

Senate Bill 354

By: Senator Thompson of the 33rd

AS PASSED

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 48-6-73 of the Official Code of Georgia Annotated, relating to
2 reports and distributions by collecting officer of the intangible recording tax, so as to provide
3 for a 4 percent commission as compensation to the collection officer in counties having a
4 certain population; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 style="text-align:center">**SECTION 1.**

7 Code Section 48-6-73 of the Official Code of Georgia Annotated, relating to reports and
8 distributions by collecting officer of the intangible recording tax, is amended by striking said
9 Code section in its entirety and inserting in lieu thereof the following:

10 "48-6-73.

11 Each collecting officer shall make a report to the commissioner by the tenth day of each
12 month on forms prescribed by the commissioner of all sums collected and remitted under
13 this article for the preceding month. The collecting officer shall retain 6 percent of the tax
14 collected as compensation for said officer's services in collecting the tax. All such taxes
15 shall be deemed to have been collected by the collecting officer in said officer's official
16 capacity. Failure to collect and distribute the tax as provided by law shall constitute a
17 breach of the official duty and of the official bond of the collecting officer. In each county
18 in which the collecting officer is on a salary, the 6 percent commission allowed by this
19 Code section shall be paid into the county treasury and shall become county property. The
20 long-term notes secured by real property upon which this tax is based shall not be placed
21 upon the property tax digest prepared and maintained by the tax receiver. It is the intention
22 of the General Assembly that the 6 percent commission permitted under this article for the
23 collection and distribution of this tax by the collecting officer shall be the only
24 compensation permitted to any collecting officer with respect to this tax. In counties
25 having a population of more than ~~500,000~~ 650,000, according to the United States

1 decennial census of ~~1990~~ 2000 or any future such census, however, the commission
2 allowed under this article as compensation to the collecting officer shall be 4 percent."

3 **SECTION 2.**

4 All laws and parts of laws in conflict with this Act are repealed.