

House Bill 142

By: Representatives Royal of the 164th, Buck of the 135th and Jamieson of the 22nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 2 of Article 3 of Chapter 5 of Title 48 of the Official Code of Georgia
2 Annotated, relating to tax collectors and tax commissioners, so as to provide for mandatory
3 training and required certification for tax commissioners and for certain employees of tax
4 commissioners in certain counties; to provide for funding to include salary supplements for
5 those who achieve and maintain required certification levels; to provide for increased
6 compensation for certain county governments to offset increased costs borne by counties
7 because of the new and increased workload in receiving, processing, and issuing motor
8 vehicle registrations and certificates of title; to provide for all necessary procedures
9 connected therewith; to provide for effective dates; to repeal conflicting laws; and for other
10 purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

13 Part 2 of Article 3 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated,
14 relating to tax collectors and tax commissioners, is amended by adding two new Code
15 sections immediately following Code Section 48-5-126.1 to be designated Code Section
16 48-5-126.2 and 48-5-126.3 to read as follows:

17 "48-5-126.2.

18 (a)(1) In addition to the fee provided for by Code Section 40-2-33 for tag agent
19 commissions allowed for the registration of motor vehicles, an additional amount of
20 \$1.00 per license plate or revalidation decal issued by each county tax commissioner shall
21 be withheld from funds to be paid to the commissioner.

22 (2) In addition to the fee provided for by Code Section 40-3-39 for tag agent
23 commissions allowed for the receiving, processing, and issuing of motor vehicle
24 certificates of title, an additional amount of \$1.00 for each such application received by
25 each county tax commissioner shall be withheld from funds to be paid to the
26 commissioner.

1 (b) The fees what are withheld in accordance with subsection (a) of this Code section shall
2 be allocated and paid over as follows:

3 (1) One-half of the additional fee for the registration of motor vehicles and one-half of
4 the additional fee for receiving and processing applications for motor vehicle certificates
5 of title shall be retained by the tax commissioner, shall become the property of the
6 county, and shall be turned over to the fiscal authority of the county by the tax
7 commissioner.

8 (2) One-half of the additional fee for the registration of motor vehicles and one-half of
9 the additional fee for receiving and processing motor vehicle certificates of title shall be
10 remitted to the commissioner and shall be maintained and used by the commissioner only
11 as provided for by Code Section 48-5-126.3.

12 48-5-126.3.

13 (a)(1) The commissioner shall establish, and the state merit system may review, the
14 qualifications of not more than four levels or types of employee classification necessary
15 and adequate to perform all clerical, accounting, technical, and administrative functions
16 within the office of tax commissioner relating both to motor vehicle registration and title
17 responsibilities as well as all functions relating to the administration of property tax
18 within the tax commissioner's office.

19 (2) Not later than December 31, 2001, the commissioner shall also establish a
20 comprehensive program of training courses designed to qualify tax commissioners and
21 employees of tax commissioners for each of the various classification levels that have
22 been determined. The commissioner may prepare and provide course instruction or may
23 contract with institutions of higher learning or with other qualified entities for the
24 development of necessary educational courses and materials and their instruction. The
25 courses shall be offered periodically at reasonable locations designed to ensure access by
26 tax commissioners and their employees in each county in the state.

27 (b)(1) Not later than December 31, 2001, the commissioner shall establish by regulation
28 the appropriate minimum number of staff employees which may include tax
29 commissioners necessary to perform the employee functions within each classification
30 level within each county. The number thus established shall be sufficient and adequate
31 to perform all motor vehicle and property tax functions of the tax commissioner's office.

32 (2) Not later than February 1, 2002, the commissioner shall also develop and instruct a
33 comprehensive program of continuing education courses designed to enable tax
34 commissioners and employees to attain and maintain appropriate levels of certification
35 during their periods of employment.

1 (3) The commissioner shall develop criteria and evaluation methods to measure the
2 competence of each person seeking qualification at each of the levels of classification
3 established. The commissioner shall certify the classification level successfully achieved
4 and maintained by each person and shall maintain all records of course completion and
5 certification.

6 (c) The commissioner is authorized to utilize a portion of the funds remitted to the
7 department pursuant to Code Section 48-5-126.2 to pay necessary and reasonable costs of
8 preparing, instructing, and administering the certification training program provided for in
9 this Code section including necessary and reasonable operating costs incurred by the
10 department provided for in this Code section.

11 (d) On or after July 1, 2002, the commissioner shall pay, from the funds remitted to the
12 commissioner pursuant to Code Section 48-5-126.2, salary supplements to tax
13 commissioners and employees who fill the minimum staff positions in each classification
14 level as defined by the commissioner in each county except for the minimum, entry level
15 classifications. These salary supplements shall be equal to \$100.00 per month for those
16 certified at the second level; \$200.00 per month for those certified at the third level; and
17 \$300.00 per month for employees certified at the fourth level. The total of all supplements
18 to be paid in each county shall be paid by the commissioner to the county fiscal authority
19 on behalf of each designated person and those supplements shall be paid to each such
20 designated person as a part of his or her compensation. The costs of employee benefits,
21 etc., that are associated with these salary supplements shall be borne by the county from
22 the increased commission retained by them as provided for in paragraph (1) of subsection
23 (b) of Code Section 48-5-126.2. Supplements shall be paid only to those persons who fill
24 those positions that are established by the commissioner as the appropriate minimum staff
25 requirements for each qualified county, and such supplements shall be paid only to those
26 persons who maintain their certification as required by the regulations established by the
27 commissioner.

28 (e) At the end of each fiscal year, funds remaining from the funds remitted pursuant to
29 Code Section 48-5-126.2, which have not been specifically obligated by the commissioner
30 for training course development and instruction expenses or for salary supplements to be
31 paid for the current fiscal year and for the two months following the close of the fiscal year,
32 shall lapse and become part of the general fund of the state."

33 SECTION 2.

34 This Act shall become effective on July 1, 2001.

35 SECTION 3.

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