service for receiving within this state
 508 flue-cured leaf tobacco for the purpose of weighing, redrying, and storing said tobacco
 509 from the year of production until the subsequent selling season for sale at that time without
 510 first having obtained a license from the Commissioner of Agriculture. Each license so
 511 issued shall automatically expire at the termination of the storage period and be subject to
 512 renewal annually under such rules and regulations as the Commissioner shall prescribe.
 513 The license fee shall be ~~\$10.00~~ \$40.00 for each year. Any fees collected pursuant to this
 514 Code section shall be retained pursuant to the provisions of Code Section 45-12-92.1.
 515 Licensed operators of flue-cured leaf tobacco auction warehouses may be licensed without
 516 cost under this part upon application to the Commissioner. This part shall not require
 517 licensing of any federal agency, its agents, or contractors who receive carry-over tobacco."

518 **SECTION 1-33.**

519 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural
 520 resources, is amended by revising Code Section 12-6-93, relating to appropriations necessary
 521 to carry out fire protection in forests, as follows:

522 "12-6-93.

523 (a) The funds required to carry out this part and provide for the coordinated protection of
 524 uncontrolled fire on all forest lands in the State of Georgia may be provided from annual
 525 appropriations made by the General Assembly for this purpose.

526 (b) In the event any county desires forest fire protection, the county shall enter into an
 527 agreement with the State Forestry Commission, and such agreement shall provide for the
 528 payment to the commission of ~~4¢~~ an amount reasonably related to the actual cost of
 529 providing forest fire protection. Such amount shall be calculated per forest acre of
 530 privately owned forest land. Forest acres of privately owned land shall be based upon the
 531 most recent United States Forest Service survey for Georgia.

532 (c) Any agreement in existence on July 1, ~~1967~~ 2010, between a county and the
 533 commission providing for a different percentage or amount of payment shall be changed
 534 so as to provide for the payment of ~~4¢~~ an amount reasonably related to the actual cost of
 535 providing forest fire protection. Such amount shall be calculated per forest acre.

536 (d) Any county may levy a tax to provide the additional funds required for fire protection
 537 under this part."

538 **SECTION 1-34.**

539 Title 14 of the Official Code of Georgia Annotated, relating to corporations, partnerships,
 540 and associations, is amended by revising Code Section 14-2-122, relating to fees for filings
 541 related to business corporations, as follows:

542 "14-2-122.

543 The Secretary of State shall collect the following fees and penalties when the documents
 544 described in this Code section are delivered to him or her for filing:

545	<u>Document</u>	<u>Fee</u>
546	(1) Articles of incorporation.	\$ 100.00
547	(2) Application for certificate of authority.	225.00
548	(3) Annual registration.	30.00 <u>50.00</u>
549	(4) Penalty for late filing of annual registration.	25.00
550	(5) Agent's statement of resignation.	No fee
551	(6) Certificate of judicial dissolution.	No fee
552	(7) Articles of dissolution or intent to dissolve.	No fee
553	(8) Application of withdrawal.	No fee
554	(9) Application for reservation of a corporate name.	25.00
555	(10) Civil penalty for a foreign corporation transacting business in this state 556 without a certificate of authority.	500.00
557	(11) Statement of change of address of registered agent...\$5.00 per 558 corporation but not less than.	20.00
559	(12) Application for reinstatement.	100.00
560	(13) Certificate of conversion.	95.00
561	(14) Any other document required or permitted to be filed by this chapter	20.00"

562 **SECTION 1-35.**

563 Said title is further amended by revising Code Section 14-9-1101, relating to fees for filings
 564 related to limited partnerships, as follows:

565 "14-9-1101.

566 The Secretary of State shall charge and collect for filing:

567	<u>Document</u>	<u>Fee</u>
568	(1) A certificate of limited partnership.	\$ 100.00
569	(2) A registration of a foreign limited partnership.	225.00
570	(3) An annual registration.	30.00 <u>50.00</u>
571	(4) Penalty for late filing of annual registration.	25.00

572	(5) Agent's statement of resignation.	No fee
573	(6) Certificate of cancellation.	No fee
574	(7) Application of withdrawal.	No fee
575	(8) Statement of change of address of registered agent or registered office...	
576	\$5.00 per limited partnership but not less than.	20.00
577	(9) An amendment to a certificate of limited partnership for the purpose of	
578	becoming a limited liability partnership.	100.00
579	(10) Certificate of election to become a limited partnership.	80.00
580	(11) Certificate of conversion.	95.00
581	(12) Application for reservation of a name.	25.00
582	(13) Any other document required or permitted pursuant to this chapter.	20.00"

583 **SECTION 1-36.**

584 Said title is further amended by revising paragraph (2) of subsection (a) of Code Section
 585 14-10-4, relating to formation of professional associations, as follows:

586 "(2) RECORDING; FEES. The clerk shall record the articles of association and any
 587 amendments thereto or instruments of dissolution thereof in the same manner as required
 588 for articles of incorporation and shall receive a fee as required by paragraph (17) of
 589 subsection (g) of Code Section 15-6-77. Articles shall not be required to be published or
 590 recorded elsewhere. Such record of the articles, when so recorded, shall be notice of the
 591 articles to the world as well as to all parties dealing with such association."

592 **SECTION 1-37.**

593 Said title is further amended by revising Code Section 14-11-1101, relating to fees for filings
 594 related to limited liability companies, as follows:

595 "14-11-1101.

596 (a) The Secretary of State shall collect the following fees when the documents described
 597 below are delivered to the Secretary of State for filing pursuant to this chapter:

598	<u>Document</u>	<u>Fee</u>
599	(1) Articles of organization.	\$100.00
600	(2) Articles of amendment.	20.00
601	(3) Articles of merger.	20.00
602	(4) Certificate of election under Code Section 14-11-212 (together with	
603	articles of organization).	95.00
604	(5) Application for certificate of authority to transact business.	225.00

605	(6) Statement of commencement of winding up.	No Fee <u>fee</u>
606	(7) Certificate of termination.	No Fee <u>fee</u>
607	(8) Application of withdrawal.	No fee
608	(9) Articles of correction.	20.00
609	(10) Application for reservation of a name.	25.00
610	(11) Statement of change of registered office or registered agent...\$5.00 per	
611	limited liability company (foreign or domestic), but not less than.	20.00
612	(12) Registered agent's statement of resignation pursuant to subsection (d)	
613	of Code Section 14-11-209 or subsection (d) of Code Section 14-11-703.	No fee
614	(13) Certificate of judicial dissolution.	No fee
615	(14) Annual registration (foreign or domestic).	30.00 <u>50.00</u>
616	(15) Penalty for late filing of annual registration.	25.00
617	(16) Reinstatement fee.	100.00
618	(17) Any other document required or permitted to be filed by	
619	this chapter.	20.00
620	(18) Certificate of conversion.	95.00
621	(b) The Secretary of State shall collect the penalty provided for in paragraph (2) of	
622	subsection (c) of Code Section 14-11-711."	

SECTION 1-38.

623 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising
 624 paragraph (2) of subsection (e) and subsections (g) and (h) of Code Section 15-6-77, relating
 625 to fees for superior court, as follows:
 626

627 "(2) Except as provided in paragraphs (3) and (4) of this subsection, the total sum for all
 628 services rendered by the clerk of the superior court through entry of judgment in civil
 629 cases shall be \$58.00. Such sum shall not be required if the party desiring to file such
 630 case or proceeding is unable, because of his indigence, to pay such sum and such party
 631 files with the clerk an affidavit to such effect, as provided by law. Nothing contained in
 632 this subsection shall be deemed to require advance payment of such sum by the state, its
 633 agencies, or political subdivisions."

634 "(g) Miscellaneous fees:

635	(1) Recording any instrument or writing, fee not otherwise specified, first	
636	page.	\$ 5.00
637	Each page, after the first.	2.00

638	(2) Uncertified copies of documents, if no assistance is required from the	
639	office of the clerk of superior court, per page.25 <u>.50</u>
640	Uncertified copies, if assistance is required.	1.00
641	Uncertified copies, if transmitted telephonically or electronically, first page	2.50
642	Each page, after the first.	1.00
643	(3) Uncertified copies of documents, drawings, or plats, copy larger than	
644	8.5 x 14 inches.	2.00
645	(4) Certification or exemplification of record, including certificates and	
646	seals, first page.	2.50
647	Each page, after the first.50
648	(5) Clerk's certificate.	1.00
649	(6) Court's seal.	1.00
650	(7) The clerk may provide computer data or computer generated printouts	
651	of public records subject to disclosure maintained on computer by, or	
652	available to, the clerk, for each page or partial page of printed data or copies	
653	of such or its equivalent.	2.50
654	Nothing in this paragraph shall be construed to require any clerk to provide	
655	computer generated reports nor shall any clerk be required to prepare custom	
656	or individualized computer compilations or reports for any person or entity	
657	which would require preparation of a computer program which is not a	
658	standard existing computer program in use by the clerk. The clerk shall not	
659	be required to permit access to, or to provide copies of, copyrighted	
660	computer programs or any other computer programs in violation of any	
661	software license agreement or containing confidential records otherwise	
662	excluded or exempted by this Code section or any other applicable law.	
663	(8) Issuing certificate of pending or unsatisfied judgment, as provided in	
664	Code Section 40-9-40.	3.00
665	(9) Issuing certificate of appointment and reappointment to notaries public,	
666	as provided by Code Section 45-17-4.	13.00 <u>20.00</u>
667	(10) Registering and filing trade names pursuant to Code Section 10-1-490	8.00 <u>15.00</u>
668	(11) Issuing subpoena, signed and sealed, notwithstanding subsection (e) of	
669	this Code section, each.	1.00 <u>5.00</u>
670	(12) Preparation of record and transcript to the Supreme Court and Court of	
671	Appeals, per page.	1.50 <u>10.00</u>

672 Where a transcript of the evidence and proceedings is filed with the clerk and
673 does not require recopying, the clerk shall not receive the fee herein
674 prescribed with respect to such transcript but shall receive, for filing and
675 transmission of such transcript, a fee of..... 5.00 35.00

676 (13) Reserved. Issuing jury scrip or check, each .30

677 (14) ~~For each day of service in attendance upon the courts. -~~ 50.00

678 ~~The per diem attendance upon the courts shall be paid from the treasury of~~
679 ~~the respective counties of this state only to clerks who are on a fee system of~~
680 ~~compensation. Reserved.~~

681 (15) For performing the duties required of them by Article 2 of Chapter 2 of
682 Title 44, the clerks shall receive the same sums as in civil cases.

683 (16) For performing the duties required of them by Article 1 of Chapter 9A
684 of Title 14, the 'Uniform Limited Partnership Act,' and for filing statements
685 of partnership pursuant to Code Section 14-8-10.1, the clerks shall receive
686 the sums as in civil cases.

687 ~~(17) Filing incorporation proceedings except for corporation for which filing~~
688 ~~procedures are governed by Chapter 2 of Title 14:~~

689 (A) ~~Articles of incorporation~~ 20.00

690 (B) ~~Articles of amendment~~ 20.00

691 (C) ~~Restated articles~~ 20.00

692 (D) ~~Merger~~ 20.00

693 (E) ~~Dissolution~~ 20.00

694 (F) ~~Involuntary dissolution~~ no fee

695 (G) ~~Consolidation and merger~~ 20.00

696 (H) ~~Certificate of election to dissolve~~ 20.00

697 (I) ~~Order approving change of principal office~~ no fee

698 (J) ~~Articles of incorporation as required by Code Section 46-5-100~~ 20.00

699 (h) Fees in criminal cases:

700 (1) Entering and docketing bills of indictment, presentments, no-bills, \$ 3.00
701 accusations

702 (2) Reserved. ~~Issuing and mailing first notice of arraignment pursuant to Code~~
703 ~~Section 17-7-91~~ 1.00

704 (3) Reserved. ~~Affidavit of custodian, filing and transmittal pursuant to Code~~
705 ~~Section 17-10-12~~ 1.00

706 (4) Reserved. Preparation and transmission of defendant's personal history and
 707 related documents, as provided in Code Section ~~42-5-50~~ 5.00

708 (5) Reserved.

709 (6) Preparation and furnishing copy of the record of appeal in criminal cases
 710 where accused was convicted of capital felony, in accordance with Code
 711 Section 5-6-43, per page.....~~1.50~~ 5.00
 712 Clerk's certificate. 1.00

713 The clerk shall not receive compensation for the transcript of evidence and
 714 proceedings.

715 (7) When costs are assessed by the court the minimum amount assessed as
 716 court costs in the disposition of any criminal case in the superior court shall be
 717 \$100.00. Any surcharge provided for by law shall be in addition to such sum."

718 **SECTION 1-39.**

719 Said title is further amended by revising paragraph (1) of subsection (e) and subsections (f)
 720 through (k) of Code Section 15-9-60, relating to costs for probate court, as follows:

721 "(1) Except as otherwise provided, the cost in an initial proceeding regarding the estate
 722 of a decedent or of a missing individual believed to be dead shall be ~~\$90.00~~ \$130.00 for
 723 all services rendered by the judge or clerk of the probate court through the entry of the
 724 final order on such initial proceedings, exclusive of recording charges;"

725 "(f) Costs in minor guardianship matters:

726 (1) Except as otherwise provided, the cost in a proceeding regarding the person,
 727 property, or person and property of a minor shall be ~~\$60.00~~ \$75.00 for all services
 728 rendered by the judge or clerk of the probate court through the entry of the final order on
 729 such proceeding, exclusive of recording charges, including, but not necessarily limited
 730 to, the following proceedings: petition for temporary letters of guardianship of the person
 731 of a minor; petition for letters of guardianship of person, property, or person and property
 732 of a minor by person other than natural guardian; petition for letters of guardianship of
 733 property of a minor, by natural guardian, with bond — personal property over \$5,000.00;
 734 petition for order that natural guardian not be required to become legally qualified
 735 guardian of the property; application of guardian for letters of dismissal; or any other
 736 proceeding by which the jurisdiction of the probate court is first invoked with regard to
 737 the person, property, or person and property of a minor; and

738 (2) Except as otherwise provided, the costs for all services rendered by the judge or clerk
 739 of the probate court shall be as set forth below for the following proceedings, pleadings,

740 or documents regarding the person, property, or person and property of a minor, exclusive
741 of recording charges:

- 742 (A) Petition of guardian for leave to sell. \$ ~~50.00~~ 70.00
- 743 (B) Petition to compromise doubtful claim of minor. ~~50.00~~ 70.00
- 744 (C) Petition for leave to encroach on corpus. ~~25.00~~ 30.00
- 745 (D) Petition to change accounting period. 25.00
- 746 (E) Inventory or annual, intermediate, or final return (each). ~~25.00~~ 30.00
- 747 (F) Petition or motion for attorneys' fees. ~~50.00~~ 70.00
- 748 (G) Petition to terminate temporary guardianship of minor. ~~25.00~~ 30.00
- 749 (H) Any other petition, application, motion, or other pleading for which
750 no specific cost is set forth in this Code section filed regarding an
751 existing guardianship of a minor. ~~25.00~~ 30.00

752 (g) Costs in adult guardianship matters:

753 (1) Except as otherwise provided, the cost in a proceeding regarding the person,
754 property, or person and property of an adult alleged to be incapacitated shall be \$150.00
755 for all services rendered by the judge or clerk of the probate court through the entry of
756 the final order on such proceeding, exclusive of recording charges, including, but not
757 necessarily limited to, the following proceedings: petition for the appointment of an
758 emergency guardian for an alleged gravely incapacitated adult; petition for the
759 appointment of an emergency and permanent guardian for an alleged gravely
760 incapacitated adult; petition for the appointment of a guardian for an alleged incapacitated
761 adult; or any other proceeding by which the jurisdiction of the probate court is first
762 invoked with regard to an adult alleged to be incapacitated; and

763 (2) Except as otherwise provided, the cost for all services rendered by the judge or clerk
764 of the probate court shall be as set forth below for the following proceedings, pleadings,
765 or documents regarding the person, property, or person and property of an incapacitated
766 adult, exclusive of recording charges:

- 767 (A) Petition of guardian for leave to sell. \$ ~~50.00~~ 70.00
- 768 (B) Petition to compromise doubtful claim. ~~50.00~~ 70.00
- 769 (C) Petition for leave to encroach on corpus. ~~25.00~~ 30.00
- 770 (D) Petition to change accounting period. 25.00
- 771 (E) Inventory or annual, intermediate, or final return (each). ~~25.00~~ 30.00
- 772 (F) Petition or motion for attorneys' fees. ~~50.00~~ 70.00
- 773 (G) Petition to terminate or modify guardianship of incapacitated
774 adult. ~~50.00~~ 70.00

- 775 (H) Application of guardian for letters of dismissal. ~~60.00~~ 75.00
- 776 (I) Any other petition, application, motion, or other pleading for which
- 777 no specific cost is set forth in this Code section filed regarding an
- 778 existing guardianship of an adult.. . . . ~~50.00~~ 70.00
- 779 (h) Costs in matters involving sterilization, involuntary treatment, habilitation, or
- 780 temporary placement:
- 781 (1) Except as otherwise provided, the cost in a proceeding filed under Chapter 20 of Title
- 782 31, Chapter 36A of Title 31, or Chapter 3, 4, or 7 of Title 37 shall be ~~\$75.00~~ \$130.00 for
- 783 all services rendered by the judge or clerk of the probate court through the entry of the
- 784 final order on such proceeding, exclusive of recording charges;
- 785 (2) There shall be no cost assessed for the receipt and consideration of affidavits in
- 786 support of an order to apprehend under Part 1 of Article 3 of Chapter 3 of Title 37 or Part
- 787 1 of Article 3 of Chapter 7 of Title 37 or for the issuance of the order to apprehend; and
- 788 (3) There shall be no cost assessed for the receipt and consideration of a petition in
- 789 support of an order to apprehend under Part 3 of Article 3 of Chapter 3 of Title 37 or Part
- 790 3 of Article 3 of Chapter 7 of Title 37 or for the issuance of the order to apprehend a
- 791 patient alleged to be in noncompliance with an involuntary outpatient treatment order.
- 792 (i) Costs for hearings in contested matters:
- 793 (1) For conducting trials of contested matters or for formal hearing on the denial of an
- 794 application for a firearms license before the probate court, the cost shall be ~~\$25.00~~ \$30.00
- 795 per one-half day or portion thereof;
- 796 (2) There shall be no additional cost for the initial hearing in adult guardianship matters
- 797 or in matters involving sterilization, involuntary treatment, habilitation, or involuntary
- 798 placement; and
- 799 (3) There shall be no cost for any hearing in an uncontested matter.
- 800 (j) Custodial accounts. For each account accepted by the judge of the probate court as
- 801 custodian for a minor, incapacitated adult, or missing or unknown heir or beneficiary, there
- 802 shall be a one-time fee of 8 percent of the fund deducted from the fund when first accepted.
- 803 (k) Miscellaneous costs. Except as otherwise provided, the judge or clerk of the probate
- 804 court shall be entitled to the following costs for the proceedings, pleading, documents, or
- 805 services itemized:
- 806 (1) Application for writ of habeas corpus. \$ 75.00
- 807 (2) Petition to establish lost papers, exclusive of recording charges. 50.00
- 808 (3) Petition for or declaration of exemptions. 25.00
- 809 (4) Petition to change birth certificate.. . . . ~~60.00~~ 75.00

810	(5) For all services rendered by the judge or clerk of the probate court	
811	through the entry of the final order, exclusive of recording charges, for any	
812	application or petition by which the jurisdiction of the probate court is first	
813	invoked for which no cost is set forth in this Code section or other applicable	
814	law.	50.00 <u>70.00</u>
815	(6) Issuance of any order, including a rule nisi, in any matter for which the	
816	costs set forth in this Code section do not include all services to be rendered	
817	by the judge or clerk of the probate court, exclusive of recording charges.	25.00 <u>30.00</u>
818	(7) Motions, amendments, or other pleadings filed in any matter for which	
819	the cost set forth in this Code section does not include all services to be	
820	rendered by the judge or clerk of the probate court, exclusive of recording	
821	charges, and no other cost is set forth in this Code section.	10.00 <u>15.00</u>
822	(8) For processing appeals to superior court, exclusive of recording	
823	charges.	25.00 <u>30.00</u>
824	(9) For issuance of writ of fieri facias (fi.fa.).	10.00
825	(10) <u>Reserved.</u> For issuance of permit to discharge explosives	25.00
826	(11) For issuance of permit to discharge fireworks.. . . .	25.00 <u>30.00</u>
827	(12) Application for firearms license (exclusive of fees charged by	
828	other agencies for the examination of criminal records and mental	
829	health records).	15.00 <u>20.00</u>
830	(13) For issuance of a replacement firearms license.	5.00 <u>6.00</u>
831	(14) Application for marriage license if the applicants have completed	
832	premarital education pursuant to Code Section 19-3-30.1.	No fee
833	(14.1) Application for a marriage license if the applicants have not	
834	completed premarital education pursuant to Code Section 19-3-30.1.	35.00 <u>40.00</u>
835	(15) For the safekeeping of a will.	10.00 <u>15.00</u>
836	(16) For issuance of a veteran's license.	No fee
837	(17) For issuance of a peddler's license.	10.00 <u>15.00</u>
838	(18) For issuance of a certificate of residency.	10.00
839	(19) Registration of junk dealer.	10.00
840	(20) Certification of publication of application for insurance company	
841	charter.	10.00
842	(21) Recording of marks and brands, each.	10.00 <u>15.00</u>
843	(22) Exemplification.	10.00 <u>15.00</u>
844	(23) Certification under seal of copies (plus copy cost).	5.00 <u>10.00</u>

- 845 (24) Certified copies of letters of personal representative, temporary
- 846 administrator, or guardian, each, including copy cost. ~~5.00~~ 10.00
- 847 (25) For issuance of a subpoena, each. ~~5.00~~ 10.00
- 848 (26) For filing and recording of oath or bond of any official, officer, or
- 849 employee of any municipality or authority within the county, each. ~~5.00~~ 10.00
- 850 (27) For filing and recording of oath or bond of county official or officer. No fee
- 851 (28) For examination of records or files by employee of the probate court to
- 852 provide abstract of information contained therein or to provide copies
- 853 therefrom, per estate or name. ~~5.00~~ 10.00
- 854 (29) Recording, per page. 2.00
- 855 (30) Copies, per page. ~~0.25~~ 1.00"

SECTION 1-40.

856
857 Said title is further amended by revising Code Section 15-10-80, relating to filing fees,
858 service of process costs, and other costs in magistrate court, as follows:

859 "15-10-80.

860 (a) Upon filing any civil action the plaintiff shall pay a filing deposit as established by
861 local court rule not to exceed ~~\$20.00~~ \$22.00 which shall cover all costs of the action except
862 service of process.

863 (b) Upon filing any civil action the plaintiff shall pay the actual cost of serving each party
864 required to be served but not more than the amount of the fee charged by sheriffs for
865 serving process for each party to be served.

866 (c) For issuing a writ of fieri facias the fee charged shall be ~~\$2.00~~ \$4.00 which shall be
867 paid by the person requesting the same. Such fee shall be charged and collected
868 contemporaneously with or prior to the issuance of the writ of fieri facias but not before the
869 entry of judgment in the action.

870 (d) As between the parties, costs shall be taxed against the losing party."

SECTION 1-41.

871
872 Said title is further amended by revising Code Section 15-10-81, relating to costs upon
873 conviction of violation of ordinance, as follows:

874 "15-10-81.

875 In cases of conviction of violation of county ordinances, costs of not more than ~~\$30.00~~
876 \$70.00 may be taxed against the defendant."

877 **SECTION 1-42.**

878 Said title is further amended by revising Code Section 15-10-82, relating to hearing fee on
879 application for search or arrest warrant or deposit account fraud citation, as follows:

880 "15-10-82.

881 For hearing an application for an arrest or search warrant or deposit account fraud citation,
882 the fee charged shall not exceed ~~\$10.00~~ \$20.00, but this fee may be waived by the issuing
883 magistrate if he or she finds that because of the financial circumstances of the party
884 applying for the warrant or citation or for other reasons this fee should not be charged in
885 justice, provided that no fee shall be assessed against the alleged victim of a violation of
886 Code Section 16-5-90, 16-5-91, 16-6-1, 16-6-2, 16-6-3, 16-6-4, 16-6-5.1, 16-6-22.1, or
887 16-6-22.2 or against the alleged victim of any domestic violence offense for costs
888 associated with the filing of criminal charges against the stalking offender, sexual offender,
889 or domestic violence offender or for the issuance or service of a warrant, protective order,
890 or witness subpoena arising from the incident of stalking, sexual assault, or domestic
891 violence."

892 **SECTION 1-43.**

893 Said title is further amended by revising subsections (b) and (c) of Code Section 15-16-21,
894 relating to fees for sheriff's services, as follows:

895 "(b) For the services of the sheriff in civil cases, the following fees shall be charged:

- 896 (1) Serving copy of process and returning original, per copy. ~~\$ 25.00~~ 50.00
- 897 (2) Action from another county, to be paid in advance. ~~25.00~~ 50.00
- 898 (3) Summoning each witness. ~~6.00~~ 10.00
- 899 (4) Each levy or writ of fieri facias. ~~25.00~~ 50.00
- 900 (5) Search and return of nulla bona. ~~13.00~~ 20.00
- 901 (6) Serving summons of garnishment or rule against garnishee. ~~25.00~~ 50.00
- 902 If more than one, for each additional copy. 6.00
- 903 (7) Commissions on sales of property:
- 904 On sums of \$50.00 or less. 8%
- 905 On excess above \$50.00 up to \$550.00. 6%
- 906 For all sums exceeding \$550.00, on excess. 3%
- 907 No commissions shall be charged unless property is actually sold.
- 908 (8) Making out and executing titles to land. ~~25.00~~ 50.00
- 909 If presented by purchaser. ~~13.00~~ 20.00
- 910 (9) Executing bill of sale to personal property, when demanded by ~~13.00~~ 20.00
- 911 purchaser.

912	(10) Forthcoming bonds.	13.00
913	(11) Serving process against tenant over or intruder upon land to	
914	dispossess them.	25.00
915	(12) For dispossessing tenant or intruder.	25.00
916	(13) Taking and returning counter-affidavit when summary process to	
917	dispossess tenant or intruder is resisted.	13.00
918	(14) Settling each execution in his <u>or her</u> hands, settled without sale.	13.00 <u>20.00</u>
919	(15) Levying an attachment.	25.00 <u>50.00</u>
920	(16) <u>Reserved.</u> Following property out of county with attachment, for	
921	every mile going and returning	.21
922	(17) <u>Reserved.</u> Attending superior, state, or city courts, per day	20.00
923	(18) <u>Reserved.</u> Probate courts, per day	15.00
924	(19) <u>Reserved.</u> At elections as required by law, each day	20.00
925	(20) Collecting tax fi. fas. \$100.00 or less, each.	5.00 <u>10.00</u>
926	(21) Collecting tax fi. fas. over \$100.00, each.	10.00 <u>20.00</u>
927	(c) For executing and returning any warrant or for serving a citation, the fees to which a	
928	sheriff is entitled as provided in this subsection shall be paid at the disposition of the	
929	criminal case. For summoning witnesses or taking bonds in criminal cases, the fees to	
930	which a sheriff is entitled as provided in this subsection shall be paid in advance prior to	
931	the sheriff's rendering such service. For the services of the sheriff in criminal cases, the	
932	following fees shall be charged:	
933	(1) Removing prisoner when habeas corpus is sought for his <u>or her</u> relief.	\$ 15.00
934	(2) Removing prisoners under habeas corpus when no mileage is paid, per	15.00
935	day.	
936	(3) Attending persons taken by warrant to judge's chamber, for each time.	4.50
937	(4) Conducting prisoner before judge or court to and from jail.	4.50
938	(5) Executing and returning any warrant.	25.00
939	(6) Serving any citation issued pursuant to Article 10 of Chapter 10 of this	
940	title, relating to bad check prosecutions or any warrant.	25.00
941	(7) Summoning each witness.	6.00 <u>10.00</u>
942	(8) Taking bonds in criminal cases.	13.00 <u>20.00</u>
943	(9) Executing a warrant of escape.	10.00
944	(10) Service in every criminal case before a judge or a judge and jury.	10.00"

945 **SECTION 1-43.1.**

946 Said title is further amended by revising subsection (d) of Code Section 15-21A-6, relating
947 to filing fees and applications for free legal services, as follows:

948 "(d) Each clerk of court, each indigent defense program, or any other officer or agent of
949 any court receiving any funds subject to this Code section shall collect the fees provided
950 for in subsection (c) of this Code section and, if the governing authority has a procedure
951 to verify the applicant's income as set forth in Code Section 17-12-80, shall pay such
952 moneys over to the entity providing legal defense services under Chapter 12 of Title 17 by
953 the last day of the month after the month of collection, and such funds shall not be subject
954 to payment to the authority. If the governing authority does not have such verification
955 procedure, the moneys shall be paid over to the authority by the last day of the month after
956 the month of collection, to be deposited by the authority into the general fund of the state
957 treasury."

958 **SECTION 1-44.**

959 Said title is further amended by adding two new Code sections in Chapter 21A, relating to
960 judicial accounting, to read as follows:

961 "15-21A-6.1.

962 (a) In addition to all other legal costs, there shall be charged to the filing party and
963 collected by the clerk an additional filing fee of \$125.00, to be known as a judicial
964 operations fund fee, in each civil action or case filed in a superior court except that the
965 state, including, but not limited to, its departments, agencies, boards, bureaus,
966 commissions, public corporations, and authorities, municipalities, counties, and political
967 subdivisions shall be exempt from such fee. Without limiting the generality of the
968 foregoing, such fee shall apply to all adoptions, certiorari, trade name registrations,
969 applications for change of name, and all other proceedings of a civil nature. Any matter
970 which is docketed upon the official dockets of the superior court and to which a number
971 is assigned shall be subject to such fee, whether such matter is contested or not.

972 (b) Each superior court clerk shall collect the fees provided in this Code section and the
973 moneys shall be paid over to the authority by the last day of the month after the month of
974 collection, to be deposited by the authority into the general fund of the state treasury.

975 (c) The authority shall, on a quarterly basis, make a report and accounting of all funds
976 collected pursuant to this Code section and shall submit such report and accounting to the
977 Office of Planning and Budget, the House Budget Office, and the Senate Budget Office no
978 later than 60 days after the last day of the preceding quarter.

979 15-21A-6.2.

980 (a) In addition to all other legal costs, there shall be charged to the filing party and
 981 collected by the clerk an additional filing fee of \$125.00, to be known as a judicial
 982 operations fund fee, in each civil action or case filed in a state court except that the state,
 983 including, but not limited to, its departments, agencies, boards, bureaus, commissions,
 984 public corporations, and authorities, municipalities, counties, and political subdivisions
 985 shall be exempt from such fee. Without limiting the generality of the foregoing, such fee
 986 shall apply to any matter which is docketed upon the official dockets of the state court and
 987 to which a number is assigned, whether such matter is contested or not.

988 (b) Each state court clerk shall collect the fees provided in this Code section and the
 989 moneys due the authority shall be paid over to the authority by the last day of the month
 990 after the month of collection with \$75.00 of these moneys paid to the authority to be
 991 deposited by the authority into the general fund of the state treasury and \$50.00 of these
 992 moneys shall be retained by the local governing authority.

993 (c) The authority shall, on a quarterly basis, make a report and accounting of all funds
 994 collected pursuant to this Code section and shall submit such report and accounting to the
 995 Office of Planning and Budget, the House Budget Office, and the Senate Budget Office no
 996 later than 60 days after the last day of the preceding quarter."

997 **SECTION 1-45.**

998 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by
 999 revising Code Section 20-1A-4, relating to powers and duties of the Department of Early
 1000 Care and Learning, as follows:

1001 "20-1A-4.

1002 The Department of Early Care and Learning shall have the following powers and duties:

1003 (1) To administer such programs and services as may be necessary for the operation and
 1004 management of voluntary pre-kindergarten, which shall be known as 'Georgia's Pre-K
 1005 Program';

1006 (2) To administer such programs and services as may be necessary for the operation and
 1007 management of preschool and child development programs, such as Even Start and child
 1008 care regulation and food programs;

1009 (3) To act as the agent of the federal government in conformity with this chapter and the
 1010 administration of any federal funds granted to the state to aid in the furtherance of any
 1011 functions of the department;

1012 (4) To assist local units of administration in this state so as to assure the proliferation of
 1013 services under this chapter;

1014 (5) To regulate early care and education programs in accordance with this chapter;

- 1015 (6) To perform the functions set out in Code Section 20-1A-64, relating to improvement
- 1016 of the quality, availability, and affordability of child care in this state;
- 1017 (7) To serve as the Head Start state collaboration office;
- 1018 (8) To establish and collect annual fees for licensure, registration, or commission of early
- 1019 care and education programs. Such fees so established shall be reasonable and shall be
- 1020 determined in such a manner that the total amount of fees established shall help defray
- 1021 the direct and indirect costs to the department in performing such function. The
- 1022 department shall remit all fees collected to the general fund of the state;
- 1023 ~~(8)~~(9) To perform any other functions as agreed upon between the department and the
- 1024 Department of Human Resources (now known as the Department of Human Services),
- 1025 pursuant to Code Section 20-1A-8;
- 1026 ~~(9)~~(10) To perform any other functions as agreed upon between the department and the
- 1027 Department of Education, in accordance with Code Section 20-1A-17; and
- 1028 ~~(10)~~(11) To exercise the powers reasonably necessary to accomplish the purposes of this
- 1029 chapter, including, but not limited to, contracting for services."

SECTION 1-46.

1030
1031 Said title is further amended by revising subsections (k), (m), and (r) of Code Section
1032 20-1A-10, relating to consultation by the Department of Early Care and Learning on early
1033 care and education programs and other matters, and by adding a new subsection to read as
1034 follows:

1035 "(k)(1) Application for a license, commission, or registration for an early care and
1036 education program shall be made to the department upon forms furnished by the
1037 department. Upon receipt of an application for a license, registration, or commission and
1038 upon presentation by the applicant of evidence that the early care and education program
1039 meets the rules and regulations prescribed by the department, the department shall issue
1040 such early care and education program a license, registration, or commission for a
1041 one-year period.

1042 (2) On and after the effective date of this paragraph, the following annual fees shall
1043 apply to applications for licensure, registration, or commission as a day-care center, child
1044 care learning center, group day-care home, or family day-care home:

1045	<u>(A) Capacity of fewer than 25 children.</u>	<u>\$ 50.00</u>
1046	<u>(B) Capacity of 26 to 50 children.</u>	<u>100.00</u>
1047	<u>(C) Capacity of 51 to 100 children.</u>	<u>150.00</u>
1048	<u>(D) Capacity of 101 to 200 children.</u>	<u>200.00</u>
1049	<u>(E) Capacity of more than 200 children.</u>	<u>250.00"</u>

1050 "(m) The department shall refuse to issue a license, registration, or commission upon a
1051 showing of:

1052 (1) Noncompliance with the rules and regulations for day-care centers, family day-care
1053 homes, group day-care homes, or child care learning centers which are designated in
1054 writing to the facilities as being related to children's health and safety;

1055 (2) Flagrant and continued operation of an unlicensed, unregistered, or uncommissioned
1056 facility in contravention of the law; ~~or~~

1057 (3) Prior license, registration, or commission denial or revocation within one year of
1058 application; or

1059 (4) Failure to pay the annual fee for licensure, registration, or commission of early care
1060 and education programs."

1061 "(r) If abuses, derelictions, or deficiencies are found in the operation and management of
1062 any early care and education program, including failure to pay the annual fee for licensure,
1063 registration, or commission, they shall be brought immediately to the attention of the
1064 management of such program; and if correctable, but not corrected within a reasonable
1065 time, the department shall revoke the license, registration, or commission of such program
1066 in the manner prescribed in this Code section."

1067 **SECTION 1-46.1.**

1068 Said title is further amended by revising subsections (b) and (c) of Code Section 20-1A-12,
1069 relating to actions authorized by department in event of violations, as follows:

1070 "(b) The department shall have the authority to take any of the actions enumerated in
1071 subsection (c) of this Code section upon a finding that the applicant or holder of a license
1072 has:

1073 (1) Knowingly made any false statement of material information in connection with the
1074 application for a license, or in statements made or on documents submitted to the
1075 department as part of an inspection, survey, or investigation, or in the alteration or
1076 falsification of records maintained by the early care and education program;

1077 (2) Failed or refused to provide the department with access to the premises subject to
1078 regulation or information pertinent to the initial or continued licensing of the program;

1079 (3) Failed to comply with the licensing requirements of this state; ~~or~~

1080 (4) Failed to pay the annual fee for licensure, registration, or commission of early care
1081 and education programs; or

1082 ~~(4)~~(5) Failed to comply with any provisions of this Code section.

1083 (c) When the department finds that any applicant or holder of a license has violated any
1084 provision of subsection (b) of this Code section or laws, rules, regulations, or formal orders

1085 related to the initial or continued licensing of the program, the department, subject to notice
1086 and opportunity for hearing, may take any of the following actions:

1087 (1) Refuse to grant a license; provided, however, that the department may refuse to grant
1088 a license without holding a hearing prior to taking such action;

1089 (2) Administer a public reprimand;

1090 (3) Suspend any license for a definite period or for an indefinite period in connection
1091 with any condition which may be attached to the restoration of said license;

1092 (4) Prohibit any applicant or holder of a license from allowing a person who previously
1093 was involved in the management or control, as defined by rule, of any program which has
1094 had its license revoked or denied within the past 12 months to be involved in the
1095 management or control of such program;

1096 (5) Revoke any license;

1097 (6) Impose a fine, not to exceed a total of \$25,000.00, of up to \$500.00 per day for each
1098 violation of a law, rule, regulation, or formal order related to the initial or ongoing
1099 licensing of any program; ~~or~~

1100 (7) Impose a late fee of up to \$250.00 for failure of an early care and education program
1101 to pay the annual fee for licensure, registration, or commission within 30 days of due date
1102 as established by the department; or

1103 (8) Limit or restrict any license as the department deems necessary for the protection of
1104 the public, including, but not limited to, restricting some or all services of or admissions
1105 into a program for a time certain.

1106 In taking any of the actions enumerated in this subsection, the department shall consider
1107 the seriousness of the violation, including the circumstances, extent, and gravity of the
1108 prohibited acts, and the hazard or potential hazard created to the health or safety of the
1109 public."

1110 **SECTION 1-47.**

1111 Title 21 of the Official Code of Georgia Annotated, relating to elections, is amended by
1112 revising subsection (l) of Code Section 21-5-34, relating to disclosure reports, as follows:

1113 "(l) In addition to other penalties provided under this chapter, ~~an additional~~ a filing fee of
1114 ~~\$25.00~~ \$100.00 shall be imposed for each report that is filed late. In addition, a filing fee
1115 of ~~\$50.00~~ \$250.00 shall be imposed on the fifteenth day after the due date if the report has
1116 still not been filed; ~~provided, however, a 15-day extension period shall be granted on the~~
1117 ~~final report.~~ A fine of \$1,000.00 shall be imposed on the forty-fifth day after the due date
1118 for such report if the report has not been filed by such date. In the case of a candidate, such
1119 fine shall be paid from the personal funds of the candidate and no other funds from any
1120 source may be used to pay such fine."

SECTION 1-48.

1121
1122 Said title is further amended in subsection (a) of Code Section 21-5-50, relating to filing of
1123 financial disclosure statements, by adding a new paragraph to read as follows:

1124 "(6) In addition to other penalties provided under this chapter, a filing fee of \$100.00
1125 shall be imposed for each financial disclosure statement that is filed late. In addition, a
1126 filing fee of \$250.00 shall be imposed on the fifteenth day after the due date if the
1127 statement has still not been filed. A fine of \$1,000.00 shall be imposed on the forty-fifth
1128 day after the due date for such statement if the statement has not been filed by such date.
1129 Such fine shall be paid from the personal funds of the person required to file such
1130 statement and no other funds from any source may be used to pay such fine."

SECTION 1-49.

1131
1132 Said title is further amended by revising subsection (f) Code Section 21-5-71, relating to
1133 registration of lobbyists, as follows:

1134 "(f)(1) Each person registering under this Code section shall pay the registration fees set
1135 forth in paragraph (2) of this subsection; provided, however, that a person who represents
1136 any state, county, municipal, or public agency, department, commission, or authority
1137 shall be exempted from payment of such registration fees ~~and a person employed by an~~
1138 ~~organization exempt from federal income taxation under Section 501(c)(3) or 501(c)(4)~~
1139 ~~of the Internal Revenue Code, as that code is defined in Code Section 48-1-2, shall be~~
1140 ~~exempted from payment of such registration fees except for payment of an initial~~
1141 ~~registration fee of \$25.00.~~

1142 (2) The commission shall collect the following fees:

- 1143 (A) Annual lobbyist registration or renewal filed pursuant to this
- 1144 Code section. ~~\$200.00~~ \$300.00
- 1145 (B) Lobbyist supplemental registration filed pursuant to this Code
- 1146 section. 10.00
- 1147 (C) Each copy of a lobbyist identification card issued pursuant to this
- 1148 Code section. ~~5.00~~ 20.00

1149 (D) In addition to other penalties provided under this chapter, a filing
1150 fee of ~~\$50.00~~ \$100.00 shall be imposed for each report that is filed
1151 late. In addition, a filing fee of ~~\$25.00~~ \$250.00 shall be imposed on
1152 the fifteenth day after the due date if the report has still not been filed.
1153 A fine of \$1,000.00 shall be imposed on the forty-fifth day after the
1154 due date for such report if the report has not been filed by such date.
1155 When such a fine is imposed, such fine shall be paid from the

1156 personal funds of the lobbyist and no other funds from any source
 1157 may be used to pay such fine."

1158 **SECTION 1-50.**

1159 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is
 1160 amended by revising subsection (a) of Code Section 25-2-4.1, relating to fees and charges
 1161 for regulating fire and other hazards, as follows:

1162 "(a) The Commissioner is authorized to assess and collect, and persons so assessed shall
 1163 pay in advance to the Commissioner, fees and charges under this chapter as follows:

1164	(1) New anhydrous ammonia permit for storage in bulk (more than		
1165	2,000 gallons aggregate capacity) for sale or distribution one-time		
1166	fee.....	\$	100.00 <u>150.00</u>
1167	(2) Annual license for manufacture of explosives other than		
1168	fireworks.....		100.00 <u>150.00</u>
1169	(3) Annual license for manufacture, storage, or transport of		
1170	fireworks.....	1,000.00	<u>1,500.00</u>
1171	(4) Carnival license.....	100.00	<u>150.00</u>
1172	(5) Certificate of occupancy.....		100.00
1173	(6) Construction plan review:		
1174	(A) Bulk storage construction.....	100.00	<u>150.00</u>
1175	(B) Building construction, 10,000 square feet or less.....	100.00	<u>150.00</u>
1176	(C) Building construction, more than 10,000 square feet.....		.015 per square foot
1177	(D) Other construction.....	100.00	<u>150.00</u>
1178	(7) Fire sprinkler contractor certificate of competency.....	100.00	<u>150.00</u>
1179	(8) Liquefied petroleum gas storage license:		
1180	(A) 2,000 gallons or less.....	100.00	<u>150.00</u>
1181	(B) More than 2,000 gallons.....	500.00	<u>600.00</u>
1182	(9) Building construction inspection:		
1183	(A) 80 percent completion, 100 percent completion, annual, and		
1184	first follow-up.....		none
1185	(B) Second follow-up.....	100.00	<u>150.00</u>
1186	(C) Third and each subsequent follow-up.....	150.00	<u>220.00</u>
1187	(10) Purchase, storage, sale, transport, or use of explosives other		
1188	than fireworks:		
1189	(A) 500 pounds or less.....	50.00	<u>75.00</u>

1190	(B) More than 500 pounds.	100.00 <u>150.00</u>
1191	(11) New self-service gasoline station permit one-time fee.	100.00 <u>150.00</u>
1192	(12) New permit to dispense compressed natural gas (CNG) for	
1193	vehicular fuel one-time fee.	100.00 <u>150.00</u> "

SECTION 1-50.1.

1194
1195 Said title is further amended by revising Code Section 25-2-20, relating to the licensing of
1196 carnivals, circuses, and other exhibits, as follows:

1197 "25-2-20.

1198 All traveling motion picture shows, carnivals, and circuses shall obtain a fire prevention
1199 regulatory license from the state fire marshal based upon compliance with this chapter, as
1200 set forth in rules and regulations promulgated by the Commissioner. The fee for the license
1201 shall be ~~\$100.00~~ \$150.00 for each calendar year or part thereof, payable to the state fire
1202 marshal, who shall pay the same into the state treasury."

SECTION 1-51.

1203
1204 Said title is further amended by revising Code Section 25-10-5, relating to licensing of
1205 fireworks dealers or displays, as follows:

1206 "25-10-5.

1207 The annual license fee for any person, firm, or corporation conducting business in this state
1208 under paragraph (4) of Code Section 25-10-3 or storing fireworks under Code Section
1209 25-10-3.1 or conducting pyrotechnic displays under Code Section 25-10-3.2 shall be
1210 ~~\$1,000.00~~ \$1,500.00 per year, payable to the Safety Fire Commissioner. The license shall
1211 expire on December 31 of each year. The Safety Fire Commissioner is authorized and
1212 directed to promulgate safety regulations relating to the manufacture, storage, and
1213 transportation of fireworks within this state in order to ensure the adequate protection of
1214 the employees of any such person, firm, or corporation and of the general public. The
1215 Safety Fire Commissioner is also authorized and directed to promulgate safety regulations
1216 relating to the public exhibition or display of pyrotechnics and the licensing requirements
1217 of those conducting such public exhibitions or displays, as he or she deems necessary. The
1218 Safety Fire Commissioner is further authorized and directed to conduct periodic inspections
1219 of the facilities of any person, firm, or corporation manufacturing, storing, and transporting
1220 fireworks as provided in paragraph (4) of Code Section 25-10-3 or as provided in Code
1221 Section 25-10-3.1 in order to ensure compliance with fire safety rules and regulations."

SECTION 1-52.

1222
 1223 Said title is further amended by revising subsection (a) Code Section 25-11-4, relating to
 1224 certificates of competency for fire protection sprinkler contractors, as follows:

1225 "(a) Any individual desiring to become a certificate holder shall submit to the
 1226 Commissioner a completed application on forms prescribed by the Commissioner. Such
 1227 individual shall remit with his or her application a nonrefundable certificate fee of ~~\$100.00~~
 1228 \$150.00 plus a one-time filing fee of ~~\$50.00~~ \$75.00. Such fee shall not be prorated for
 1229 portions of a year."

SECTION 1-53.

1230
 1231 Said title is further amended by revising subsections (b) and (d) of Code Section 25-11-5,
 1232 relating to licenses for fire protection sprinkler contractors, as follows:

1233 "(b) Any organization or individual desiring to become a fire protection sprinkler
 1234 contractor shall submit to the Commissioner a completed application on forms prescribed
 1235 by him or her. Such organization or individual shall remit with his or her application a
 1236 nonrefundable license fee of ~~\$50.00~~ \$100.00 plus a one-time filing fee of ~~\$50.00~~ \$75.00.
 1237 Such fee shall not be prorated for portions of a year."

1238 "(d) A fire protection sprinkler contractor license shall expire annually as determined by
 1239 the rules and regulations. A license holder desiring to renew his or her license shall submit
 1240 a renewal application to the Commissioner and remit a renewal fee of ~~\$50.00~~ \$75.00 on or
 1241 before the date determined by the rules and regulations of each year."

SECTION 1-54.

1242
 1243 Said title is further amended by revising subsections (a) and (c) of Code Section 25-11-6,
 1244 relating to fire protection sprinkler system inspector licenses, as follows:

1245 "(a) Any individual desiring to become a fire protection sprinkler system inspector shall
 1246 submit to the Commissioner a completed application on the prescribed forms. Such
 1247 individual shall remit with his or her application a nonrefundable license fee of ~~\$50.00~~
 1248 \$100.00 plus a one-time filing fee of ~~\$50.00~~ \$75.00. Such fees shall not be prorated for
 1249 portions of a year."

1250 "(c) A fire protection sprinkler system inspector license shall expire annually as
 1251 determined by the rules and regulations. A license holder desiring to renew his or her
 1252 license shall submit a renewal application to the Commissioner and remit a renewal fee of
 1253 ~~\$50.00~~ \$75.00 on or before the date determined by the rules and regulations of each year."

SECTION 1-55.

1254
 1255 Said title is further amended by revising subsections (a) and (c) of Code Section 25-11-7,
 1256 relating to fire protection system designer licenses, as follows:

1257 "(a) Any individual desiring to become a fire protection system designer shall submit to
 1258 the Commissioner a completed application on forms prescribed by the Commissioner.
 1259 Such individual shall remit with his or her application a nonrefundable license fee of
 1260 ~~\$50.00~~ \$100.00 plus a one-time filing fee of ~~\$50.00~~ \$75.00. Such fee shall not be prorated
 1261 for portions of a year."

1262 "(c) A fire protection system designer license shall expire annually as determined by the
 1263 rules and regulations. A license holder desiring to renew his or her license shall submit a
 1264 renewal application to the Commissioner and remit a renewal fee of ~~\$50.00~~ \$75.00 on or
 1265 before the date determined by the rules and regulations of each year."

SECTION 1-56.

1266
 1267 Said title is further amended by revising Code Section 25-12-8, relating to permits for fire
 1268 suppression systems and fire extinguishers testing, as follows:

1269 "25-12-8.

1270 Each individual actually performing the installing, inspecting, repairing, recharging,
 1271 servicing, or testing activities must possess a valid and subsisting permit issued by the
 1272 Commissioner. The annual fee for said permit shall be as established by the Commissioner
 1273 by rule or regulation, but such permit fee shall not exceed ~~\$25.00~~ \$75.00. Such permit
 1274 shall not be required for any individual employed by any firm or governmental entity that
 1275 engages only in installing, inspecting, recharging, repairing, servicing, or testing of
 1276 portable fire extinguishers or fire suppression systems owned by the firm and installed on
 1277 property under the control of said firm. Such individuals shall remain subject to the rules
 1278 and regulations adopted pursuant to this chapter."

SECTION 1-57.

1279
 1280 Title 26 of the Official Code of Georgia Annotated, relating to food, drugs, and cosmetics,
 1281 is amended by revising Code Section 26-2-25, relating to licensing of food sales
 1282 establishments, as follows:

1283 "26-2-25.

1284 (a) It shall be unlawful for any person to operate a food sales establishment without having
 1285 first obtained a license from the Commissioner. No license issued under this article shall
 1286 be suspended or revoked except for health and sanitation reasons or violations of this
 1287 article and until the licensee to be affected shall be provided with reasonable notice thereof
 1288 and an opportunity for hearing, as provided under Chapter 13 of Title 50, the 'Georgia

1289 Administrative Procedure Act.' Licenses issued under this article shall be ~~valid until~~
 1290 ~~suspended or revoked~~ renewed annually and shall not be transferable with respect to
 1291 persons or location. ~~There shall be no fee for such license.~~ Each food sales establishment
 1292 licensed pursuant to this Code section shall post such license on the premises in an open
 1293 and conspicuous manner so as to be visible to the public. Neither the state nor any county,
 1294 municipality, or consolidated government shall issue or renew any business or occupation
 1295 license or permit for any food sales establishment until the establishment complies with the
 1296 requirements of this article.

1297 (b) The Commissioner shall charge the following fees for the licenses issued pursuant to
 1298 subsection (a) of this Code section. The fee structure shall be based on the level of risk,
 1299 procedural effort, and inspection time needed for each food sales establishments:

1300	<u>(1) Tier 5.</u>	<u>\$300.00</u>
1301	<u>(2) Tier 4.</u>	<u>250.00</u>
1302	<u>(3) Tier 3.</u>	<u>200.00</u>
1303	<u>(4) Tier 2.</u>	<u>150.00</u>
1304	<u>(5) Tier 1.</u>	<u>100.00</u>

1305 (c) The Department of Agriculture shall establish rules and regulation by which to assign
 1306 each food sales establishment to a proper tier and to collect the fees provided for in this
 1307 Code section."

1308 **SECTION 1-58.**

1309 Said title is further amended by revising subsection (a) of Code Section 26-2-312, relating
 1310 to a wholesale fish dealer license, as follows:

1311 "(a) No person, firm, association of persons, or corporation shall be authorized or
 1312 permitted to engage in the business of wholesale fish dealer in this state without first
 1313 having paid to the Commissioner of Agriculture the annual license fees required in this
 1314 Code section and having procured a license from the Commissioner authorizing such
 1315 person to engage in the business of wholesale fish dealer. Any fees collected pursuant to
 1316 this Code section shall be retained pursuant to the provisions of Code Section 45-12-92.1.

1317 The annual license fee applicable to and required of wholesale fish dealers shall be as
 1318 follows:

1319 (1) The annual license fee for each resident wholesale fish dealer shall be ~~\$50.00~~ \$60.00
 1320 for each place of business, fixed or movable;

1321 (2) The annual license fee for each nonresident or alien wholesale fish dealer shall be
 1322 ~~\$50.00~~ \$60.00 for each place of business, fixed or movable, provided that the annual
 1323 license fee for each nonresident or alien wholesale fish dealer who is a resident of a state

1324 which charges Georgia resident wholesale fish dealers a fee in excess of ~~\$50.00~~ \$60.00
 1325 shall be the same as the fee such state charges Georgia resident wholesale fish dealers for
 1326 each place of business, fixed or movable. The Commissioner of Agriculture of the State
 1327 of Georgia may enter into a reciprocal agreement with any other state to limit the fees
 1328 such state charges a Georgia resident who operates as a wholesale fish dealer or its
 1329 equivalent in such other state."

1330 **SECTION 1-58.1.**

1331 Said title is further amended by repealing Code Section 26-2-319, relating to fish dealer
 1332 license fees, and designating it as "Reserved."

1333 **SECTION 1-59.**

1334 Said title is further amended by revising subsection (a) of Code Section 26-2-411, relating
 1335 to a sale of meat, poultry, or seafood from mobile vehicles license, as follows:

1336 "(a) Any person who sells, displays for sale, or offers for sale at retail any fresh or frozen
 1337 meat, poultry, or seafood in, on, or from a mobile vehicle shall prominently display in such
 1338 mobile vehicle a current and valid license issued by the Department of Agriculture. Such
 1339 license shall be issued by the department following the satisfactory inspection of such
 1340 mobile vehicle and the meat, poultry, or seafood offered for sale therefrom to determine
 1341 compliance with the laws of this state and the rules and regulations of the Commissioner
 1342 and the payment of a license fee of ~~\$50.00~~ \$100.00 per vehicle per year or any portion
 1343 thereof. All licenses shall expire 12 months from the date of issue. Any license may be
 1344 renewed for any subsequent year upon a satisfactory inspection of the mobile vehicle and
 1345 its contents and the payment of the license fee. Any fees collected pursuant to this Code
 1346 section shall be retained pursuant to the provisions of Code Section 45-12-92.1."

1347 **SECTION 1-60.**

1348 Title 32 of the Official Code of Georgia, relating to highways, bridges, and ferries, is
 1349 amended by revising Code Section 32-6-75.2, relating to the Roadside Enhancement and
 1350 Beautification Fund, as follows:

1351 "32-6-75.2.

1352 There is established a special fund to be known as the 'Roadside Enhancement and
 1353 Beautification Fund.' This fund shall consist of all moneys collected under Code Section
 1354 32-6-75.3, any appropriations by the General Assembly to the fund, revenues derived from
 1355 the sale of any special and distinctive wildflower motor vehicle license plates issued
 1356 pursuant to ~~Code Section 40-2-49.2~~ paragraph (5) of subsection (l) of Code Section
 1357 40-2-86, any contributions to the fund from any other source, and all interest thereon. All

1358 moneys collected under Code Section 32-6-75.3 and ~~manufacturing~~ fees for any special and
 1359 distinctive wildflower motor vehicle license plates shall be paid into the fund. All balances
 1360 in the fund shall be deposited in an interest-bearing account identifying the fund and shall
 1361 be carried forward each year so that no part thereof may be deposited in the general
 1362 treasury. The department shall administer the fund and expend moneys held in the fund
 1363 in furtherance of roadside enhancement and beautification projects along public roads in
 1364 this state and administration of the tree and vegetation trimming permit program under
 1365 Code Section 32-6-75.3. In addition to the foregoing, the department may, without
 1366 limitation, promote and solicit voluntary contributions, promote the sale of motor vehicle
 1367 license tags authorized under ~~Code Section 40-2-49.2~~ paragraph (5) of subsection (l) of
 1368 Code Section 40-2-86, and develop any fund raising or other promotional techniques
 1369 deemed appropriate by the department. Contributions to the fund shall be deemed
 1370 supplemental to and shall in no way supplant funding that would otherwise be appropriated
 1371 for these purposes. The department shall prepare, by February 1 of each year, an
 1372 accounting of the funds received and expended from the fund. The report shall be made
 1373 available to the members of the State Transportation Board, the Senate Transportation
 1374 Committee, the Transportation Committee of the House of Representatives, and to
 1375 members of the public on request."

1376 **SECTION 1-61.**

1377 Said title is further amended by revising subsection (a) of Code Section 32-9-4, relating to
 1378 designation of travel lanes, as follows:

1379 "(a) The department is authorized to designate travel lanes in each direction of travel on
 1380 any road in the state highway system for the exclusive or preferential use of:

1381 (1) Buses;

1382 (2) Motorcycles;

1383 (3) Passenger vehicles occupied by two persons or more;

1384 (4) Vehicles bearing alternative fueled vehicle license plates issued under ~~Code Section~~
 1385 ~~40-2-76~~ paragraph (7) of subsection (l) of Code Section 40-2-86.1; or

1386 (5) Other vehicles as designated by the department.

1387 Where such designation has been made, the road shall be appropriately marked with such
 1388 signs or other roadway markers and markings to inform the traveling public of the lane
 1389 restrictions imposed."

1390 **SECTION 1-62.**

1391 Said title is further amended by revising subsection (b) of Code Section 32-9-8, relating to
 1392 airport licensing, as follows:

1393 "(b) It is declared that the operation of airports used by the public for general aviation
 1394 purposes but which are operated without regulation as to minimum and uniform safety
 1395 requirements endangers the lives and property of persons operating aircraft at these
 1396 facilities, the passengers of aircraft operated by such persons, and the occupants of lands
 1397 in the vicinity of such facilities. For the purpose of establishing and improving a system
 1398 of safer airports and to foster safer operating conditions at these airports, the department
 1399 is authorized and directed to provide for the licensing of airports. The department may
 1400 charge a license fee of ~~\$10.00~~ \$100.00 per runway, up to a maximum of \$400.00, for each
 1401 original license and each renewal thereof. All licenses shall be renewed biennially. In
 1402 promulgating the rules and regulations establishing minimum standards, the department
 1403 shall consult with the Georgia Aviation Trades Association."

1404

SECTION 1-63.

1405 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by
 1406 revising subsection (g) Code Section 33-2-24, relating to enforcement of laws and
 1407 regulations by the Commissioner of Insurance, as follows:

1408 "(g) In addition to all other penalties provided for under this title, the Commissioner shall
 1409 have the authority to place any insurer, agent, broker, counselor, solicitor, administrator,
 1410 or adjuster on probation for a period of time not to exceed one year for each and every act
 1411 in violation of this title or of the rules and regulations or orders of the Commissioner and
 1412 may subject such insurer, agent, broker, counselor, solicitor, administrator, or adjuster to
 1413 a monetary penalty of up to ~~\$1,000.00~~ \$2,000.00 for each and every act in violation of this
 1414 title or of the rules, regulations, or orders of the Commissioner, unless the insurer, agent,
 1415 broker, counselor, solicitor, administrator, or adjuster knew or reasonably should have
 1416 known he or she was in violation of this title or of the rules and regulations or orders of the
 1417 Commissioner, in which case the monetary penalty provided for in this subsection may be
 1418 increased to an amount up to \$5,000.00 for each and every act in violation."

1419

SECTION 1-64.

1420 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
 1421 amended by revising Code Section 40-2-9, relating to county name decals on license plates,
 1422 as follows:

1423 "40-2-9.

1424 Any ~~metal~~ special, distinctive, or prestige license plate, except those provided for in Code
 1425 Sections 40-2-61, 40-2-62, 40-2-74, 40-2-82, and 40-2-85.1 or as otherwise expressly
 1426 provided in this chapter, shall contain a space for a county name decal. The provisions of
 1427 this chapter relative to county name decals shall be applicable to all such license plates."

SECTION 1-65.

1428
 1429 Said title is further amended by revising Code Section 40-2-22, relating to applications to
 1430 local tag agents, as follows:

1431 "40-2-22.

1432 License plates and revalidation decals shall be issued only upon applications made to the
 1433 local tag agent or the commissioner. ~~License plates and revalidation decals may be issued~~
 1434 ~~by the local tag agent upon a proper application and in accordance with the terms of this~~
 1435 ~~chapter or by the commissioner on an appropriate application forwarded to him by the local~~
 1436 ~~tag agent where the type of license plate applied for is not maintained in local inventory or~~
 1437 ~~where the license plate applied for is one of those special license plates provided by law.~~
 1438 ~~The commissioner shall not be authorized to receive any applications for license plates or~~
 1439 ~~revalidation decals except those received through the local tag agents as provided for in this~~
 1440 ~~chapter."~~

SECTION 1-66.

1441
 1442 Said title is further amended by revising Code Section 40-2-30, relating to purchasing
 1443 license plates by mail, as follows:

1444 "40-2-30.

1445 An applicant may purchase a vehicle license plate or revalidation decal by mail, by mailing
 1446 a properly completed application form to the tag agent of the county of his or her residence
 1447 along with a bank check or money order in the amount of the license fee and all ad valorem
 1448 taxes due thereon plus an additional fee of \$1.00. ~~The governing authority of the county~~
 1449 ~~may by resolution authorize the tag agent of the county to receive application and payment~~
 1450 ~~for the purchase of a license plate or revalidation decal by mail without charging the~~
 1451 ~~additional \$1.00 fee."~~

SECTION 1-67.

1452
 1453 Said title is further amended by revising subsections (b), (b.1), and (d) of Code Section
 1454 40-2-31, relating to the design of license plates and revalidation decals, as follows:

1455 "(b) Such license plates shall be ~~of metal~~ at least six inches wide and not less than 12
 1456 inches in length, except motorcycle license plates which shall be at least four inches wide
 1457 and not less than seven inches in length, and shall show in ~~bold~~ boldface characters the
 1458 month and year of expiration, the serial number, and either the full name or the
 1459 abbreviation of the name of the state, shall designate the county from which the license
 1460 plate was issued unless specifically stated otherwise in this chapter, and shall show such
 1461 other distinctive markings as in the judgment of the commissioner may be deemed
 1462 advisable, so as to indicate the class of weight of the vehicle for which the license plate was

1463 issued; and any license plate for a low-speed vehicle shall designate the vehicle as such.
 1464 Such plates may also bear such figures, characters, letters, or combinations thereof as in
 1465 the judgment of the commissioner will to the best advantage advertise, popularize, and
 1466 otherwise promote Georgia as the 'Peach State.' The ~~metal~~ license plate shall be of such
 1467 strength and quality that the plate shall provide a minimum service period of at least five
 1468 years. The commissioner shall adopt rules and regulations, pursuant to the provisions of
 1469 Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' for the design and
 1470 issuance of new ~~metal~~ license plates and to implement the other provisions of this Code
 1471 section.

1472 (b.1) ~~Repeated.~~ Notwithstanding the provisions of Code Sections 40-2-131 and 48-2-17,
 1473 the commissioner shall retain the costs of manufacturing and delivery of license plates,
 1474 revalidation decals, and county name decals from the registration fee as set forth in Code
 1475 Section 40-2-151."

1476 "(d) In those years in which a ~~metal~~ new license plate is not issued, a revalidation decal
 1477 with a distinctive serial number shall be issued and affixed in the space provided on the
 1478 license plate issued to the applicant which shall indicate the year and month through which
 1479 the registration of the vehicle shall be valid; provided, however, that if the commissioner
 1480 determines that it is necessary, two revalidation decals shall be issued for each license plate
 1481 to reflect the required information. When an applicant is issued a revalidation decal and
 1482 such applicant registered the vehicle in another county the previous year, the applicant shall
 1483 also be issued a new county decal which shall be properly affixed to the license plate and
 1484 shall replace the other county decal."

1485 **SECTION 1-68.**

1486 Said title is further amended by revising subsection (b) of Code Section 40-2-33, relating to
 1487 issuance of license plates and compensation of tag agents, as follows:

1488 "(b) Except as provided for in Code Section 40-2-22, the ~~The~~ amount of commission
 1489 permitted as compensation to tag agents under this Code section shall be \$1.00 per license
 1490 plate or revalidation decal issued during any calendar year. Twenty-five cents for each
 1491 license plate or revalidation decal sold in excess of 4,000 during any one calendar year
 1492 shall become the property of the county and shall be turned over to the fiscal authorities of
 1493 the county by the tag agent. The remaining portion of such commissions shall be disposed
 1494 of as provided in Code Section 40-2-34."

1495 **SECTION 1-69.**

1496 Said title is further amended by revising subsection (a) of Code Section 40-2-60, relating to
 1497 prestige license plates, as follows:

1498 "(a) Motor vehicle owners who are residents of Georgia, upon complying with the motor
 1499 vehicle laws relating to registration and licensing of motor vehicles and, except as provided
 1500 in subsection (c) of this Code section, upon the payment of a fee of ~~\$25.00~~ \$35.00 in
 1501 addition to the regular motor vehicle registration fee, shall be issued special personalized
 1502 prestige license plates by the commissioner. Special personalized license plates issued
 1503 pursuant to this Code section shall be subject to an additional annual registration fee of
 1504 ~~\$25.00~~ \$35.00 as a condition of obtaining an annual revalidation decal for such license
 1505 plate which fee shall be collected by the county tag agent at the time of collection of other
 1506 registration fees and shall be remitted to the state as provided in Code Section 40-2-34."

1507 **SECTION 1-70.**

1508 Said title is further amended by revising subsections (c), (d), and (h) of Code Section
 1509 40-2-60.1, relating to the standardized administrative process for the issuance of special
 1510 license plates, as follows:

1511 "(c) As used in this Code section, the term:

1512 (1) 'Manufacturing fee' means a \$25.00 fee paid at the time an application is submitted
 1513 or upon the issuance of a special license plate.

1514 (2) 'Registration fee' means the fees as set forth in Code Section 40-2-151.

1515 (3) 'Special license plate' means a ~~metal~~ license plate that is authorized under this Code
 1516 section that commemorates an event or supports an agency, fund, or program beneficial
 1517 to the people of this state or is specifically authorized by the General Assembly for
 1518 certain persons or vehicles.

1519 (4) 'Special license plate fee' means a ~~\$25.00~~ \$35.00 fee paid at the time a special license
 1520 plate is issued.

1521 (5) 'Special license plate renewal fee' means a ~~\$25.00~~ \$35.00 fee paid at the time a
 1522 special license plate is renewed and a revalidation decal is issued.

1523 (c.1) Any special license plate issued under the provisions of this Code section shall be
 1524 subject to the manufacturing fee, special license plate fee, and special license plate renewal
 1525 fee provided for in this Code section.

1526 (d) The agency, fund, or nonprofit corporation sponsoring a special license plate, in
 1527 cooperation with the commissioner, shall design a special distinctive license plate
 1528 appropriate to promote the program benefited by the issuance of the special license plate.
 1529 Special license plates for groups of individuals and vehicles shall be readily recognizable
 1530 by the insertion of an appropriate logo or graphic identifying the special nature of the
 1531 license plate. All special license plates must be of the same size as general issue motor
 1532 vehicle license plates and shall include a unique design and identifying number, whereby
 1533 the total number of characters does not exceed ~~six~~ an amount to be determined by the

1534 commissioner. No two recipients shall receive identically numbered plates. ~~The graphic~~
 1535 ~~on the special license plate shall be placed to the left of the alphanumeric characters and~~
 1536 ~~shall be no larger than three inches by three inches.~~ Spaces for county name labels are
 1537 required for license plates authorized under this Code section unless expressly eliminated
 1538 by the request of the agency, fund, or nonprofit corporation sponsoring a special license
 1539 plate at the time the license plate is designed."

1540 "(h) ~~After July 1, 2007, any~~ Any party requesting a special license plate not previously
 1541 authorized by this chapter shall make application with the department. The application
 1542 shall include a design of the proposed license plate and a bond of \$50,000.00 to serve as
 1543 surety for moneys collected from applicants by the sponsor. The commissioner shall
 1544 review and approve or disapprove all applications within 30 days of receipt by the
 1545 department. Upon approval of the design by the commissioner, the special license plate
 1546 authorized pursuant to this subsection shall not be issued except upon the receipt by the
 1547 department of at least 1,000 prepaid applications together with the manufacturing fees
 1548 within two years after the date of approval by the commissioner. After such time if the
 1549 minimum number of applications is not met, the department shall not continue to accept
 1550 the manufacturing ~~fee~~ fees, and all fees held by the department and the sponsor shall be
 1551 refunded to applicants; provided, however, that once the department has received 1,000
 1552 prepaid applications along with the manufacturing fees, the sponsor shall not be entitled
 1553 to a refund."

1554 **SECTION 1-71.**

1555 Said title is further amended by revising Code Section 40-2-61, relating to special license
 1556 plates for certain governmental officials, as follows:

1557 "40-2-61.

1558 The commissioner shall design and issue distinctive license plates to each United States
 1559 Senator and Congressman elected from the State of Georgia, the Governor, the Lieutenant
 1560 Governor, the Speaker of the House of Representatives, and each Justice of the Supreme
 1561 Court and each Judge of the Court of Appeals to be placed on such official's personal motor
 1562 vehicle. Each such distinctive license plate shall indicate the individual's elected office and
 1563 no county name decal need be affixed to such plate. The special license plate authorized
 1564 by this Code section shall be issued to such elected official upon application and payment
 1565 of a manufacturing fee of \$25.00 and upon compliance with the state laws relating to
 1566 registration and licensing of motor vehicles and shall be transferred as provided in Code
 1567 Section 40-2-80. Distinctive license plates issued pursuant to this Code section shall be
 1568 renewed annually, and revalidation decals shall be issued upon compliance with the laws
 1569 relating to registration and licensing and upon payment of an additional registration fee of

1570 ~~\$25.00~~ \$35.00 which shall be collected by the county tag agent at the time for collection
 1571 of other registration fees and shall be remitted to the state as provided in Code Section
 1572 40-2-34."

1573 **SECTION 1-72.**

1574 Said title is further amended by revising Code Section 40-2-62, relating to special license
 1575 plates for members of the General Assembly, as follows:

1576 "40-2-62.

1577 The commissioner shall mail special and distinctive license plates printed for members of
 1578 the General Assembly to the local tag agent in the counties wherein such members reside
 1579 on or before the owner's registration period each year. Such special and distinctive license
 1580 plates shall be issued only upon applications made to the local tag agent and payment of
 1581 a \$25.00 manufacturing fee. License plates may be issued by the local tag agent upon a
 1582 proper application and in accordance with the terms of this chapter. License plates issued
 1583 pursuant to this Code section need not contain a place for the county name decal, and no
 1584 county name decal need be affixed to a license plate issued pursuant to this Code section.
 1585 Special and distinctive license plates issued pursuant to this Code section shall be renewed
 1586 annually, and revalidation decals shall be issued upon compliance with the laws relating
 1587 to registration and licensing and upon payment of an additional registration fee of ~~\$25.00~~
 1588 \$35.00 which shall be collected by the county tag agent at the time for collection of other
 1589 registration fees and shall be remitted to the state as provided in Code Section 40-2-34. The
 1590 special license plates issued pursuant to this Code section shall be transferred to another
 1591 vehicle as provided in Code Section 40-2-80."

1592 **SECTION 1-73.**

1593 Said title is further amended by revising subsection (b) of Code Section 40-2-64.1, relating
 1594 to special license plates for foreign organizations, as follows:

1595 "(b) Upon application and compliance with the state motor vehicle laws relating to the
 1596 registration and licensing of motor vehicles and the payment of ~~the regular license fee, any~~
 1597 registration fees, including the \$25.00 manufacturing fee and the \$35.00 special license
 1598 plate fee or the \$35.00 special license plate renewal fee, as applicable, official
 1599 representatives of the Taipei Economic and Cultural Representatives Office in the United
 1600 States who maintain a presence in Georgia shall be issued Foreign Organization license
 1601 plates as prescribed in Code Section 40-2-31 in duplicate. Such license plates shall be
 1602 fastened to both the front and the rear of the vehicle."

SECTION 1-74.

1603

1604 Said title is further amended by reserving the following Code sections:

1605 (1) Code Section 40-2-32, relating to license plates commemorating colleges and
1606 universities;

1607 (2) Code Section 40-2-75, relating to special license plates for amateur radio operators;

1608 (3) Code Section 40-2-76, relating to special license plates for vehicles using alternative
1609 fuels;

1610 (4) Code Section 40-2-77, relating to special license plates for antique or hobby or special
1611 interest vehicles; and

1612 (5) Code Section 40-2-78, relating to special license plates for firefighters.

SECTION 1-75.

1613

1614 Said title is further amended by repealing the following Code sections:

1615 (1) Code Section 40-2-32.1, relating to license plates for Georgia organizations;

1616 (2) Code Sections 40-2-48 through 40-2-49.1, which were reserved;

1617 (3) Code Section 40-2-49.2, relating to license plates promoting the conservation of
1618 wildflowers;

1619 (4) Code Section 40-2-49.3, relating to license plates promoting dog and cat reproductive
1620 sterilizations;

1621 (5) Code Section 40-2-86, which was reserved;

1622 (6) Code Section 40-2-86.1, relating to special license plates for square and round dancers;

1623 (7) Code Section 40-2-86.2, relating to a special license plate commemorating the Shrine
1624 hospitals for children;

1625 (8) Code Section 40-2-86.3, which was reserved;

1626 (9) Code Section 40-2-86.4, relating to a special license plate commemorating public
1627 schools;

1628 (10) Code Section 40-2-86.5, relating to a special license plate honoring educators;

1629 (11) Code Section 40-2-86.6, which was reserved;

1630 (12) Code Section 40-2-86.7, relating to a special license plate commemorating the National
1631 Rifle Association;

1632 (13) Code Section 40-2-86.8, relating to a special license plate supporting breast cancer
1633 programs for the medically indigent;

1634 (14) Code Section 40-2-86.9, relating to a special license plate commemorating Rotary
1635 International;

1636 (15) Code Section 40-2-86.10, relating to a special license plate commemorating police
1637 officers wounded in the line of duty;

- 1638 (16) Code Section 40-2-86.11, relating to a special license plate commemorating the
 1639 Benevolent and Protective Order of the Elks;
- 1640 (17) Code Section 40-2-86.12, relating to a special license plate displaying the EMS Star of
 1641 Life symbol;
- 1642 (18) Code Section 40-2-86.13, which was reserved;
- 1643 (19) Code Section 40-2-86.14, relating to a special license plate commemorating licensed
 1644 physicians;
- 1645 (20) Code Sections 40-2-86.15 through 40-2-86.17, which were reserved;
- 1646 (21) Code 40-2-86.19, relating to a special license plate supporting the Global War on
 1647 Terrorism and the Operation Enduring Freedom; and
- 1648 (22) Code Section 40-2-86.20, relating to a special license plate supporting the Global War
 1649 on Terrorism and Iraqi freedom.

1650 **SECTION 1-76.**

1651 Said title is further amended by redesignating and revising Code Section 40-2-86.18, relating
 1652 to a special license plate honoring family members of service members killed in action, as
 1653 follows:

1654 "~~40-2-86.18~~ 40-2-85.3.

1655 (a) There shall be issued ~~beginning July 1, 2007,~~ special license plates honoring the family
 1656 members of service members who have been killed in action while serving in the armed
 1657 forces of the United States. The license plate shall be officially designated as the Gold Star
 1658 license plate.

1659 (b) The commissioner, in cooperation with supporters of this license plate, shall design a
 1660 special license plate for the family members of service members who have been killed in
 1661 action while serving in the armed forces of the United States. The license plates must be
 1662 of the same size as general issue motor vehicle license plates and shall include a unique
 1663 design and identifying number, whereby the total number of characters does not exceed ~~six~~
 1664 an amount to be determined by the commissioner. The license plate shall bear in a
 1665 conspicuous place a gold star with blue fringe on a white background with a red border.
 1666 This is the symbol for a fallen service member. In the indented area normally used for the
 1667 county of residence decal, the words 'Gold Star Family' shall be displayed. ~~The graphic on~~
 1668 ~~the special license plate shall be placed to the left of the alphanumeric characters and shall~~
 1669 ~~be no larger than three inches by three inches.~~

1670 (c) Notwithstanding the provisions of subsections (a) and (b) of this Code section, this
 1671 Code section shall not be implemented until such time as the State of Georgia has, through
 1672 a licensing agreement or otherwise, received such license or other permission as may be
 1673 required to implement this Code section. The design of the initial edition of such special

1674 license plate, as well as the design of subsequent editions and excepting only any part or
1675 parts of the designs owned by others and licensed to the state, shall be owned solely by the
1676 State of Georgia for its exclusive use and control, except as authorized by the
1677 commissioner. The commissioner may take such steps as may be necessary to give notice
1678 of and protect such right, including the copyright or copyrights. However, such steps shall
1679 be cumulative of the ownership and exclusive use and control established by this
1680 subsection as a matter of law, and no person shall reproduce or otherwise use such design
1681 or designs, except as authorized by the commissioner.

1682 (d) ~~On and after July 1, 2007, any~~ Any motor vehicle owner who is a resident of Georgia,
1683 other than one registering under the International Registration Plan, upon complying with
1684 state laws relating to registration and licensing of motor vehicles shall be issued such a
1685 special license plate upon application therefor. Special license plates issued under this
1686 Code section shall be renewed annually with a revalidation decal as provided in Code
1687 Section 40-2-31. One Gold Star license plate per eligible family member is free of charge,
1688 after payment of all ad valorem taxes and other fees due at registration of a motor vehicle.
1689 In order to qualify as a family member, the person must be directly related to the fallen
1690 service member as a spouse or legal mother or father. If a Gold Star license plate is lost,
1691 damaged, or stolen, the eligible family member must pay the reasonable cost, to be
1692 established by the department, but not to exceed the cost of other specialty license plates,
1693 to replace the Gold Star license plate.

1694 (e) Whether a service member is deemed to have been killed in action shall be determined
1695 by the classification of death as listed by the United States Department of Defense and may
1696 be verified from documentation directly from the Department of Defense.

1697 (f) The Gold Star license plate shall be issued only to family members of service members
1698 who resided in Georgia at the time of the death of the service member.

1699 (g) Renewal decals shall be issued at no cost to the eligible family member upon the
1700 payment of ad valorem taxes and other registration fees, provided that the renewal is
1701 applied for on or within 30 days prior to the renewal date of the eligible family member.
1702 If the eligible family member fails to renew within such time, he or she shall pay a standard
1703 renewal fee and be subject to the standard penalties for late payment of ad valorem taxes
1704 due on the motor vehicle.

1705 (h) An eligible family member may request a Gold Star license plate at any time during
1706 his or her registration period. If such a license plate is to replace a current valid license
1707 plate, the license plate shall be issued with appropriate renewal decals attached.

1708 (i) License plates issued pursuant to this Code section shall not be transferred between
1709 vehicles as provided in Code Section 40-2-42, unless the transfer is to another motor
1710 vehicle owned by the eligible family member.

1711 (j) Gold Star license plates shall be issued within 30 days of application.

1712 (k) The commissioner is authorized and directed to establish procedures and promulgate
1713 rules and regulations to effectuate the purposes of this Code section."

1714 **SECTION 1-77.**

1715 Said title is further amended by redesignating and revising Code Section 40-2-86.21, relating
1716 to revenue-sharing special license plates promoting certain beneficial projects and supporting
1717 certain agencies, funds, or nonprofit corporations, and Code Section 40-2-86.22, relating to
1718 nonrevenue-sharing special license plates promoting certain beneficial projects and
1719 supporting certain agencies, funds, or nonprofit corporations, as follows:

1720 "~~40-2-86.21~~ 40-2-86.

1721 (a)(1) As used in this Code section, the term:

1722 (A) 'Manufacturing fee' means a \$25.00 fee paid at the time a ~~metal~~ special license
1723 plate is issued.

1724 (B) 'Special license plate fee' means a \$35.00 fee paid at the time a special license plate
1725 is issued.

1726 (C) 'Special tag license plate renewal fee' means a \$25.00 \$35.00 fee paid at the time
1727 a revalidation decal is issued for a special license plate.

1728 (2) In accordance with Article III, Section IX, Paragraph VI(n) of the Constitution, the
1729 ~~The~~ General Assembly has determined that the issuance of special license plates to
1730 support an agency or fund or a program beneficial to the people of this state that is
1731 administered by a nonprofit corporation organized under Section 501(c)(3) of Title 26 of
1732 the Internal Revenue Code and dedicating a portion of the funds raised from the sale of
1733 these special license plates is in the best interests of the people of this state. ~~Therefore,~~
1734 ~~the special license plates listed in subsection (o) of this Code section shall be issued by~~
1735 ~~the department beginning on July 1, 2007, if all of the requirements of subsections (b)~~
1736 ~~through (k) of this Code section have been satisfied. The license plates listed in~~
1737 ~~subsections (m) and (n) of this Code section shall continue to be issued so long as they~~
1738 ~~meet the requirements of subsections (b), (c), (f), (g), (i), (j), and (k) of this Code section.~~
1739 Any new special license plates adopted on or after July 1, 2010, that share a portion of
1740 the revenue raised with any agency, fund, nonprofit organization, or other similar entity
1741 shall allocate the revenue in accordance with the formula contained in subsection (l) of
1742 this Code section.

1743 (b) The agency, fund, or nonprofit corporation sponsoring the special license plate, in
1744 cooperation with the commissioner, shall design special distinctive license plates
1745 appropriate to promote the program benefited by the sale of the special license plate. The
1746 special license plates must be of the same size as general issue motor vehicle license plates

1747 and shall include a unique design and identifying number, whereby the total number of
 1748 characters does not exceed ~~six~~ an amount to be determined by the commissioner. No two
 1749 recipients shall receive identically numbered plates. ~~The graphic on the special license~~
 1750 ~~plate shall be placed to the left of the alphanumeric characters and shall be no larger than~~
 1751 ~~three inches by three inches.~~ The agency, fund, or nonprofit corporation sponsoring the
 1752 license plate may request the assignment of the first of 100 in a series of license plates upon
 1753 payment of an additional initial registration fee of \$25.00 for each license plate requested.

1754 (c) Notwithstanding the provisions of subsection (b) of this Code section, no special
 1755 license plate shall be produced until such time as the State of Georgia has, through a
 1756 licensing agreement or otherwise, received such licenses or other permissions as may be
 1757 required to produce the special license plate. The design of the initial edition of any special
 1758 license plate, as well as the design of subsequent editions and excepting only any part or
 1759 parts of the designs owned by others and licensed to the state, shall be owned solely by the
 1760 State of Georgia for its exclusive use and control, except as authorized by the
 1761 commissioner. The commissioner may take such steps as may be necessary to give notice
 1762 of and protect such right, including the copyright or copyrights. However, such steps shall
 1763 be cumulative of the ownership and exclusive use and control established by this
 1764 subsection as a matter of law, and no person shall reproduce or otherwise use such design
 1765 or designs, except as authorized by the commissioner.

1766 (d) ~~Beginning on January 1, 2007, any~~ Any Georgia resident who is the owner of a motor
 1767 vehicle, except a vehicle registered under the International Registration Plan, upon
 1768 complying with the motor vehicle laws relating to registration and licensing of motor
 1769 vehicles and upon the payment of the ~~manufacturing fee and the special tag renewal fee~~
 1770 appropriate fees in addition to the regular motor vehicle registration fee shall be able to
 1771 apply for a special license plate listed in ~~subsection (o)~~ of this Code section. Revalidation
 1772 decals shall be issued for special license plates in the same manner as provided for general
 1773 issue license plates.

1774 (e) ~~The manufacturing fee and the special tag renewal fee derived from the sale of special~~
 1775 ~~license plates listed in subsection (o) of this Code section shall be apportioned as follows:~~
 1776 ~~\$1.00 to the county tag agent, \$2.00 to the department, \$12.00 to be deposited into the~~
 1777 ~~general fund, and \$10.00 to be dedicated to the sponsoring agency, fund, or nonprofit~~
 1778 ~~corporation as permitted by Article III, Section IX, Paragraph VI(n) of the Constitution.~~

1779 (f)(e) Before the department disburses to the agency, fund, or nonprofit corporation funds
 1780 from the sale of special license plates, the agency, fund, or nonprofit corporation must
 1781 provide a written statement stating the manner in which such funds shall be utilized. In
 1782 addition, a nonprofit corporation must provide the department with documentation of its
 1783 nonprofit status under Section 501(c)(3) of Title 26 of the Internal Revenue Code. The

1784 purposes for which the funds shall be utilized must be the same as those specified in
 1785 subsections (m) and (n) of this Code section authorizing the dedication to the agency, fund,
 1786 or nonprofit corporation of revenue from the sale of special license plates. The agency,
 1787 fund, or nonprofit corporation shall periodically provide to the commissioner an audit of
 1788 the use of the funds or other evidence of use of the funds satisfactory to the commissioner.

1789 If it is determined that the funds are not being used for the purposes set forth in the
 1790 statement provided by the agency, fund, or nonprofit corporation, the department shall
 1791 withhold payment of such funds until such noncompliance issues are resolved.

1792 ~~(g)(f)~~ An applicant may request a special license plate any time during the applicant's
 1793 registration period. If such a license plate is to replace a current valid license plate, the
 1794 special license plate ~~if issued under subsection (m) of this Code section shall be issued with~~
 1795 ~~appropriate decals attached upon payment of the manufacturing fee but without payment~~
 1796 ~~of the special tag renewal fee. However, special license plates issued under subsections (n)~~
 1797 ~~and (o) of this Code section shall be issued with appropriate decals attached upon payment~~
 1798 of the manufacturing fee and the special tag license plate renewal fee.

1799 ~~(h)(g)~~ On or after July 1, 2010, no ~~No~~ special license plate authorized pursuant to
 1800 subsection ~~(o)~~(l) of this Code section shall be issued except upon the receipt by the
 1801 department of at least 1,000 prepaid applications along with the manufacturing fees. The
 1802 special license plate shall have an application period of two years after the date on which
 1803 the application period becomes effective for payment of the manufacturing fee. After such
 1804 time if the minimum number of applications is not met, the department shall not continue
 1805 to accept the manufacturing ~~fee~~ fees, and all fees shall be refunded to applicants; provided,
 1806 however, that once the department has received 1,000 prepaid applications along with the
 1807 manufacturing fees, the sponsor shall not be entitled to a refund.

1808 ~~(i)(h)~~ The department shall not be required to continue to manufacture the special license
 1809 plate if the number of active registrations falls below 500 registrations at any time during
 1810 the period provided for in subsection (b) of Code Section 40-2-31. A current registrant
 1811 may continue to renew such special license plate during his or her annual registration
 1812 period upon payment of the special tag license plate renewal fee, ~~if applicable~~, which shall
 1813 be collected by the county tag agent at the time of collection of other registration fees and
 1814 shall be remitted to the state as provided in Code Section 40-2-34. The department may
 1815 continue to issue such special license plates that it has in its inventory to assist in achieving
 1816 the minimum number of registrations. If the special license plate falls below 500 active
 1817 registrations at any time during the period provided for in subsection (b) of Code Section
 1818 40-2-31, the sponsoring agency, fund, or nonprofit corporation shall be required again to
 1819 obtain 1,000 prepaid applications accompanied by the manufacturing ~~fee~~ fees to continue
 1820 to manufacture the special license plate.

1821 (j)(i) Special license plates shall be transferred from one vehicle to another vehicle in
 1822 accordance with the provisions of Code Section 40-2-80.

1823 ~~(k)(j)~~ Special license plates shall be issued within 30 days of application once the
 1824 requirements of this Code section have been met.

1825 ~~(k)~~(k) The commissioner is authorized and directed to establish procedures and promulgate
 1826 rules and regulations to effectuate the purposes of this Code section.

1827 ~~(m)(l)(1)~~ The General Assembly has determined that ~~the following existing~~ special
 1828 license plates supporting the agencies, funds, or nonprofit corporations listed in this
 1829 subsection shall ~~continue to be issued for the purposes indicated and that all of the funds~~
 1830 ~~raised from the manufacturing fee, less a \$1.00 fee to be paid to the county tag agent and~~
 1831 ~~a \$2.00 manufacturing fee to be paid to the department, shall be disbursed to the agency,~~
 1832 ~~fund, or nonprofit corporation indicated in this subsection.~~ The special license plates
 1833 listed in this subsection shall ~~not~~ be subject to a manufacturing fee, a special tag license
 1834 plate fee, and a special license plate renewal fee. The revenue disbursement for the
 1835 special license plates listed in this subsection shall be as follows:

1836 (A) Manufacturing fee – \$25.00 of which \$24.00 is to be deposited into the general
 1837 fund and \$1.00 to be paid to the local county tag agent;

1838 (B) Special license plate fee – \$35.00 of which \$25.00 is to be deposited into the
 1839 general fund and \$10.00 is to be dedicated to the sponsoring agency, fund, or nonprofit
 1840 corporation as permitted by Article III, Section IX, Paragraph VI(n) of the Constitution;
 1841 and

1842 (C) Special license plate renewal fee – \$35.00 of which \$25.00 is to be deposited into
 1843 the general fund and \$10.00 is to be dedicated to the sponsoring agency, fund, or
 1844 nonprofit corporation as permitted by Article III, Section IX, Paragraph VI(n) of the
 1845 Constitution.

1846 (2) Special license plates promoting the Nongame-Endangered Wildlife Program of the
 1847 Georgia Department of Natural Resources. The funds raised by the sale of these special
 1848 license plates shall be disbursed to the Nongame Wildlife Conservation and Wildlife
 1849 Habitat Acquisition Fund of the Georgia Department of Natural Resources for the
 1850 purposes enumerated in subsection (b) of Code Section 12-3-602. Such license plates
 1851 shall not include a space for a county name decal but shall instead bear the legend 'Give
 1852 Wildlife a Chance' in lieu of the name of the county of issuance.

1853 (3) A special license plate promoting conservation and enhancement of trout populations.
 1854 The funds raised by the sale of this special license plate shall be disbursed to the Wildlife
 1855 Resources Division of the Department of Natural Resources to supplement trout
 1856 restoration and management programs.

- 1857 (4) A special license plate supporting the Bobwhite Quail Restoration Initiative. The
1858 funds raised by the sale of this special license plate shall be disbursed to the Wildlife
1859 Resources Division of the Department of Natural Resources to conduct programs
1860 designed to enhance the bobwhite quail population in this state. Such programs may
1861 include the creation of habitat demonstration areas on state managed wildlife lands,
1862 education programs, technical assistance to private landowners in the creation and
1863 maintenance of bobwhite quail habitats on their lands, and projects to encourage public
1864 support for the license plate and the activities it funds. The Department of Natural
1865 Resources may enter into such contractual agreements as may be appropriate to further
1866 the objectives of the Bobwhite Quail Restoration Initiative, including entering into
1867 contractual agreements whereby private landowners, public agencies, or corporate entities
1868 create, preserve, or enhance habitat for bobwhite quail in return for the payment of
1869 incentives. Such license plate shall not include a space for a county decal but shall
1870 instead bear the legend 'Support Wildlife' in lieu of the name of the county of issuance.
- 1871 (5) Special license plates promoting the conservation of wildflowers within this state.
1872 The funds raised by the sale of these special license plates shall be disbursed to the
1873 Department of Transportation to be deposited in the Roadside Enhancement and
1874 Beautification Fund established by Code Section 32-6-75.2 and shall be expended only
1875 for the purposes enumerated in Code Section 32-6-75.2 and Article III, Section IX,
1876 Paragraph VI(l) of the Constitution of the State of Georgia.
- 1877 (6) Special license plates promoting the dog and cat reproductive sterilization support
1878 program of the Georgia Department of Agriculture. The funds raised by the sale of these
1879 special license plates shall be disbursed to the Georgia Department of Agriculture and
1880 shall be deposited in the special fund for support of the dog and cat reproductive
1881 sterilization support program created by Code Section 4-15-1 and Article III, Section IX,
1882 Paragraph VI(m) of the Constitution of the State of Georgia.
- 1883 (7) Special license plates to honor Georgia educators. The funds raised by the sale of
1884 these special license plates shall be disbursed to a charitable foundation designated by the
1885 State School Superintendent and used to fund educational programs, grants to teachers,
1886 and scholarships. The license plates shall display the phrase 'Georgia Educators Make
1887 A Difference' and a ripe Red Delicious apple shall be depicted to the left of the
1888 identifying number of each plate.
- 1889 (8)(A) The commissioner in cooperation with a college or university may design a
1890 special license plate to be issued commemorating that college or university, which
1891 license plate shall be similar in design to the license plate issued to all other residents
1892 of the state except that the logo or emblem of the college or university shall be placed
1893 on the license plate along with the letters and numbers on the license plate. The name

1894 of the college or university shall be imprinted on such special license plate in lieu of the
 1895 county name decal.

1896 (B) Any college or university that enters into an agreement with the commissioner
 1897 pursuant to this paragraph shall waive any royalty fees to which it might otherwise be
 1898 entitled for use of its seal, symbol, emblem, or logotype as provided in this paragraph.

1899 (C) Each college or university located in Georgia that enters into an agreement with
 1900 the commissioner pursuant to this paragraph shall designate a charitable foundation
 1901 which shall annually receive an allocation from the special license plate and special
 1902 license plate renewal fees collected as provided in paragraph (1) of this subsection.

1903 Special license plates issued under this paragraph shall be transferred between vehicles
 1904 as provided in Code Section 40-2-42.

1905 (D) The funds allocated for colleges and universities located in Georgia shall be
 1906 delivered by the department to the charitable foundation designated by the particular
 1907 college or university to support needs based, academic, financial aid scholarships for
 1908 eligible undergraduate students enrolled in the college or university. The funds
 1909 otherwise allocated for colleges and universities located outside the State of Georgia
 1910 shall be placed into the general fund.

1911 (E) Each college or university shall review and approve plans for the implementation
 1912 of these scholarship programs by the applicable charitable foundation. These plans
 1913 shall include, but need not be limited to, criteria for the awarding of the scholarships
 1914 and procedures for determining the recipients.

1915 ~~(o)(1) The General Assembly has determined that license plates supporting the agencies,~~
 1916 ~~funds, or nonprofit corporations listed in this subsection shall be issued for the purposes~~
 1917 ~~indicated and with a portion of the revenue being disbursed to the agency, fund, or~~
 1918 ~~nonprofit corporation indicated in this subsection. The revenue disbursement for the~~
 1919 ~~special license plates in this subsection shall be as described in subsection (e) of this~~
 1920 ~~Code section.~~

1921 ~~(2)~~(9) A special license plate for the Georgia Center for the Book to support the purchase
 1922 of books for public libraries in Georgia. The funds raised by the sale of this special
 1923 license plate shall be disbursed to the Georgia Center for the Book.

1924 ~~(3)~~(10) A special license plate for Children's Healthcare of Atlanta to support the work
 1925 this pediatric hospital system does in the State of Georgia. The funds raised by the sale
 1926 of this special license plate shall be disbursed to Children's Healthcare of Atlanta.

1927 ~~(4)~~(11) A special license plate for the Georgia War Veterans Nursing Home to support
 1928 the implementation and operation of the Georgia War Veterans Nursing Home. The
 1929 funds raised by the sale of this special license plate shall be disbursed to the Department
 1930 of Veterans Service for use in operating the Georgia War Veterans Nursing Home.

1931 ~~(5)~~(12) A special license plate for the Georgia Automobile Racing Hall of Fame
 1932 Association to promote the Georgia Automobile Racing Hall of Fame Association, which
 1933 is devoted to preserving the history of automobile racing in Georgia. The funds raised
 1934 by the sale of this special license plate shall be disbursed to the Georgia Automobile
 1935 Racing Hall of Fame Association.

1936 ~~(6)~~(13) A special license plate for the Alzheimer's Association, Georgia Chapter, to help
 1937 eliminate Alzheimer's disease through the advancement of research and to enhance care
 1938 and support for individuals, their families, and caregivers. The funds raised by the sale
 1939 of this special license plate shall be disbursed to the Alzheimer's Association, Georgia
 1940 Chapter.

1941 ~~(7)~~(14) A special license plate for the school health and physical education program to
 1942 help fund school health and physical education programs. The funds raised by the sale
 1943 of this special license plate shall be disbursed to the Department of Education.

1944 ~~(8)~~(15) A special license plate for stroke awareness, treatment, and prevention to support
 1945 programs aiding stroke victims in Georgia. Such license plate shall not include a space
 1946 for a county name decal but shall instead bear the legend 'Stroke Awareness' in lieu of the
 1947 name of the county of issuance. The funds raised by the sale of this special license plate
 1948 shall be disbursed to the Center for Telehealth of the Medical College of Georgia.

1949 ~~(9)~~(16) A special license plate for Project Lifesaver promoting the establishment of a
 1950 Project Lifesaver or similar type of program by local law enforcement agencies. Project
 1951 Lifesaver's mission is to use state of the art technology in assisting those who care for
 1952 victims of Alzheimer's disease and other related mental dysfunction disorders and victims
 1953 who become lost. The funds raised by the sale of this special license plate shall be
 1954 disbursed to the Department of Public Safety or a nonprofit corporation organized
 1955 exclusively for the purpose of establishing a Project Lifesaver or similar type of program
 1956 by local law enforcement agencies.

1957 ~~(10)~~(17) A special license plate for pediatric cancer to raise funds to support the
 1958 treatment of pediatric cancer. Such license plate shall not include a space for a county
 1959 name decal but shall instead bear the legend 'Cure Kids' Cancer' in lieu of the name of the
 1960 county of issuance. The funds raised by the sale of this special license plate shall be
 1961 disbursed to the Department of Community Health to be deposited in the Indigent Care
 1962 Trust Fund created by Code Section 31-8-152 to fund pediatric cancer screening and
 1963 treatment related programs for those children who are medically indigent and may have
 1964 cancer.

1965 ~~(11)~~(18) A special license plate for the child care industry to promote the child care
 1966 industry by encouraging higher educational standards and providing for professional
 1967 camaraderie for child care providers. Such license plate shall not include a space for a

1968 county name decal but shall instead bear the legend 'Support Improved Child Care' in lieu
 1969 of the name of the county of issuance. The funds raised by the sale of this special license
 1970 plate shall be disbursed to the Minority Alliance for Child Care Development Advocates,
 1971 Inc., for the development of programs to help improve child care.

1972 ~~(12)~~(19) A special license plate to display the motto, 'In God We Trust.' The funds
 1973 raised by the sale of this special license plate shall be disbursed to the Boy Scouts of
 1974 America for the development of scouting programs.

1975 ~~(13)~~(20) A special license plate for child abuse prevention. Such license plate shall not
 1976 include a space for a county name decal but shall instead bear the legend 'Prevent Child
 1977 Abuse' in lieu of the name of the county of issuance. The funds raised by the sale of this
 1978 special license plate shall be disbursed to the Foster Family Foundation of Georgia for
 1979 the development of programs to help victims of child abuse.

1980 ~~(14)~~(21) A special license plate for the Thanks Mom and Dad Fund. The funds raised
 1981 by the sale of this special license plate shall be disbursed to the Department of Human
 1982 Services to address the key needs of the state's older population or a nonprofit corporation
 1983 organized to serve the needs of the state's older population.

1984 ~~(15)~~(22) A special license plate for pediatric cancer research. The funds raised by the
 1985 sale of this special license plate shall be disbursed to the Joanna McAfee Childhood
 1986 Cancer Foundation for support of pediatric cancer research. The design of the special
 1987 license plate provided for in this paragraph shall include the words 'Joanna McAfee
 1988 Childhood Cancer Foundation' horizontally across the bottom of the plate in lieu of the
 1989 county name.

1990 ~~(16)~~(23) A special license plate for supporting beautification projects in Cobb County.
 1991 The funds raised by the sale of this special license plate shall be disbursed to Keep Cobb
 1992 Beautiful, Inc., for support of beautification projects in Cobb County.

1993 ~~(17)~~(24) A special license plate for the AIDS Survival Project. The funds raised by the
 1994 sale of this special license plate shall be disbursed to the AIDS Survival Project which
 1995 is committed to providing people living with HIV the information and support they need
 1996 to live healthy and productive lives.

1997 ~~(18)~~(25) A special license endorsing 'Support Our Troops.' The funds raised by the sale
 1998 of this special license plate shall be disbursed to the Georgia National Guard Family
 1999 Support Foundation, Incorporated.

2000 ~~(19)~~(26) A special license plate for the Sons of Confederate Veterans. The funds raised
 2001 by the sale of this special license plate shall be disbursed to Georgia Sons of Confederate
 2002 Veterans.

2003 ~~(20)~~(27) A special license plate for amyotrophic lateral sclerosis (ALS), also known as
 2004 'Lou Gehrig's disease,' to support research and education on amyotrophic lateral sclerosis.

2005 The funds raised by the sale of this special license plate shall be disbursed to the ALS
 2006 Association of Georgia.

2007 ~~(21)~~(28) A special license plate for foster parents to support programs for foster parents
 2008 in Georgia. The funds raised by the sale of this special license plate shall be disbursed
 2009 to The Adoptive and Foster Parent Association of Georgia, Inc., for support of foster
 2010 parents in Georgia.

2011 ~~(22)~~(29) A special license plate for the Atlanta Braves Foundation to assist the charities
 2012 supported by the foundation. The funds raised by the sale of this special license plate
 2013 shall be disbursed to the Department of Community Affairs or such other public agency
 2014 or nonprofit corporation as may be designated.

2015 ~~(23)~~(30) A special license plate for the Atlanta Falcons Youth Foundation to assist the
 2016 charities supported by the foundation. The funds raised by the sale of this special license
 2017 plate shall be disbursed to the Atlanta Falcons Youth Foundation. Such license plate
 2018 shall not include a space for a county name decal but shall instead bear the legend
 2019 'Atlanta Falcons' in lieu of the name of the county of issuance.

2020 ~~(24)~~(31) A special license plate for supporting beautification projects in Georgia. The
 2021 funds raised by the sale of this special license plate shall be disbursed to Keep Georgia
 2022 Beautiful Foundation, Inc., for support of beautification projects in Georgia.

2023 ~~(25)~~(32) A special license plate displaying the logo of Choose Life, Inc. The words
 2024 'Choose Life' must appear at the bottom. The funds raised by the sale of this special
 2025 license plate shall be disbursed to Choose Life of Georgia, Inc., to be distributed among
 2026 nonprofit corporations in Georgia that counsel women to consider adoption.

2027 ~~(26)~~(33) A special license plate supporting education on the maritime history of
 2028 Georgia's coast. The funds raised by the sale of this special license plate shall be
 2029 disbursed to The Georgia Maritime Foundation, Inc., for use in programs supporting
 2030 education on the maritime history of Georgia.

2031 ~~(27)~~(34) A special license plate supporting programs for persons with ~~brain-related~~ brain
 2032 related disorders and disabilities. The funds raised by the sale of this special license plate
 2033 shall be disbursed to Pilot International; for support of programs for persons with
 2034 ~~brain-related~~ brain related disorders in Georgia.

2035 ~~(28)~~(35) A special license plate supporting agriculture in Georgia. The funds raised by
 2036 the sale of this special license plate shall be evenly split between Georgia 4-H and the
 2037 Georgia Association of Future Farmers of America to fund projects promoting agriculture
 2038 in Georgia.

2039 ~~(29)~~(36) A special license plate promoting the Georgia equine industry. The funds raised
 2040 by the sale of this special license plate shall be disbursed to the Agricultural Commodity
 2041 Commission for Equines.

2042 ~~(30)~~(37) A special license plate promoting African American history and tourism in
 2043 Georgia. The funds raised by the sale of this special license plate shall be disbursed to
 2044 organizations dedicated to the preservation of African American history in Georgia.

2045 ~~(31)~~(38) A special license plate honoring veterans who have been awarded the Bronze
 2046 Star. The funds raised by the sale of this special license plate shall be disbursed to the
 2047 National Guard Family Foundation.

2048 ~~(32)~~(39) A special license plate promoting the arts in Georgia. The funds raised by the
 2049 sale of this special license plate shall be disbursed to the Georgia Council for the Arts.

2050 ~~(33)~~(40) A special license plate supporting programs for the treatment of autism. The
 2051 funds raised by the sale of this special license plate shall be disbursed to the Department
 2052 of Behavioral Health and Developmental Disabilities for the support of programs for the
 2053 treatment of autism in Georgia.

2054 ~~(34)~~(41) A special license plate honoring the work of The Garden Club of Georgia, Inc.
 2055 The funds raised by the sale of this special license plate shall be disbursed to The Garden
 2056 Club of Georgia, Inc., and used to fund scholarships that are awarded by the club.

2057 ~~(35)~~(42) A special license plate promoting the Georgia Junior Golf Foundation. The
 2058 funds raised by the sale of this special license plate shall be disbursed to the Georgia
 2059 Junior Golf Foundation.

2060 ~~(36)~~(43) A special license plate commemorating 100 years of scouting in the United
 2061 States. The funds raised by the sale of this special license plate shall be disbursed to the
 2062 Boy Scouts of America for the development of scouting programs.

2063 ~~(37)~~(44) A special license plate supporting Cobb County Public Schools. The funds
 2064 raised by the sale of this special license plate shall be disbursed to the Cobb County
 2065 Public Schools Educational Foundation and used to fund educational programs, grants
 2066 to teachers, and scholarships in the Cobb County Public School System.

2067 ~~(38)~~(45) A special license plate supporting the Georgia Sea Turtle Center. The funds
 2068 raised by the sale of this special license plate shall be charged and disbursed to the
 2069 Nongame Wildlife Conservation and Wildlife Habitat Acquisition Fund and used to fund
 2070 nongame wildlife conservation and education programs. The design of the license plate
 2071 provided for in this paragraph shall include the words 'Jekyll Island – Georgia's Jewel'
 2072 horizontally across the bottom of the plate in lieu of the county name, with a diamond
 2073 jewel symbol in place of the dash.

2074 ~~(39)~~(46) A special license plate commemorating and supporting the sport of soccer in
 2075 Georgia. The funds raised by the sale of this special license plate shall be disbursed to
 2076 the Georgia State Soccer Association, Inc., for the development and promotion of soccer
 2077 programs in the State of Georgia. Such license plate shall not include a space for a
 2078 county decal but shall instead bear the legend 'gasoccer.org'.

2079 ~~(40)~~(47) A special license plate for the Georgia Aquarium to support its mission as an
 2080 entertaining, educational, and scientific institution and to promote the conservation of
 2081 aquatic biodiversity throughout the world. The funds raised by the sale of this special
 2082 plate shall be disbursed to Georgia Aquarium, Inc. Such license plate shall not include
 2083 a space for a county name decal but shall instead bear the legend 'Georgia Aquarium' in
 2084 lieu of the name of the county of issuance.

2085 ~~(n)~~(m)(1) The General Assembly has determined that the following special license plates
 2086 supporting the agencies, funds, or nonprofit corporations listed in this subsection shall be
 2087 issued for the purposes indicated ~~and that all of the funds raised from the manufacturing~~
 2088 ~~fee and the special tag renewal fee, less a \$1.00 fee to be paid to the county tag agent and~~
 2089 ~~a \$2.00 manufacturing fee to be paid to the department, shall be disbursed to the agency,~~
 2090 ~~fund, or nonprofit corporation indicated in this subsection. The special license plates~~
 2091 ~~listed in this subsection shall be subject to a special tag renewal fee. The special license~~
 2092 ~~plates listed in this subsection shall be subject to a manufacturing fee, a special license~~
 2093 ~~plate fee, and a special license plate renewal fee. The revenue disbursement for the~~
 2094 ~~special license plates listed in this subsection shall be as follows:~~

2095 (A) Manufacturing fee - \$25.00 of which \$24.00 is to be deposited into the general
 2096 fund and \$1.00 to be paid to the local county tag agent;

2097 (B) Special license plate fee - \$35.00 of which \$13.00 is to be deposited into the
 2098 general fund and \$22.00 is to be dedicated to the sponsoring agency, fund, or nonprofit
 2099 corporation; and

2100 (C) Special license plate renewal fee - \$35.00 of which \$13.00 is to be deposited into
 2101 the general fund and \$22.00 is to be dedicated to the sponsoring agency, fund, or
 2102 nonprofit corporation.

2103 (2) A special license plate promoting the United States Disabled Athletes Fund, for the
 2104 support of disabled athletes. The funds raised by the sale of this special license plate
 2105 shall be disbursed as provided in paragraph (1) of this subsection to the United States
 2106 Disabled Athletes Fund.

2107 (3) A special license plate commemorating Civil War battlefields and historic sites. The
 2108 funds raised by the sale of this special license plate shall be disbursed as provided in
 2109 paragraph (1) of this subsection to the Civil War Commission for the acquisition of Civil
 2110 War battlefields and associated Civil War historic sites in this state and for the
 2111 maintenance, protection, and interpretation of the same as provided by Article 5 of
 2112 Chapter 7 of Title 50.

2113 (4) A special license plate promoting historic preservation efforts. The funds raised by
 2114 the sale of this special license plate shall be disbursed as provided in paragraph (1) of this
 2115 subsection to the Department of Natural Resources for use by the Historic Preservation

2116 Division to fund historic preservation programs in the state through the Georgia historic
2117 preservation grant program as otherwise authorized by law.

2118 (5) A special license plate promoting bicycle safety. The funds raised by the sale of this
2119 special license plate shall be disbursed as provided in paragraph (1) of this subsection to
2120 the Governor's Highway Safety Program administered by the Office of Highway Safety
2121 in the Department of Public Safety.

2122 (6) A special license plate honoring families with a member serving in the military. The
2123 funds raised by the sale of this special license plate shall be disbursed as provided in
2124 paragraph (1) of this subsection to the Department of Veterans Service for use by the
2125 National Guard Foundation in carrying out such programs and purposes as may be
2126 contractually agreed upon by the department and the foundation.

2127 (7) A special license plate promoting 'Support Georgia Troops.' The funds raised by the
2128 sale of this special license plate shall be disbursed as provided in paragraph (1) of this
2129 subsection to the Department of Veterans Service for use by the National Guard
2130 Foundation in carrying out such programs and purposes as may be contractually agreed
2131 upon by the department and the foundation.

2132 (8) A special license plate promoting NASCAR. The provisions of paragraph (1) of this
2133 subsection notwithstanding, from the additional ~~\$25.00~~ \$35.00 special license plate
2134 renewal fee charged for the issuance and renewal of the NASCAR license plates
2135 authorized under this paragraph, \$10.25 shall be used by the department for purchasing
2136 plates from the supplier of the plates, as designated by NASCAR, and royalty costs,
2137 \$10.00 shall be deposited in the general fund, and \$14.75 shall be disbursed to the
2138 Governor's Highway Safety Program administered by the Office of Highway Safety in
2139 the Department of Public Safety.

2140 (9) A special license plate to support breast cancer related programs for the medically
2141 indigent. The provisions of paragraph (1) of this subsection notwithstanding, from the
2142 additional \$35.00 special license plate fee or special license plate renewal fee charged for
2143 the issuance and renewal of breast cancer license plates authorized under this paragraph,
2144 \$12.95 shall be deposited in the general fund and \$22.05 shall be deposited in the
2145 Indigent Care Trust Fund created by Code Section 31-8-152 to fund cancer screening and
2146 treatment related to programs for those persons who are medically indigent and may have
2147 breast cancer. To the extent consistent with Article III, Section IX, Paragraph VI(i) of
2148 the Constitution and Article 6 of Chapter 8 of Title 31, such programs may include
2149 education, breast cancer screening, grants-in-aid to breast cancer victims, pharmacy
2150 assistance programs for breast cancer victims, and other projects to encourage public
2151 support for the special license plate and the activities which it funds. Such design shall
2152 include a logo the same as the United States postal stamp supporting breast cancer

2153 research and bearing the slogan 'Fund the Fight. Find A Cure.' over the sketch of a
 2154 woman and the breast cancer awareness pink ribbon symbol.

2155 ~~40-2-86.22~~ 40-2-86.1.

2156 (a) The General Assembly has determined that the issuance of special license plates to
 2157 support an agency or fund or a program beneficial to the people of this state that is
 2158 administered by a nonprofit corporation organized under Section 501(c)(3) of Title 26 of
 2159 the Internal Revenue Code and, subject to the appropriation process of the General
 2160 Assembly, appropriating a portion of the funds raised from the sale of these special license
 2161 plates is in the best interests of the people of this state. Therefore, the license plates listed
 2162 in subsection (l) of this Code section shall be issued by the department ~~beginning on~~
 2163 ~~January 1, 2007~~, if all of the requirements of subsections (b) through (k) of this Code
 2164 section have been satisfied.

2165 (b) The commissioner, in cooperation with the agency, fund, or nonprofit corporation
 2166 sponsoring the special license plate, shall design special distinctive license plates intended
 2167 to promote the program benefited by the sale of the special license plate. The special
 2168 license plates must be of the same size as general issue motor vehicle license plates and
 2169 shall include a unique design and identifying number, whereby the total number of
 2170 characters does not exceed ~~six~~ an amount to be determined by the commissioner. No two
 2171 recipients shall receive identically numbered plates. ~~The graphic on the special license~~
 2172 ~~plate shall be placed to the left of the alphanumeric characters and shall be no larger than~~
 2173 ~~three inches by three inches.~~ The agency, fund, or nonprofit corporation sponsoring the
 2174 license plate may request the assignment of the first of 100 in a series of license plates upon
 2175 payment of an additional initial registration fee of \$25.00 for each license plate requested.

2176 (c) Notwithstanding the provisions of subsection (b) of this Code section, no special
 2177 license plate shall be produced until such time as the State of Georgia has, through a
 2178 licensing agreement or otherwise, received such licenses or other permissions as may be
 2179 required to produce the special license plate. The design of the initial edition of any special
 2180 license plate, as well as the design of subsequent editions and excepting only any part or
 2181 parts of the designs owned by others and licensed to the state, shall be owned solely by the
 2182 State of Georgia for its exclusive use and control, except as authorized by the
 2183 commissioner. The commissioner may take such steps as may be necessary to give notice
 2184 of and protect such right, including the copyright or copyrights. However, such steps shall
 2185 be cumulative of the ownership and exclusive use and control established by this
 2186 subsection as a matter of law, and no person shall reproduce or otherwise use such design
 2187 or designs, except as authorized by the commissioner.

2188 (d) ~~Beginning on January 1, 2007, any~~ Any Georgia resident who is the owner of a motor
2189 vehicle, except a vehicle registered under the International Registration Plan, upon
2190 complying with the motor vehicle laws relating to registration and licensing of motor
2191 vehicles and upon the payment of a manufacturing fee of \$25.00 and a special license plate
2192 fee of \$35.00, in addition to the regular motor vehicle registration fee, shall be able to apply
2193 for a special license plate listed in subsection (l) of this Code section. Revalidation decals
2194 shall be issued for special license plates in the same manner as provided for general issue
2195 license plates, with the addition of a \$35.00 special license plate renewal fee.

2196 (e) The manufacturing fee, special license plate fee, and special license plate renewal fee
2197 derived from the sale of special license plates contained in subsection (l) of this Code
2198 section shall be deposited into the general fund. The sponsoring agency, fund, or nonprofit
2199 corporation, subject to the appropriation process of the General Assembly, may request that
2200 the funds derived from the sale of special license plates be appropriated to the department
2201 for disbursement to such agency, fund, or nonprofit corporation.

2202 (f) Before the department disburses to the agency, fund, or nonprofit corporation funds
2203 from the sale of special license plates, the agency, fund, or nonprofit corporation must
2204 provide a written statement stating the manner in which such funds shall be utilized. In
2205 addition, a nonprofit corporation must provide the department with documentation of its
2206 nonprofit status under Section 501(c)(3) of Title 26 of the Internal Revenue Code. The
2207 purposes for which the funds shall be utilized must be the same as those specified in
2208 subsection (l) of this Code section authorizing the potential appropriation to the agency,
2209 fund, or nonprofit corporation of revenue from the sale of special license plates. The
2210 agency, fund, or nonprofit corporation shall periodically provide to the commissioner an
2211 audit of the use of the funds or other evidence of use of the funds satisfactory to the
2212 commissioner. If it is determined that the funds are not being used for the purposes set
2213 forth in the statement provided by the agency, fund, or nonprofit corporation, the
2214 department shall withhold payment of such funds until such noncompliance issues are
2215 resolved.

2216 (g) An applicant may request a special license plate any time during the applicant's
2217 registration period. If such a license plate is to replace a current valid license plate, the
2218 special license plate shall be issued with appropriate decals attached, upon the payment of
2219 any applicable registration fees, the manufacturing fee, and the special license plate fee.

2220 (h) No special license plate authorized pursuant to subsection (l) of this Code section shall
2221 be issued except upon the receipt by the department of at least 1,000 prepaid applications
2222 along with the manufacturing fee. The special license plate shall have an application
2223 period of two years ~~after January 1, 2007, from the date of authorization~~ for payment of the
2224 manufacturing fee. After such time if the minimum number of applications is not met, the

2225 department shall not continue to accept the manufacturing fee, and all fees shall be
 2226 refunded to applicants; provided, however, that once the department has received 1,000
 2227 prepaid applications along with the manufacturing fee, the sponsor shall not be entitled to
 2228 a refund.

2229 (i) The department shall not be required to continue to manufacture the special license
 2230 plate if the number of active registrations falls below 500 registrations at any time during
 2231 the period provided for in subsection (b) of Code Section 40-2-31. A current registrant
 2232 may continue to renew such special license plate during his or her annual registration
 2233 period upon payment of an additional ~~\$25.00 annual special tag~~ \$35.00 special license plate
 2234 renewal fee, which fee shall be collected by the county tag agent at the time of collection
 2235 of other registration fees and shall be remitted to the state as provided in Code Section
 2236 40-2-34. The department may continue to issue such special license plates that it has in its
 2237 inventory to assist in achieving the minimum number of registrations. If the special license
 2238 plate falls below 500 active registrations at any time during the period provided for in
 2239 subsection (b) of Code Section 40-2-31, the sponsoring agency, fund, or nonprofit
 2240 corporation shall be required again to obtain 1,000 prepaid applications accompanied by
 2241 the manufacturing fee to continue to manufacture the special license plate.

2242 (j) Special license plates shall be transferred from one vehicle to another vehicle in
 2243 accordance with the provisions of Code Section 40-2-80.

2244 (k) Special license plates shall be issued within 30 days of application once the
 2245 requirements of this Code section have been met.

2246 (1)(1) The General Assembly has determined that license plates promoting the agencies,
 2247 funds, or nonprofit corporations listed in this subsection shall be issued for the purposes
 2248 indicated and the revenue shall be deposited in the general fund, subject to the
 2249 appropriation process of the General Assembly.

2250 (2) A special license plate identifying persons with diabetes. The main purpose of the
 2251 special license plate is that law enforcement officers and emergency personnel will be
 2252 alerted to the potential for special needs before they approach the driver of a vehicle,
 2253 especially if the vehicle has been involved in an accident. The funds raised by the sale
 2254 of this special license plate shall be deposited in the general fund.

2255 (3) A special license plate honoring all veterans who have served in the armed services
 2256 of the United States. All of these men and women have sacrificed a portion of their lives
 2257 in order to serve their country and protect our freedom. The funds raised by the sale of
 2258 this special license plate shall be deposited in the general fund.

2259 (4) A special license plate honoring the Georgia Association of Realtors. The
 2260 Association is being honored for its long-standing support of housing opportunities for
 2261 all citizens of this state, private property rights, and all organizations that assist people

2262 in achieving the American dream of home ownership. The funds raised by the sale of this
 2263 special license plate shall be deposited in the general fund.

2264 (5) A special license plate honoring Georgia municipal clerks. The municipal clerk's
 2265 office provides the professional link connecting citizens with their local governing bodies
 2266 and agencies of government at other levels. The funds raised by the sale of this license
 2267 plate shall be deposited in the general fund.

2268 (6) A special license plate identifying residents of the State of Georgia who hold an
 2269 unrevoked and unexpired official amateur radio station license issued by the Federal
 2270 Communication Commission. The special license plate shall be inscribed with the
 2271 official amateur radio call letters of such applicant as assigned by the Federal
 2272 Communication Commission. The funds raised by the sale of this license plate shall be
 2273 deposited in the general fund.

2274 (7)(A) A special license plate to be issued for alternative fueled vehicles, which license
 2275 plate shall be similar in design to the license plate issued to all other residents of the state
 2276 except that the commissioner shall place a distinctive logo or emblem on the license plate
 2277 which shall distinguish the vehicle as an alternative fueled vehicle eligible to travel in
 2278 travel lanes designated for such vehicles under paragraph (4) of subsection (a) of Code
 2279 Section 32-9-4. The words 'alternative fueled vehicle' shall be imprinted on such special
 2280 license plate in lieu of the county name decal. The funds raised by the sale of this license
 2281 plate shall be deposited in the general fund.

2282 (B) As used in this paragraph, the term:

2283 (i) 'Alternative fuel' means methanol, denatured ethanol, and other alcohols; mixtures
 2284 containing 85 percent or more or such other percentage, but not less than 70 percent,
 2285 as determined by the United States secretary of energy, by rule as it existed on January
 2286 1, 1997, to provide for requirements relating to cold start, safety, or vehicle functions,
 2287 by volume of methanol, denatured ethanol, and other alcohols with gasoline or other
 2288 fuels; natural gas; liquefied petroleum gas; hydrogen; coal derived liquid fuels; fuels
 2289 other than alcohol derived from biological materials; electricity including electricity
 2290 from solar energy; and any other fuel the United States secretary of energy determined
 2291 by rule as it existed on January 1, 1997, is substantially not petroleum and would yield
 2292 substantial energy security benefits and substantial environmental benefits.

2293 (ii) 'Alternative fueled vehicle' means:

2294 (I) Any vehicle fueled by alternative fuel as defined in division (i) of this
 2295 subparagraph; or

2296 (II) A hybrid vehicle, which means a motor vehicle which draws propulsion energy
 2297 from onboard sources of stored energy which include an internal combustion or heat
 2298 engine using combustible fuel and a rechargeable energy storage system; and, in the

2299 case of a passenger automobile or light truck, means for any 2000 and later model, a
 2300 vehicle which has received a certificate of conformity under the Clean Air Act, 42
 2301 U.S.C. Section 7401, et seq., and meets or exceeds the equivalent qualifying
 2302 California low-emission vehicle standard under Section 243(e)(2) of the Clean Air
 2303 Act, 42 U.S.C. Section 7583(c)(2), for that make and model year or, for any 2004 and
 2304 later model, a vehicle which has received a certificate that such vehicle meets or
 2305 exceeds the Bin 5 Tier II emission level established in regulations prescribed by the
 2306 administrator of the Environmental Protection Agency under Section 202(i) of the
 2307 Clean Air Act, 42 U.S.C. Section 7521(i), for that make and model year vehicle and
 2308 which achieves a composite label fuel economy greater than or equal to 1.5 times the
 2309 Model Year 2002 EPA composite class average for the same vehicle class and which
 2310 is made by a manufacturer.

2311 (8) A special license plate for antique or hobby or special interest vehicles. As used in
 2312 this paragraph, the term 'antique or hobby or special interest vehicle' means any motor
 2313 vehicle or motor cycle or a motor vehicle which as been designed and manufactured to
 2314 resemble an antique or historical vehicle and which is owned as a collector's item and for
 2315 participation in club activities, exhibitions, tours, parades and similar uses but which may
 2316 be used for general transportation. No owner of such antique vehicle or hobby or special
 2317 interest vehicle shall be required to obtain any special permits for its operation on the
 2318 roads of this state. The funds raised by the sale of this license plate shall be deposited in
 2319 the general fund.

2320 (9)(A) A special license plate for owners of a private passenger car or truck used for
 2321 personal transportation, who are firefighters certified pursuant to Article 1 of Chapter
 2322 4 of Title 25 and who are members of fire departments certified pursuant to Article 2
 2323 of Chapter 3 of Title 25 and motor vehicle owners who are certified firefighters of
 2324 legally organized volunteer fire departments which have been certified pursuant to
 2325 Article 2 of Chapter 3 of Title 25. Such license plate shall be inscribed with such
 2326 letters, numbers, words, symbols, or a combination thereof as determined by the
 2327 commissioner to identify the owner as a certified firefighter. The chiefs of the various
 2328 fire departments shall furnish to the commissioner a list of the certified firefighters of
 2329 their fire departments who reside in Georgia which list shall be updated as necessary.
 2330 The funds raised by the sale of this license plate shall be deposited in the general fund.

2331 (B) Should a certified firefighter who has been issued a special and distinctive license
 2332 plate be separated from such firefighter's department for any reason other than
 2333 retirement from employment, the chief of such fire department shall obtain the
 2334 separated member's license plate at the time of the separation and shall forward same
 2335 to the commissioner along with a certificate to the effect that such person has been

2336 separated, and thereupon the commissioner shall reissue a regular license plate, at no
 2337 additional charge, to such former certified firefighter to replace the special and
 2338 distinctive plate. Should a certified firefighter return to service with the same or
 2339 another fire department, the chief of such fire department shall likewise secure the
 2340 regular license plate of such person and return same to the commissioner, along with
 2341 a certificate to the effect that such person has become a member of the fire department,
 2342 and the effective date thereof, whereupon the commissioner shall, upon application and
 2343 upon the payment of a \$35.00 manufacturing fee and all other applicable registration
 2344 and licensing fees at the time of registration, reissue a special and distinctive license
 2345 plate to such new member to replace the returned regular plate. Upon such request for
 2346 a change in plate for a certified firefighter who is separated from a fire department, the
 2347 chief of the fire department shall furnish such member with a copy of the chief's letter
 2348 to the commissioner requesting the appropriate change in plate, which copy of such
 2349 letter may be used by such member pending the issuance of the new plate.

2350 (C) Motor vehicle owners who were firefighters certified pursuant to Article 1 of
 2351 Chapter 4 of Title 25 or were members of fire departments certified pursuant to Article
 2352 2 of Chapter 3 of Title 25 and who retired from employment as such shall continue to
 2353 be eligible for the firefighter license plates issued under this paragraph the same as if
 2354 they continued to be certified and employed as firefighters. Whenever such a certified
 2355 firefighter who has been issued a special and distinctive license plate is retired from
 2356 employment with such firefighter's department, the chief of such fire department shall
 2357 forward to the commissioner a certificate to the effect that such person has been retired.

2358 (D) The spouse of a deceased firefighter shall continue to be eligible to be issued a
 2359 distinctive special firefighter's license plate as provided in this paragraph so long as
 2360 such person does not remarry.

2361 (10) A special license plate supporting Rotary International. The design of the special
 2362 license plate, excepting only the Rotary International logo and motto 'Service Above Self'
 2363 and the years 1905-2005 and any other part of the design owned by others and licensed
 2364 to the state, shall be owned solely by the State of Georgia for its exclusive use and
 2365 control, except as authorized by the commissioner. The funds raised by the sale of this
 2366 license plate shall be deposited in the general fund.

2367 (11) A special license plate for any Georgia resident who is the owner of a private
 2368 passenger motor vehicle and provides proof of certification or licensure by the State of
 2369 Georgia as an emergency medical technician, paramedic, or owner of a licensed
 2370 ambulance service in the State of Georgia promoting the EMS Star of Life Symbol. Such
 2371 license plate shall display the National Highway Traffic Safety Administration's EMS

2372 Star of Life Symbol and the initials 'EMS.' The funds raised by the sale of this license
 2373 plate shall be deposited in the general fund."

2374 **SECTION 1-78.**

2375 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended
 2376 by revising paragraph (12) of Code Section 40-5-1, relating to definitions, as follows:

2377 "(12) 'Mail' means to deposit in the United States mail properly addressed and with
 2378 postage prepaid. For purposes of payment of a reinstatement or restoration fee for a
 2379 driver's license suspension or revocation, 'mail' shall also mean payment via means other
 2380 than personal appearance."

2381 **SECTION 1-79.**

2382 Said title is further amended by revising subsection (a) of Code Section 40-5-25, relating to
 2383 driver's license applications and fees, as follows:

2384 "(a) Every application for an instruction permit or for a driver's license shall be made upon
 2385 a form furnished by the department. Every application shall be accompanied by the proper
 2386 license fee. The fees shall be as established by the Board of Driver Services,
 2387 ~~commissioner~~, not to exceed:

2388	(1) For instruction permits for Classes A, B, C, and M drivers'	
2389	licenses and for Class D drivers' licenses	\$ 10.00
2390	(2) For five-year Classes A, B, C, and M noncommercial drivers'	
2391	licenses.	20.00
2392	(2.1) For ten-year <u>eight-year</u> Classes A, B, C, and M noncommercial	
2393	drivers' licenses.	35.00 <u>32.00</u>
2394	(3) For Classes A, B, C, and M commercial drivers' licenses.	20.00
2395	(4) For application for Classes A, B, C, and M commercial drivers'	
2396	licenses or a Class P commercial driver's instruction permit.	35.00
2397	(5) For Class P commercial drivers' instruction permits for Classes	
2398	A, B, C, and M commercial drivers' licenses.	10.00
2399	(6) For Classes A, B, C, and M commercial drivers' licenses, initial	
2400	issuance requiring a road test.	70.00
2401	(7) For Classes A, B, C, and M commercial drivers' licenses, initial	
2402	issuance not requiring a road test.	20.00
2403	(8) For renewal of Classes A, B, C, and M commercial drivers'	
2404	licenses.	20.00

2405 (8.1) For renewal of five-year Classes A, B, C, and M
 2406 noncommercial drivers' licenses..... 20.00

2407 (8.2) For renewal of ~~ten-year~~ eight-year Classes A, B, C, and M
 2408 noncommercial drivers' licenses..... ~~35.00~~ 32.00

2409 (9) Initial issuance of Classes A, B, C, and M commercial drivers'
 2410 licenses and Class P commercial drivers' instruction permits shall
 2411 include all endorsement fees within the license fee. Each
 2412 endorsement added after initial licensing..... 5.00

2413 The commissioner may by rule provide incentive discounts in otherwise applicable fees
 2414 reflecting cost savings to the department where a license is renewed by means other than
 2415 personal appearance. The discount for renewal of a Class C or Class M license ~~shall be~~
 2416 ~~\$5.00~~ and any other discounts shall be as determined by the commissioner. Except as
 2417 provided in Code Section 40-5-36, relating to veterans' licenses, and Code Section
 2418 40-5-149, relating to application fees for public school bus drivers, there shall be no
 2419 exceptions to the fee requirements for a commercial driver's license or a commercial
 2420 driver's license permit. Notwithstanding any other provision of this Code section, there
 2421 shall be no fee whatsoever for replacement of any driver's license solely due to a change
 2422 of the licensee's name or address, provided that such replacement license shall be valid only
 2423 for the remaining period of such original license; and provided, further, that only one such
 2424 free replacement license may be obtained within the period for which the license was
 2425 originally issued. Any application for the replacement of a lost license pursuant to Code
 2426 Section 40-5-31 or due to a change in the licensee's name or address submitted within 150
 2427 days of the expiration of said license shall be treated as an application for renewal subject
 2428 to the applicable license fees as set forth in this subsection. The maximum period for
 2429 which any driver's license shall be issued is eight years."

2430 **SECTION 1-80.**

2431 Said title is further amended by revising paragraph (1) of subsection (g) Code Section
 2432 40-5-67.1, relating to chemical tests for drugs or alcohol and implied consent notices, as
 2433 follows:

2434 "(g)(1) A person whose driver's license is suspended or who is disqualified from
 2435 operating a commercial motor vehicle pursuant to this Code section shall remit to the
 2436 department a \$150.00 filing fee together with a request, in writing, for a hearing within
 2437 ten business days from the date of personal notice or receipt of notice sent by certified
 2438 mail or statutory overnight delivery, return receipt requested, or the right to said hearing
 2439 shall be deemed waived. Within 30 days after receiving a written request for a hearing,

2440 the department shall hold a hearing as is provided in Chapter 13 of Title 50, the 'Georgia
2441 Administrative Procedure Act.' The hearing shall be recorded."

2442 **SECTION 1-81.**

2443 Said title is further amended by revising subsection (a) and enacting a new subsection in
2444 Code Section 40-5-103, relating to identification card fees, as follows:

2445 "(a) Except as provided in subsections (b) and (c) of this Code section, the department
2446 shall collect a fee of \$20.00 for a five-year card and a fee of \$35.00 for a ~~ten-year~~ an
2447 eight-year card, which fee shall be deposited in the state treasury in the same manner as
2448 other motor vehicle driver's license fees.

2449 (a.1) The maximum period for which any identification card shall be issued is eight years."

2450 **SECTION 1-82.**

2451 Said title is further amended by revising subsection (a) of Code Section 40-8-90, relating to
2452 restrictions on use of blue lights on vehicles, as follows:

2453 "(a)(1) Except as provided in this paragraph and subsection (b) of this Code section, it
2454 shall be unlawful for any person, firm, or corporation to operate any motor vehicle
2455 equipped with or containing a device capable of producing any blue lights, whether
2456 flashing, blinking, revolving, or stationary, except:

2457 (A) Motor vehicles owned or leased by any federal, state, or local law enforcement
2458 agency;

2459 (B) Motor vehicles with a permit granted by a state agency to bear such lights; or

2460 (C) Antique, hobby, and special interest vehicles, as defined in ~~subsection (a) of Code~~
2461 Section 40-2-77 paragraph (8) of subsection (l) of Code Section 40-2-86.1, which may
2462 display a blue light or lights of up to one inch in diameter as part of any such vehicle's
2463 rear stop lamps, rear turning indicator, rear hazard lamps, and rear reflectors.

2464 (2) Any person who violates paragraph (1) of this subsection shall be guilty of a
2465 misdemeanor."

2466 **SECTION 1-83.**

2467 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
2468 is amended by revising Code Section 43-25-3, relating to licenses to operate a motor vehicle
2469 racetrack, as follows:

2470 "43-25-3.

2471 Application for a license to operate or conduct a racetrack or other place for the holding of
2472 motor vehicle races or exhibitions shall be made in writing to the Safety Fire
2473 Commissioner on a form prescribed by or furnished by the Safety Fire Commissioner. The

2474 application form shall require a full and complete address of the track or other place desired
 2475 to be licensed, the name and address of the licensee, and the name and address of the
 2476 promoter of such race or exhibition and shall contain such further information as the Safety
 2477 Fire Commissioner may require in order to comply with Code Section 43-25-4. Such
 2478 application shall be accompanied by a nonrefundable fee of ~~\$100.00~~ \$150.00."

2479 **SECTION 1-84.**

2480 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
 2481 is further amended by revising Code Section 45-9-76, relating to the Georgia Public School
 2482 Personnel Indemnification Fund, as follows:

2483 "45-9-76.

2484 The Georgia Public School Personnel Indemnification Fund shall consist of revenues
 2485 derived from the sale of special and distinctive motor vehicle license plates honoring
 2486 Georgia educators issued prior to June 30, 2010 as provided by paragraph (7) of subsection
 2487 (1) of Code Section ~~40-2-86.5~~ 40-2-86. In addition, the Department of Administrative
 2488 Services is authorized to accept for deposit in the Georgia Public School Personnel
 2489 Indemnification Fund any other funds from any other source. All revenue or other funds
 2490 received by the Georgia Public School Personnel Indemnification Fund shall not lapse."

2491 **SECTION 1-84.1.**

2492 Said title is further amended by adding a new Code section to read as follows:

2493 "45-12-92.1.

2494 (a) The General Assembly finds and determines that certain fees imposed or authorized
 2495 by law are not 'revenue measures' within the meaning of Article VII, Section III, Paragraph
 2496 II of the Constitution but only incidentally create revenue pursuant to the facilitation of
 2497 another primary purpose.

2498 (b) When any other provision of law imposes or authorizes the imposition of a fee and
 2499 recites that such fee is subject to this Code section:

2500 (1) The agency or other entity imposing and collecting the fee shall not pay the proceeds
 2501 of the fee into the general fund of the state treasury but shall rather retain and expend the
 2502 proceeds for purposes of defraying the costs of administering the program or activity with
 2503 which the fee is associated; and

2504 (2) If the amount of the fee is fixed by the agency or other entity pursuant to the law
 2505 authorizing the fee, the fee shall be fixed in a reasonable amount such that the proceeds
 2506 of the fee do not exceed the total direct and indirect costs of administering the program
 2507 or activity with which the fee is associated."

2508 **SECTION 1-85.**

2509 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public
2510 transportation, is amended by revising Code Section 46-5-70, relating to filing of articles
2511 with the clerk of court, as follows:

2512 "46-5-70.

2513 The applicants shall file the application, including the articles of incorporation and the
2514 order of the judge thereon, in the office of the clerk of the superior court of the county in
2515 which the principal office of the cooperative is to be located, ~~and shall concurrently~~
2516 ~~therewith deposit with and pay to said clerk the fee provided for in Code Section 46-5-100."~~

2517 **SECTION 1-86.**

2518 Said title is further amended by revising Code Section 46-5-73, relating to duty of clerk to
2519 deliver to applicants certified copies of articles and of judge's order thereon, as follows:

2520 "46-5-73.

2521 Upon the filing of the articles of incorporation and the order of the judge thereon with the
2522 clerk of the superior court ~~and the fee being paid as required by Code Section 46-5-70~~, the
2523 clerk shall forthwith deliver to the applicants or their attorney two certified copies of the
2524 articles of incorporation and the order of the judge ~~thereon~~, and the filing of the clerk
2525 ~~thereon and receipt for the cost which has been paid to the clerk."~~

2526 **SECTION 1-87.**

2527 Said title is further amended by revising Code Section 46-5-100, relating to fees for rural
2528 telephone cooperatives, as follows:

2529 "46-5-100.

2530 ~~(a) Each cooperative shall be charged by the clerk of the superior court the fee as provided~~
2531 ~~in subsection (g) of Code Section 15-6-77 for the filing of incorporation proceedings.~~

2532 ~~(b) Each cooperative shall be charged by the Secretary of State the fees specified in Code~~
2533 ~~Section 14-2-122 for the filing of documents and issuance of certificates."~~

2534 **SECTION 1-88.**

2535 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
2536 amended by revising Code Section 48-17-1, relating to definitions regarding coin operated
2537 amusement machines, by adding two new paragraphs to read as follows:

2538 "(2.2) 'Class A machine' means a bona fide coin operated amusement machine that is not
2539 a Class B machine and provides no reward to a successful player.

2540 (2.3) 'Class B machine' means a bona fide coin operated amusement machine that
 2541 rewards a successful player with any combination of items listed in subparagraphs (B)
 2542 and (C) of paragraph (1) of subsection (d) of Code Section 16-12-35."

2543 **SECTION 1-89.**

2544 Said title is further amended by revising subsection (a) of Code Section 48-17-2, relating to
 2545 license fees for coin operated amusement machines, as follows:

2546 "48-17-2.

2547 (a) Every owner, except an owner holding a bona fide coin operated amusement machine
 2548 solely for personal use or resale, who offers others the opportunity to play for a charge,
 2549 whether directly or indirectly, any bona fide coin operated amusement machine shall pay
 2550 annual master license fees as follows:

2551 (1) ~~Level one license.~~ For Class A machines:

2552 (A) For five or fewer machines, the owner shall pay a master license fee of ~~\$250.00~~
 2553 \$500.00.

2554 ~~(B)~~ In the event such owner acquires a sixth or greater number of machines during
 2555 a calendar year which require a certificate for lawful operation under this chapter so
 2556 that the total number of machines owned does not exceed 60 machines or more, such
 2557 owner shall pay an additional master license fee of ~~\$1,250.00~~ \$2,000.00;

2558 ~~(2) Level two license. (A) For six or more machines but not more than 60 machines,~~
 2559 ~~the owner shall pay a master license fee of \$1,500.00.~~

2560 (B) For six or more machines but not more than 60 machines, the owner shall pay a
 2561 master license fee of \$2,500.00. In the event such owner acquires a sixty-first or
 2562 greater number of machines during a calendar year which require a certificate for lawful
 2563 operation under this chapter, such owner shall pay an additional master license fee of
 2564 ~~\$1,000.00~~ \$2,500.00; or

2565 ~~(3)(C) Level three license.~~ For 61 or more machines, the owner shall pay a master
 2566 license fee of ~~\$2,500.00~~ \$5,000.00; and

2567 (2) For Class B machines:

2568 (A) For five or fewer machines, the owner shall pay a master license fee of \$1,000.00.
 2569 In the event such owner acquires a sixth or greater number of machines during a
 2570 calendar year which require a certificate for lawful operation under this chapter so that
 2571 the total number of machines owned does not exceed 60 machines or more, such owner
 2572 shall pay an additional master license fee of \$2,000.00;

2573 (B) For six or more machines but not more than 60 machines, the owner shall pay a
 2574 master license fee of \$3,000.00. In the event such owner acquires a sixty-first or
 2575 greater number of machines during a calendar year which require a certificate for lawful

2576 operation under this chapter, such owner shall pay an additional master license fee of
 2577 \$2,000.00; or
 2578 (C) For 61 or more machines, the owner shall pay a master license fee of \$5,000.00.
 2579 The cost of the license shall be paid to the commissioner by company check, cash, cashier's
 2580 check, or money order. Upon said payment, the commissioner shall issue a master license
 2581 certificate to the owner. The master license fee levied by this ~~chapter~~ Code section shall
 2582 be collected by the commissioner on an annual basis, ~~provided that an owner may purchase~~
 2583 ~~a six-month master license during the calendar year for \$175.00 for a level one license,~~
 2584 ~~\$1,050.00 for a level two license, or \$1,750.00 for a level three license~~ for the period from
 2585 July 1 to June 30. The commissioner may establish procedures for master license
 2586 collection and set due dates for these license payments. No refund or credit of the master
 2587 license charge levied by this ~~chapter~~ Code section may be allowed to any owner who
 2588 ceases the operation of bona fide coin operated amusement machines prior to the end of
 2589 any ~~calendar year~~ license or permit period."

2590 SECTION 1-90.

2591 Said title is further amended by revising subsections (a) and (d) and by adding a new
 2592 subsection in Code Section 48-17-9, relating to payment and collection of the annual permit
 2593 fee, as follows:

2594 "(a) Every owner, except an owner holding a coin operated amusement machine solely for
 2595 personal use or resale, who offers others the opportunity to play for a charge, whether
 2596 direct or indirect, any bona fide coin operated amusement machine shall pay ~~a uniform an~~
 2597 annual permit fee of \$25.00 per for each bona fide coin operated amusement machine in
 2598 the amount of \$75.00 for each Class A machine and \$150.00 for each Class B machine.

2599 The fee shall be paid to the commissioner by company check, cash, cashier's check, or
 2600 money order. Upon payment, the commissioner shall issue a sticker ~~for each \$25.00~~
 2601 payment for each bona fide coin operated amusement machine. The annual fees levied by
 2602 this chapter ~~will~~ shall be collected by the commissioner on an annual basis for the period
 2603 July 1 to June 30. The commissioner may establish procedures for annual collection and
 2604 set due dates for the fee payments. No refund or credit of the annual fee levied by this
 2605 chapter shall be allowed to any owner who ceases the exhibition or display of any bona fide
 2606 coin operated amusement machine prior to the end of any calendar year."

2607 "(d) The commissioner may provide a duplicate permit sticker if a valid permit sticker has
 2608 been lost, stolen, or destroyed. The fee for a duplicate permit sticker shall be ~~\$10.00~~
 2609 \$50.00. If a permit sticker is lost, stolen, or destroyed, a sworn, written statement must be
 2610 submitted explaining the circumstances by which the permit sticker was lost, stolen, or
 2611 destroyed and including the number of the lost, stolen, or destroyed permit before a

2612 replacement permit can be issued. A permit for which a duplicate permit sticker has been
2613 issued is void.

2614 (e) Each permit sticker issued for a bona fide coin operated amusement machine which
2615 rewards a winning player exclusively with free replays, noncash redemption merchandise,
2616 prizes, toys, gift certificates, or novelties; or points, tokens, tickets, or other evidence of
2617 winnings that may be exchanged for free replays or noncash redemption merchandise,
2618 prizes, toys, gift certificates, or novelties, in accordance with the provisions of subsections
2619 (b) through (d) of Code Section 16-12-35 shall include the following: 'GEORGIA LAW
2620 PROHIBITS THE PAYMENT OR RECEIPT OF ANY MONEY FOR REPLAYS OR
2621 MERCHANDISE AWARDED FOR PLAYING THIS MACHINE. O.C.G.A. SECTION
2622 16-12-35.'

2623 **SECTION 1-91.**

2624 Said title is further amended by revising Code Section 48-17-11, relating to permit fees for
2625 additional coin operated machines, as follows:

2626 "48-17-11.

2627 If an owner purchases or receives additional bona fide coin operated amusement machines
2628 during the calendar year, the ~~\$25.00~~ applicable permit fee shall be paid to the
2629 commissioner and the sticker shall be affixed to the machine ~~or placed at the location~~
2630 ~~where the machine is located~~ before the machine may be legally operated. A penalty fee
2631 ~~of \$50.00~~ for each bona fide coin operated amusement machine in the amount of \$1,000.00
2632 for each Class A machine and \$5,000.00 for each Class B machine shall be assessed by the
2633 commissioner for every machine ~~in operation~~ being illegally operated with or without a
2634 permit sticker."

2635 **SECTION 1-92.**

2636 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
2637 by revising subsection (d) of Code Section 50-7-70, relating to agricultural tourist attractions,
2638 as follows:

2639 "(d) Entities wishing to be recognized by the department as an agricultural tourist attraction
2640 shall submit an application to the department with a one-time application fee of ~~up to~~
2641 ~~\$250.00~~ not less than \$300.00."

2642 **PART II**

2643 **SECTION 2-1.**

2644 Chapter 8 of Title 31 of the Official Code of Georgia Annotated, relating to the care and
 2645 protection of indigent and elderly patients, is amended by adding a new article to read as
 2646 follows:

2647 "ARTICLE 6C

2648 31-8-179.

2649 This article is enacted pursuant to the authority of Article III, Section IX, Paragraph VI(i)
 2650 of the Constitution and shall be known and may be cited as the 'Provider Payment
 2651 Agreement Act.'

2652 31-8-179.1.

2653 As used in this article, the term:

2654 (1) Reserved.

2655 (2) 'Hospital' means an institution licensed pursuant to Chapter 7 of this title which is
 2656 primarily engaged in providing to inpatients, by or under the supervision of physicians,
 2657 diagnostic services and therapeutic services for medical diagnosis, treatment, and care of
 2658 injured, disabled, or sick persons or rehabilitation services for the rehabilitation of
 2659 injured, disabled, or sick persons. Such term includes public, private, rehabilitative,
 2660 geriatric, osteopathic, and other specialty hospitals but shall not include psychiatric
 2661 hospitals as defined in paragraph (7) of Code Section 37-3-1, critical access hospitals as
 2662 defined in paragraph (3) of Code Section 33-21A-2, or any state owned or state operated
 2663 hospitals.

2664 (3) 'Net patient revenue' means the total gross patient revenue of a hospital less
 2665 contractual adjustments; charity care; bad debt; Hill-Burton commitments; and indigent
 2666 care as defined by and calculated in the department's annual hospital financial survey.

2667 (4) 'Provider payment' means the payment imposed pursuant to this article for the
 2668 privilege of operating a hospital.

2669 (5) 'Segregated account' means an account for the dedication and deposit of provider
 2670 payments which is established within the Indigent Care Trust Fund created pursuant to
 2671 Code Section 31-8-152.

2672 (6) 'Trust fund' means the Indigent Care Trust Fund created pursuant to Code Section
 2673 31-8-152.

2674 31-8-179.2.

2675 There is established within the trust fund a segregated account for revenues raised through
2676 the imposition of the provider payment. All revenues raised through provider payments
2677 from hospitals shall be credited to the segregated account within the trust fund. All funds
2678 shall be invested in the same manner as authorized for investing other moneys in the state
2679 treasury. Contributions and transfers to the trust fund pursuant to Code Sections 31-8-153
2680 and 31-8-153.1 shall not be deposited into the segregated account.

2681 31-8-179.3.

2682 (a) Each hospital shall be assessed a provider payment in the amount of 1.45 percent of the
2683 net patient revenue of the hospital; provided, however, that the Department of Community
2684 Health may lower the provider payment percentage for a subclass of hospitals, if necessary,
2685 to comply with the broad-based and uniform tests pursuant to 42 C.F.R. Section 433.68.

2686 (b) The provider payment shall be paid quarterly by each hospital to the department. The
2687 assessment shall be based on the department's annual hospital financial survey. Payment
2688 of the provider payment shall be due at end of each calendar quarter; the first payment shall
2689 be due on September 30.

2690 (c) The provider payment imposed under this article shall be recognized by the department
2691 as a form of expenditure for indigent or charity care under any agreement by a hospital to
2692 provide a specified amount of clinical health services to indigent patients pursuant to
2693 subsection (c) of Code Section 31-6-40.1 and may be considered a community benefit for
2694 purposes of any required or voluntary community benefit report filed or prepared by a
2695 hospital; provided, however, that the provider payment shall not be considered charity or
2696 indigent care for purposes of calculating net patient revenue pursuant to this article.

2697 31-8-179.4.

2698 (a) The department shall collect the provider payments imposed pursuant to Code Section
2699 31-8-179.3. All revenues raised pursuant to this article shall be deposited into the
2700 segregated account. Such funds shall be dedicated and used for the sole purpose of
2701 obtaining federal financial participation for medical assistance payments to providers on
2702 behalf of Medicaid recipients pursuant to Article 7 of Chapter 4 of Title 49.

2703 (b) The department shall prepare and distribute a form upon which each hospital shall
2704 submit information to comply with this article.

2705 (c) Each hospital shall keep and preserve for a period of three years such books and
2706 records as may be necessary to determine the amount for which it is liable under this
2707 article. The department shall have the authority to inspect and copy the records of a
2708 hospital for purposes of auditing the calculation of the provider payment. All information

2709 obtained by the department pursuant to this article shall be confidential and shall not
 2710 constitute a public record.

2711 (d) In the event the department determines that a hospital has underpaid or overpaid the
 2712 provider payment, the department shall notify the hospital of the balance of the provider
 2713 payment or refund that is due. Such payment or refund shall be due within 30 days of the
 2714 department's notice.

2715 (e) Any hospital that fails to pay the provider payment pursuant to this article within the
 2716 time required by this article shall pay, in addition to the outstanding provider payment, a
 2717 6 percent penalty for each month or fraction thereof that the payment is overdue. If a
 2718 provider payment has not been received by the department by the last day of the month, the
 2719 department shall withhold an amount equal to the provider payment and penalty owed from
 2720 any medical assistance payment due such hospital under the Medicaid program. The
 2721 provider payment levied by this article shall constitute a debt due the state and may be
 2722 collected by civil action and the filing of tax liens in addition to such methods provided for
 2723 in this article. Any penalty that accrues pursuant to this subsection shall be credited to the
 2724 segregated account.

2725 31-8-179.5.

2726 (a) Notwithstanding any other provision of this chapter, the General Assembly is
 2727 authorized to appropriate as state funds to the department for use in any fiscal year all
 2728 revenues dedicated and deposited into the segregated account. Such appropriations shall
 2729 be authorized to be made for the sole purpose of obtaining federal financial participation
 2730 for medical assistance payments to providers on behalf of Medicaid recipients pursuant to
 2731 Article 7 of Chapter 4 of Title 49. Any appropriation from the segregated account for any
 2732 purpose other than such medical assistance payments shall be void.

2733 (b) Revenues appropriated to the department pursuant to this Code section shall be used
 2734 to match federal funds that are available for the purpose for which such trust funds have
 2735 been appropriated.

2736 (c) Appropriations from the segregated account to the department shall not lapse to the
 2737 general fund at the end of the fiscal year.

2738 31-8-179.6.

2739 The department shall report annually to the General Assembly on its use of revenues
 2740 deposited into the segregated account and appropriated to the department pursuant to this
 2741 article.

2742 31-8-179.7.

2743 Except where inconsistent with this article, the provisions of Article 7 of Chapter 4 of Title
 2744 49, the 'Georgia Medical Assistance Act of 1977,' shall apply to the department in carrying
 2745 out the purposes of this article.

2746 31-8-179.8.

2747 This article shall stand repealed on June 30, 2013."

2748 **PART III**

2749 **SECTION 3-1.**

2750 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
 2751 amended by revising Code Section 48-5-8, relating to the manner and time of making the
 2752 state ad valorem tax levy, as follows:

2753 "48-5-8.

2754 (a) Subject to the conditions specified in subsection (b) of this Code section, the ~~The~~ levy
 2755 for state taxation shall be made by the Governor with the assistance of the commissioner.
 2756 Each year, as soon as the value of the taxable property is substantially known by the
 2757 commissioner, the commissioner shall assist the Governor in making the state levy.
 2758 Immediately after the Governor has made the state levy, the commissioner shall send to
 2759 each tax collector and tax commissioner written or printed notices of the Governor's order.

2760 (b)(1) For taxable years beginning on or after January 1, 2011, and prior to January 1,
 2761 2012, the levy under subsection (a) of this Code Section shall be 0.25 mills.

2762 (2) For taxable years beginning on or after January 1, 2012, and prior to January 1, 2013,
 2763 the levy under subsection (a) of this Code Section shall be 0.2 mills.

2764 (3) For taxable years beginning on or after January 1, 2013, and prior to January 1, 2014,
 2765 the levy under subsection (a) of this Code Section shall be 0.15 mills.

2766 (4) For taxable years beginning on or after January 1, 2014, and prior to January 1, 2015,
 2767 the levy under subsection (a) of this Code Section shall be 0.1 mills.

2768 (5) For taxable years beginning on or after January 1, 2015, and prior to January 1, 2016,
 2769 the levy under subsection (a) of this Code Section shall be 0.05 mills.

2770 (6)(A) For taxable years beginning on or after January 1, 2016, there shall be no levy
 2771 for state taxation under subsection (a) of this Code section.

2772 (B) Tax, penalty, and interest liabilities and refund eligibility for prior taxable years
 2773 shall not be affected by this subsection and shall continue to be governed by the
 2774 provisions of this Code section as it existed immediately prior to the effective date of
 2775 this subsection.

2776 (C) This subsection shall not abate any prosecution, punishment, penalty,
 2777 administrative proceedings or remedies, or civil action related to any violation of law
 2778 committed prior to the effective date of this subsection.

2779 (c) Each fiscal authority issuing an ad valorem property tax bill shall place a prominent
 2780 notice on each taxpayer's ad valorem tax bill in substantially the following form:

2781 'This gradual reduction and elimination of the state property tax and the reduction in your
 2782 tax bill this year is the result of property tax relief passed by the Governor and the House
 2783 of Representatives and the Georgia State Senate.'

2784 **PART IV**

2785 **SECTION 4-1.**

2786 Said Title 48 is further amended by revising subparagraphs (a)(5)(A) through (a)(5)(F) of
 2787 Code Section 48-7-27, relating to computation of taxable net income, as follows:

2788 "(5)(A) Retirement income otherwise included in Georgia taxable net income ~~not to~~
 2789 ~~exceed the~~ shall be subject an exclusion amount as follows:

2790 (i) For taxable years beginning on or after January 1, 1989, and prior to January 1,
 2791 1990, retirement income not to exceed an exclusion amount of \$8,000.00 per year
 2792 received from any source;

2793 (ii) For taxable years beginning on or after January 1, 1990, and prior to January 1,
 2794 1994, retirement income not to exceed an exclusion amount of \$10,000.00 per year
 2795 received from any source;

2796 (iii) For taxable years beginning on or after January 1, 1994, and prior to January 1,
 2797 1995, retirement income from any source not to exceed an exclusion amount of
 2798 \$11,000.00;

2799 (iv) For taxable years beginning on or after January 1, 1995, and prior to January 1,
 2800 1999, retirement income from any source not to exceed an exclusion amount of
 2801 \$12,000.00;

2802 (v) For taxable years beginning on or after January 1, 1999, and prior to January 1,
 2803 2000, retirement income from any source not to exceed an exclusion amount of
 2804 \$13,000.00;

2805 (vi) For taxable years beginning on or after January 1, 2000, and prior to January 1,
 2806 2001, retirement income not to exceed an exclusion amount of \$13,500.00 per year
 2807 received from any source;

2808 (vii) For taxable years beginning on or after January 1, 2001, and prior to January 1,
 2809 2002, retirement income from any source not to exceed an exclusion amount of
 2810 \$14,000.00;

2811 (viii) For taxable years beginning on or after January 1, 2002, and prior to January 1,
2812 2003, retirement income from any source not to exceed an exclusion amount of
2813 \$14,500.00;

2814 (ix) For taxable years beginning on or after January 1, 2003, and prior to January 1,
2815 2006, retirement income from any source not to exceed an exclusion amount of
2816 \$15,000.00;

2817 (x) For taxable years beginning on or after January 1, 2006, and prior to January 1,
2818 2007, retirement income from any source not to exceed an exclusion amount of
2819 \$25,000.00;

2820 (xi) For taxable years beginning on or after January 1, 2007, and prior to January 1,
2821 2008, retirement income from any source not to exceed an exclusion amount of
2822 \$30,000.00; ~~and~~

2823 (xii) For taxable years beginning on or after January 1, 2008, and prior to January 1,
2824 2012, retirement income from any source not to exceed an exclusion amount of
2825 \$35,000.00;

2826 (xiii) For taxable years beginning on or after January 1, 2012, and prior to January 1,
2827 2013, retirement income from any source not to exceed an exclusion amount of
2828 \$35,000.00 for each taxpayer meeting the eligibility requirement set forth in division
2829 (i) or (ii) of subparagraph (D) of this paragraph or an amount of \$65,000.00 for each
2830 taxpayer meeting the eligibility requirement set forth in division (iii) of subparagraph
2831 (D) of this paragraph;

2832 (xiv) For taxable years beginning on or after January 1, 2013, and prior to January 1,
2833 2014, retirement income from any source not to exceed an exclusion amount of
2834 \$35,000.00 for each taxpayer meeting the eligibility requirement set forth in division
2835 (i) or (ii) of subparagraph (D) of this paragraph or an amount of \$100,000.00 for each
2836 taxpayer meeting the eligibility requirement set forth in division (iii) of subparagraph
2837 (D) of this paragraph;

2838 (xv) For taxable years beginning on or after January 1, 2014, and prior to January 1,
2839 2015, retirement income from any source not to exceed an exclusion amount of
2840 \$35,000.00 for each taxpayer meeting the eligibility requirement set forth in division
2841 (i) or (ii) of subparagraph (D) of this paragraph or an amount of \$150,000.00 for each
2842 taxpayer meeting the eligibility requirement set forth in division (iii) of subparagraph
2843 (D) of this paragraph;

2844 (xvi) For taxable years beginning on or after January 1, 2015, and prior to January 1,
2845 2016, retirement income from any source not to exceed an exclusion amount of
2846 \$35,000.00 for each taxpayer meeting the eligibility requirement set forth in division
2847 (i) or (ii) of subparagraph (D) of this paragraph or an amount of \$200,000.00 for each

2848 taxpayer meeting the eligibility requirement set forth in division (iii) of subparagraph
 2849 (D) of this paragraph; and
 2850 (xvii) For taxable years beginning on or after January 1, 2016, retirement income
 2851 from any source not to exceed an exclusion amount of \$35,000.00 for each taxpayer
 2852 meeting the eligibility requirement set forth in division (i) or (ii) of subparagraph (D)
 2853 of this paragraph or an exclusion of all retirement income from any source for each
 2854 taxpayer meeting the eligibility requirement set forth in division (iii) of subparagraph
 2855 (D) of this paragraph.

2856 (B) In the case of a married couple filing jointly, each spouse shall if otherwise
 2857 qualified be individually entitled to exclude retirement income received by that spouse
 2858 up to the exclusion amount, ~~so that the total amount excluded on such joint return may~~
 2859 ~~if otherwise allowable be up to twice the individual exclusion amount.~~

2860 (C) The ~~exclusion~~ exclusions provided for in this paragraph shall not apply to or affect
 2861 and shall be in addition to those adjustments to net income provided for under any other
 2862 paragraph of this subsection.

2863 (D) A taxpayer shall be eligible for the ~~exclusion~~ exclusions granted by this paragraph
 2864 only if the taxpayer:

2865 (i) Is 62 years of age or older but less than 65 years of age during any part of the
 2866 taxable year; or

2867 (ii) Is permanently and totally disabled in that the taxpayer has a medically
 2868 demonstrable disability which is permanent and which renders the taxpayer incapable
 2869 of performing any gainful occupation within the taxpayer's competence; or

2870 (iii) Is 65 years of age or older during any part of the year.

2871 (E) For the purposes of this paragraph, retirement income shall include but not be
 2872 limited to interest income, dividend income, net income from rental property, capital
 2873 gains income, income from royalties, income from pensions and annuities, and no more
 2874 than \$4,000.00 of an individual's earned income. Earned income in excess of
 2875 \$4,000.00, including but not limited to net business income earned by an individual
 2876 from any trade or business carried on by such individual, wages, salaries, tips, and other
 2877 employer compensation, shall not be regarded as retirement income. The receipt of
 2878 earned income shall not diminish any taxpayer's eligibility for the retirement income
 2879 ~~exclusion~~ exclusions allowed by this paragraph except to the extent of the express
 2880 limitation provided in this subparagraph.

2881 (F) The commissioner shall by regulation require proof of the eligibility of the taxpayer
 2882 for the ~~exclusion~~ exclusions allowed by this paragraph."

2883

PART V

2884

SECTION 5-1.

2885 (a) Except as otherwise provided in subsection (b) of this section, this Act shall become
2886 effective upon its approval by the Governor or upon its becoming law without such approval.

2887 (b) Part II of this Act shall become effective on July 1, 2010.

2888

SECTION 5-2.

2889 All laws and parts of laws in conflict with this Act are repealed.