

The House Committee on Ways and Means offers the following substitute to HB 1055:

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 change fees and certain other provisions
3 regarding special license plates; to change fees and certain other provisions regarding bona
4 fide coin operated amusement machines; to correct cross-references in the Official Code of
5 Georgia Annotated; to provide for related matters; to provide for an effective date; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

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

12 "2-1-5.

13 An individual conducting business as a grain dealer, commercial feed dealer, and grain
14 warehouseman shall pay an annual license fee in an amount not to exceed ~~\$2,000.00~~ less
15 than \$1,500.00."

16 **SECTION 2.**

17 Said Title 2 is further amended by revising Code Section 2-2-8.1, relating to the Farmers and
18 Consumers Market Bulletin, as follows:

19 "2-2-8.1.

20 The Commissioner is authorized to ~~publicize and request, by means of publication of~~
21 ~~appropriate notices in the *Farmers and Consumers Market Bulletin*, contributions to be~~
22 used exclusively collect subscription fees of \$10.00 per year for the compilation,
23 publication, printing, and distribution of the *Farmers and Consumers Market Bulletin* and
24 subscription fees of \$20.00 per year for the *Poultry Market News*. Any ~~voluntary~~
25 ~~contribution made~~ subscription fee collected for such purpose shall be received by the

26 Commissioner, shall be separately accounted for, ~~need not~~ and shall be deposited in the
 27 state treasury, ~~and shall be used and expended solely for the purpose donated."~~

28 **SECTION 3.**

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

31 "(f) The applicant desiring to register a pesticide shall pay an annual registration fee to the
 32 Commissioner for each pesticide registered for such applicant. The amount of such fee
 33 shall be established by the Commissioner in an amount not to ~~exceed~~ less than \$100.00 per
 34 annum. All such registrations shall expire on December 31 of any one year, provided that
 35 if the Commissioner adopts a multiple-year registration period, the annual registration fee
 36 per product shall be compounded for the number of years included in the multiple-year
 37 registration. A registration for a special local need pursuant to subsection (i) of this Code
 38 section which is disapproved by the administrator of the Environmental Protection Agency
 39 shall expire on the effective date of the administrator's disapproval."

40 **SECTION 4.**

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

43 "(b) Application for a license shall be accompanied by a ~~\$15.00~~ \$55.00 annual license fee,
 44 shall be on a form prescribed by the Commissioner, and shall include the full name of the
 45 person applying for such license. If the applicant is a partnership, association, corporation,
 46 or organized group of persons, the full name of each member of the firm or partnership or
 47 the names of the principal officers of the association or corporation shall be given on the
 48 application. Such application shall further state the address of the outlet to be licensed, the
 49 principal business address of the applicant, and any other necessary information prescribed
 50 by the Commissioner."

51 **SECTION 5.**

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

54 "(1) REQUIRED; ADDITIONAL REQUIREMENT; FEE. No person shall engage in the business
 55 of contracting for the application of any pesticide to the lands of another within this state
 56 at any time without a pesticide contractor's license issued by the Commissioner for each
 57 business location. In addition to the pesticide contractor's license, each business location
 58 must maintain, in full-time employment during all periods of operation, at least one

59 certified commercial pesticide applicator. The Commissioner shall require an annual fee
 60 of ~~\$15.00~~ \$55.00 for each pesticide contractor's license issued."

61 "(C) Issuance; fees; renewal. If the Commissioner finds the applicant qualified to
 62 apply pesticides in the classification or classifications he or she has applied for, the
 63 Commissioner shall issue a certified commercial pesticide applicator's license.
 64 Effective August 21, 1980, all new certified commercial pesticide applicator licenses
 65 shall be issued for a period of five years from the date of certification. The fee for the
 66 five-year license shall be ~~\$25.00~~ \$90.00. Licenses shall be subject to renewal on the
 67 day following expiration, based on such recertification requirements as the
 68 Commissioner may establish by regulation, ~~provided that all such licenses previously~~
 69 ~~issued on an annual basis and expiring December 31, 1980, shall be renewable January~~
 70 ~~1, 1981, for the remaining portion of their five-year certification period. Fees for such~~
 71 ~~license renewals shall be:~~

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

80 **SECTION 6.**

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

83 "2-9-33.

84 Unless the Commissioner refuses the application on one or more of the grounds provided
 85 in Code Section 2-9-36, he or she shall issue to an applicant, upon the execution and
 86 delivery of a bond as provided in Code Section 2-9-34, a state license entitling the
 87 applicant to conduct business as a dealer in grain. ~~A fee in an amount fixed~~ The fee unless
 88 increased by rule or regulation of the Commissioner ~~at not more than~~ of \$100.00 per annum
 89 shall be charged for such license. All such licenses shall be renewed annually on or before
 90 June 30. Any license which is not renewed on or before such date shall expire on June 30."

91 **SECTION 6.1.**

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

94 "(a) For the purpose of carrying out this article, the Commissioner, who may act through
95 his or her authorized agents, is authorized to issue a license to each retail and wholesale
96 seed dealer, such license to be applied for by each seed dealer upon forms furnished for
97 such purpose. A separate license shall be required for each point of sale, from which seed
98 are sold, offered for sale, or exposed for sale. Out-of-state wholesale and retail seed
99 dealers who sell or ship seed into this state shall obtain a license in the same manner. Such
100 licenses shall be renewable in August of every third year following issuance. Seed dealer
101 license fees shall be ~~established~~ \$70.00 per license unless increased by rule promulgated
102 under this article."

103 **SECTION 7.**

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

106 "(a) No person whose name appears upon the label of a fertilizer shall distribute that
107 fertilizer in Georgia until a fertilizer license has been obtained from the Commissioner. All
108 licenses expire on the thirtieth day of June each year. The license fee shall be ~~\$50.00~~
109 \$100.00 per year; and must be renewed annually with fees paid by July 1 of each year. If
110 the license renewal fee is not paid by July 1, the applicable license fee shall increase in the
111 manner prescribed by regulation."

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

121 **SECTION 8.**

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

124 "(a) There shall be paid to the Commissioner for all fertilizer distributed in this state to
125 nonlicensees an inspection fee at the rate of ~~30¢~~ 60¢ per ton, provided that sales or

126 exchanges between licensees and sales of containers of ten pounds or less are exempted
 127 from such fee; and provided, further, that the Commissioner may exempt by regulation
 128 certain other types of fertilizer from the inspection fee, when deemed appropriate."

129 **SECTION 9.**

130 Said Title 2 is further amended by revising Code Section 2-12-43, relating to licensing
 131 agricultural liming material, as follows:

132 "2-12-43.

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

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

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

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

147 A lime license must be renewed annually and fees shall be received by July 1 of each
 148 calendar year, or the applicable license fee shall increase in the manner prescribed in the
 149 rules and regulations. Such license may be revoked for cause, after due notice and
 150 hearing, for a violation of this article or any rules or regulations adopted by the
 151 Commissioner pursuant to this article.

152 (b)(1) No licensee shall distribute in this state an agricultural liming material until such
 153 product is registered with the Commissioner by the licensee whose name appears on the
 154 label. An application for registration for each brand and product name of liming
 155 materials shall be made on forms furnished by or otherwise acceptable to the
 156 Commissioner. Labels for each brand and product name shall accompany the application.
 157 The registration fee shall be ~~\$50.00~~ \$70.00 per product. Such fee shall be submitted with
 158 the registration, and a renewal fee of ~~\$50.00~~ \$70.00 shall be due each July 1. If renewal
 159 registration fees are not received by July 1 of each calendar year, the registration fee shall
 160 increase in the manner prescribed in the rules and regulations. Upon approval by the
 161 Commissioner, a copy of the registration shall be furnished to the applicant. Such

162 registrations shall be considered permanent so long as no changes or deviations are made
 163 in the labels of such products and so long as the registration fees are paid as specified in
 164 this article and the rules and regulations of the Commissioner. Such registrations may
 165 be canceled for cause, after due notice and hearing, for a violation of this article or any
 166 rules and regulations adopted by the Commissioner pursuant to this article.

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

170 **SECTION 10.**

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

173 "(c) The registration fee shall be ~~\$50.00~~ \$55.00 per year for each product. Registration
 174 shall expire on December 31, annually, unless an application for renewal has been received
 175 prior to the expiration date."

176 **SECTION 11.**

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

179 "(b) All licenses shall expire on December 31 of each year. Licenses are not transferable
 180 and no credit or refund may be granted for licenses held for less than one full year. All
 181 commercial feed licenses must be renewed by January 1 of each year. The license fee shall
 182 be based upon the number of tons of commercial feed distributed in this state during the
 183 preceding 12 month period ending December 31, provided that tonnage of small-package
 184 products subject to registration as specified in subsection (d) of this Code section shall not
 185 be used in calculating the license fee due. The amount of the license fee shall be based
 186 upon the schedule as prescribed in the rules and regulations of the Commissioner but shall
 187 not be less than ~~\$50.00~~ \$75.00 nor more than \$1,000.00 per annum."

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

196

SECTION 12.

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

199 "(a) Each person, firm, or corporation engaging in the business of treating timber or timber
 200 products with preservatives in this state shall secure an annual processor's license from the
 201 Commissioner of Agriculture before such treatment is undertaken. The annual fee for this
 202 license shall be ~~\$25.00~~ \$120.00.

203 (b) Each person, firm, or corporation shipping into the state for sale or bringing into the
 204 state for sale any treated timber or timber products processed outside the state shall secure
 205 an annual dealer's license from the Commissioner. The annual fee for this license shall be
 206 ~~\$25.00~~ \$120.00."

207

SECTION 13.

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

210 "(e) On and after January 1, 2003, no person shall produce, process, distribute, or handle
 211 in this state any advertised, promoted, identified, tagged, stamped, packaged, or labeled
 212 organic food or feed ingredient, article, commodity, or product unless such person has first
 213 registered with the department; provided, however, that retail food sales establishments
 214 licensed under Article 2 of this chapter that do not process or repackage certified organic
 215 commodities shall be exempt from registration provisions set forth in this chapter. On and
 216 after January 1, 2003, no organization, business, firm, or individual shall act as a certifying
 217 entity in this state unless such organization, business, firm, or individual has first registered
 218 with the department. The Commissioner shall establish by regulation registration standards
 219 for producers, processors, distributors, handlers, and certifying entities not inconsistent
 220 with this chapter. Registration shall be made upon forms prescribed and furnished by the
 221 department. Registrations shall expire on the last day of December of the year for which
 222 they are issued. The Commissioner shall establish by rule a registration fee for certifying
 223 entities in an amount of not less than ~~\$25.00~~ \$75.00 nor more than \$500.00 per annum and
 224 may establish classes of certifying entities with different registration fees for each class."

225

SECTION 14.

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

229 "(a) No poultry market operator shall engage in or carry on such business without first
 230 applying for and obtaining a license from the Commissioner. No poultry dealer or broker

231 shall engage in or carry on such business without first applying for and obtaining a license
 232 from the Commissioner. There shall be a fee of ~~\$25.00~~ \$35.00 per annum for such license."

233 **SECTION 15.**

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

236 "(b) Bird dealers' licenses shall be issued for a period of one year and shall be annually
 237 renewable. The department may establish separate classes of licenses, including wholesale
 238 and retail licenses. The department shall fix fees for licenses so that the revenue derived
 239 from licenses shall approximate the total direct and indirect costs of administering this
 240 chapter; but the annual fee for any such license shall be at least ~~\$25.00~~ \$50.00 but shall not
 241 exceed \$200.00."

242 **SECTION 16.**

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

245 "(c) Licenses shall be issued for a period of one year and shall be annually renewable. The
 246 Commissioner may establish separate classes of licenses, including wholesale and retail
 247 licenses. The Commissioner shall fix fees for licenses so that the revenue derived from
 248 licenses shall approximate the total direct cost of administering this article. The
 249 Commissioner may establish different fees for the different classes of licenses established,
 250 but the annual fee for any such license shall be at least ~~\$25.00~~ \$50.00 but shall not exceed
 251 \$200.00."

252 **SECTION 17.**

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

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

264 **SECTION 18.**

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

268 "(5) The license and renewal license fee shall be ~~\$300.00~~ \$440.00 per manufacturing
 269 plant which manufactures manufactured homes within the State of Georgia; ~~\$300.00~~
 270 \$440.00 per out-of-state manufacturing plant which manufactures manufactured homes
 271 for the purpose of offering for sale, or having such homes sold, within the State of
 272 Georgia; and ~~\$200.00~~ \$300.00 per retailer location and retail broker which sells, offers
 273 for sale, or transports to sell such homes within the State of Georgia. The license shall
 274 be valid from January 1 through December 31 of the year in which it was issued. The fee
 275 for delinquent renewal applications received after January 10 of each year shall be double
 276 the regular annual renewal fee."

277 **SECTION 19.**

278 Said Title 8 is further amended by revising subsection (a) of Code Section 8-2-135.1, relating
 279 to the payment of a manufacturing inspection fee by manufactured home manufacturers, as
 280 follows:

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

291 **SECTION 20.**

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

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

297 **SECTION 21.**

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

300 "(2) In addition to the requirements of paragraph (1) of this Code section, any installer
301 performing any installation of any new or pre-owned manufactured or mobile home in
302 this state shall first purchase a permit from the Commissioner. The cost of such permit
303 shall be ~~\$40.00~~ \$60.00 for each manufactured or mobile home. Each installer shall
304 provide any information required by the Commissioner to be submitted to obtain a
305 permit. A permit shall be attached by the installer to the panel box of each manufactured
306 or mobile home upon completion of installation."

307 **SECTION 22.**

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

311 "10-1-157.

312 The Commissioner of Agriculture shall, from time to time, collect or cause to be collected
313 samples of all petroleum products subject to regulation under this part which are sold,
314 offered, or exposed for sale in this state and cause such samples to be tested or analyzed
315 by the state oil chemist. The state oil chemist shall certify, under oath, an analysis of each
316 such sample and such certificate shall be competent evidence of the composition of such
317 petroleum product in any legal proceeding. The Commissioner is authorized to collect a
318 reasonable fee for each analysis performed, to be not less than \$100.00 per test."

319 **SECTION 23.**

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

322 "(g) The Commissioner shall collect a fee of \$156.00 per gas sample inspected pursuant
323 to this Code section."

324 **SECTION 24.**

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

327 **SECTION 25.**

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

330 "10-1-203.
 331 Before any antifreeze shall be sold, exposed for sale, or stored, packed, or held with intent
 332 to sell within this state, a current certified test report thereof prepared by an independent
 333 laboratory recognized by the Department of Agriculture to do such testing must be
 334 submitted and evaluated under the supervision of the state oil chemist in the Department
 335 of Agriculture. ~~Under~~ Upon application of the manufacturer or packer or distributor,
 336 submission of container label, and the payment of a license fee of ~~\$25.00~~ \$50.00 for each
 337 brand or type of antifreeze submitted, the state oil chemist shall evaluate the test report so
 338 submitted. If the antifreeze is not adulterated or misbranded, if it meets the standards
 339 established and promulgated by the Commissioner of Agriculture, and if the antifreeze is
 340 not a type or kind that is in violation of this part, the Commissioner shall issue the applicant
 341 a written license or permit authorizing the wholesale and retail sale by the applicant and
 342 by others of such antifreeze in this state for the fiscal year in which the license is issued,
 343 which license or permit shall be subject to renewal annually. If the Commissioner shall
 344 find at a later date that the antifreeze product or substance to be sold, exposed for sale, or
 345 held with intent to sell has been materially altered or adulterated or that a change has been
 346 made in the name, brand, or trademark under which the antifreeze is sold or that it violates
 347 this part, the Commissioner is authorized to revoke or suspend the license or permit issued
 348 under this part of the licensee found in violation of this part after notice and hearing before
 349 the Commissioner. No license or permit for the sale of antifreeze in this state shall be
 350 issued until the application, fee, and label submission have been made as provided by this
 351 part, the certified test report has been evaluated by the state oil chemist, and the state oil
 352 chemist notifies the Commissioner of Agriculture that said antifreeze meets the
 353 requirements of this part."

354 **SECTION 26.**

355 Said Title 10 is further amended by revising Code Section 10-2-42, relating to licensing
 356 certified public weighers, as follows:

357 "10-2-42.

358 Certified public weighers shall be licensed for a period of one year beginning on July 1 and
 359 ending on June 30, next. A fee of ~~\$5.00~~ \$15.00 shall be paid to the Commissioner by each
 360 person so licensed at the time application is filed. A fee of ~~\$5.00~~ \$15.00 shall be required
 361 for each renewal of a license as a certified public weigher. In addition thereto, the
 362 applicant shall pay the actual cost of seals required under this article."

363

SECTION 27.

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

366 "(a) Every person intending to engage in business as a warehouseman under this article
367 shall, prior to commencing such business and periodically thereafter as the Commissioner
368 shall require, execute and file with the Commissioner a good and sufficient bond to the
369 state to secure the faithful performance of his or her obligation as a warehouseman under
370 the terms of this article and the rules and regulations prescribed under this article, such
371 bond to be computed in direct ratio to the licensed storage capacity of the warehouse
372 bonded. The bond shall be executed by a surety corporation authorized to transact business
373 in this state and approved by the Commissioner. Such bond shall be upon forms prescribed
374 by the Commissioner. Any and all bond applications shall be accompanied by a certificate
375 of 'good standing' issued by the Commissioner of Insurance. If any company issuing a
376 bond shall be removed from doing business in this state, it shall be the duty of the
377 Commissioner of Insurance to notify the Commissioner of Agriculture within 30 days. The
378 Commissioner shall have authority to fix the bond for any part of licensed storage capacity
379 of the warehouse being used; but in no event shall the amount of the bond be required to
380 exceed ~~12~~ 15 percent of the value of the products stored and the bond shall be in such form
381 and amount and shall have such surety or sureties, subject to service of process in actions
382 on the bonds with this state, as the Commissioner may prescribe; provided, however, the
383 minimum bond to be posted for each warehouse shall be \$20,000.00 and the maximum
384 bond to be required for each warehouse shall be ~~\$150,000.00~~ \$300,000.00."

385

SECTION 28.

386 Said Title 10 is further amended by revising Code Section 10-4-17, relating to licensing fees
387 for warehouses, as follows:

388 "10-4-17.

389 Warehousemen coming under this article shall pay an annual license fee which includes
390 all inspections in an amount based on storage capacity in an amount fixed by rule or
391 regulation of the Commissioner. These fees shall not exceed actual cost of inspections and
392 are inclusive. The amount paid shall be based on storage capacity and shall be ~~at least~~
393 ~~\$500.00 and no more than \$2,000.00~~ \$600.00 for grain or cotton warehouses and \$500.00
394 to \$1,000.00 for other agricultural products facilities desiring to come under this article.
395 Each license so issued shall expire on June 30 of each year, and each application for license
396 must be accompanied by the license fee."

397 **SECTION 29.**

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

400 "10-4-101.

401 No person, real or corporate, shall operate, hold, or conduct an auction sale for the sale of
 402 flue-cured leaf tobacco within this state without first having obtained a license for the
 403 regular selling season in which the sale is made from the Commissioner of Agriculture.
 404 Each license so issued shall automatically expire at the end of the regular selling season.
 405 The regular selling season shall be deemed to have ended at the close of business on the
 406 marketing day any regulatory group or committee shall cause any of the sets of buyers
 407 normally assigned to the Georgia flue-cured leaf tobacco auction markets to be withdrawn
 408 for the purpose of reassigning them to auction markets in other tobacco belts. The
 409 Commissioner, in his or her discretion, may issue additional licenses to warehousemen at
 410 the end of the regular selling season as he or she deems necessary and desirable for
 411 'clean-up' sales or special sales, such licenses to terminate at the conclusion of the 'clean-up'
 412 or special sale. The license fee shall be ~~\$100.00~~ \$150.00 for each regular selling season
 413 with no additional fee for licenses issued for 'clean-up' or special sales. Licenses shall be
 414 subject to renewal from one regular selling season to another under such rules and
 415 regulations as the Commissioner shall prescribe."

416 **SECTION 30.**

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

419 "(a) Any person, firm, or corporation purchasing flue-cured leaf tobacco from producers
 420 other than at auction sales shall be required to apply to and obtain from the Commissioner
 421 of Agriculture a nonauction tobacco dealer's license prior to engaging in such purchase
 422 operations. Such license shall be renewable on an annual basis. There shall be an annual
 423 fee for each such license issued by the Commissioner. The amount of such fee shall be
 424 established by the Commissioner in an amount not to exceed ~~\$100.00~~ \$150.00 per annum.
 425 Each applicant for a nonauction tobacco dealer's license shall indicate in writing to the
 426 Commissioner each year before the first auction sale of the tobacco-selling season an intent
 427 to buy flue-cured leaf tobaccos from producers other than at auction in order to be eligible
 428 for a nonauction tobacco dealer's license for that selling season."

429 **SECTION 31.**

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

432 "10-4-142.

433 No person, real or corporate, shall operate a service for receiving within this state
 434 flue-cured leaf tobacco for the purpose of weighing, redrying, and storing said tobacco
 435 from the year of production until the subsequent selling season for sale at that time without
 436 first having obtained a license from the Commissioner of Agriculture. Each license so
 437 issued shall automatically expire at the termination of the storage period and be subject to
 438 renewal annually under such rules and regulations as the Commissioner shall prescribe.
 439 The license fee shall be ~~\$10.00~~ \$40.00 for each year. Licensed operators of flue-cured leaf
 440 tobacco auction warehouses may be licensed without cost under this part upon application
 441 to the Commissioner. This part shall not require licensing of any federal agency, its agents,
 442 or contractors who receive carry-over tobacco."

443 **SECTION 32.**

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

447 "12-6-93.

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

451 (b) In the event any county desires forest fire protection, the county shall enter into an
 452 agreement with the State Forestry Commission, and such agreement shall provide for the
 453 payment to the commission of ~~4¢~~ 10¢ per forest acre of privately owned forest land. Forest
 454 acres of privately owned land shall be based upon the most recent United States Forest
 455 Service survey for Georgia.

456 (c) Any agreement in existence on July 1, ~~1967~~ 2010, between a county and the
 457 commission providing for a different percentage or amount of payment shall be changed
 458 so as to provide for the payment of ~~4¢~~ 10¢ per forest acre.

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

461 **SECTION 33.**

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

465 "14-2-122.

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

	<u>Document</u>	<u>Fee</u>
468		
469	(1) Articles of incorporation	\$ 100.00
470	(2) Application for certificate of authority	225.00
471	(3) Annual registration	30.00 <u>50.00</u>
472	(4) Penalty for late filing of annual registration	25.00
473	(5) Agent's statement of resignation	No fee
474	(6) Certificate of judicial dissolution	No fee
475	(7) Articles of dissolution or intent to dissolve	No fee
476	(8) Application of withdrawal	No fee
477	(9) Application for reservation of a corporate name	25.00
478	(10) Civil penalty for a foreign corporation transacting business in this state	
479	without a certificate of authority	500.00
480	(11) Statement of change of address of registered agent...\$5.00 per corporation	
481	but not less than	20.00
482	(12) Application for reinstatement	100.00
483	(13) Certificate of conversion	95.00
484	(14) Any other document required or permitted to be filed by this chapter ..	20.00"

485 **SECTION 34.**

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

488 "14-9-1101.

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

	<u>Document</u>	<u>Fee</u>
490		
491	(1) A certificate of limited partnership	\$ 100.00
492	(2) A registration of a foreign limited partnership	225.00
493	(3) An annual registration	30.00 <u>50.00</u>
494	(4) Penalty for late filing of annual registration	25.00
495	(5) Agent's statement of resignation	No fee
496	(6) Certificate of cancellation	No fee

497	(7) Application of withdrawal	No fee
498	(8) Statement of change of address of registered agent or registered office...	
499	\$5.00 per limited partnership but not less than	20.00
500	(9) An amendment to a certificate of limited partnership for the purpose of	
501	becoming a limited liability partnership	100.00
502	(10) Certificate of election to become a limited partnership	80.00
503	(11) Certificate of conversion	95.00
504	(12) Application for reservation of a name	25.00
505	(13) Any other document required or permitted pursuant to this chapter	20.00"

SECTION 35.

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

"14-11-1101.

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

	<u>Document</u>	<u>Fee</u>
513	(1) Articles of organization	\$ 100.00
514	(2) Articles of amendment	20.00
515	(3) Articles of merger	20.00
516	(4) Certificate of election under Code Section 14-11-212 (together with	
517	articles of organization)	95.00
518	(5) Application for certificate of authority to transact business	225.00
519	(6) Statement of commencement of winding up	No Fee <u>fee</u>
520	(7) Certificate of termination	No Fee <u>fee</u>
521	(8) Application of withdrawal	No fee
522	(9) Articles of correction	20.00
523	(10) Application for reservation of a name	25.00
524	(11) Statement of change of registered office or registered agent...\$5.00	
525	per limited liability company (foreign or domestic), but not less than . .	20.00
526	(12) Registered agent's statement of resignation pursuant to subsection (d)	
527	of Code Section 14-11-209 or subsection (d) of Code Section 14-11-703	No fee
528	(13) Certificate of judicial dissolution	No fee
529	(14) Annual registration (foreign or domestic)	30.00 <u>50.00</u>

530 (15) Penalty for late filing of annual registration 25.00
531 (16) Reinstatement fee 100.00
532 (17) Any other document required or permitted to be filed by
533 this chapter 20.00
534 (18) Certificate of conversion 95.00
535 (b) The Secretary of State shall collect the penalty provided for in paragraph (2) of
536 subsection (c) of Code Section 14-11-711."

SECTION 36.

537
538 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising
539 Chapter 21A of Title 15 relating to judicial accounting, by adding a new Code section as
540 follows:

541 "15-21A-6.1.

542 (a) In addition to all other legal costs, there shall be charged to the filing party and
543 collected by the clerk an additional filing fee of \$100.00, to be known as a judicial
544 operations fund fee, in each civil action or case filed in the superior and state courts except
545 that municipalities, counties, and political subdivisions shall be exempt from such fee.
546 Without limiting the generality of the foregoing, such fee shall apply to all adoptions,
547 certiorari, trade name registrations, applications for change of name, and all other
548 proceedings of a civil nature. Any matter which is docketed upon the official dockets of
549 the enumerated courts and to which a number is assigned shall be subject to such fee,
550 whether such matter is contested or not.

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

555 (c) The authority shall, on a quarterly basis, make a report and accounting of all funds
556 collected pursuant to this Code section and shall submit such report and accounting to the
557 Office of Planning and Budget, the House Budget Office, and the Senate Budget Office no
558 later than 60 days after the last day of the preceding quarter. It is the intent of the General
559 Assembly that such funds shall be made available for appropriation and may be
560 appropriated for the purposes of funding salaries of judges and the operational needs of the
561 judicial system in this state."

562 **SECTION 37.**

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

566 "20-1A-4.

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

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

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

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

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

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

580 (6) To perform the functions set out in Code Section 20-1A-64, relating to improvement
 581 of the quality, availability, and affordability of child care in this state;

582 (7) To serve as the Head Start state collaboration office;

583 (8) To establish and collect annual fees for licensure, registration, or commission of early
 584 care and education programs. Such fees so established shall be reasonable and shall be
 585 determined in such a manner that the total amount of fees established shall help defray
 586 the direct and indirect costs to the department in performing such function. The
 587 department shall remit all fees collected to the general fund of the state;

588 ~~(8)~~(9) To perform any other functions as agreed upon between the department and the
 589 Department of Human Resources (now known as the Department of Human Services),
 590 pursuant to Code Section 20-1A-8;

591 ~~(9)~~(10) To perform any other functions as agreed upon between the department and the
 592 Department of Education, in accordance with Code Section 20-1A-17; and

593 ~~(10)~~(11) To exercise the powers reasonably necessary to accomplish the purposes of this
 594 chapter, including, but not limited to, contracting for services."

595 **SECTION 38.**

596 Said Title 20 is further amended by revising subsection (k) of Code Section 20-1A-10,
597 relating to consultation by the Department of Early Care and Learning on early care and
598 education programs and other matters, as follows:

599 "(k)(1) Application for a license, commission, or registration for an early care and
600 education program shall be made to the department upon forms furnished by the
601 department. Upon receipt of an application for a license, registration, or commission and
602 upon presentation by the applicant of evidence that the early care and education program
603 meets the rules and regulations prescribed by the department, the department shall issue
604 such early care and education program a license, registration, or commission for a
605 one-year period.

606 (2) On and after the effective date of this paragraph, the following annual fees shall
607 apply to applications for licensure, registration, or commission as a day-care center or
608 child care learning center:

609	<u>(A) Capacity of fewer than 25 children</u>	<u>\$50.00</u>
610	<u>(B) Capacity of 26 to 50 children</u>	<u>100.00</u>
611	<u>(C) Capacity of 51 to 100 children</u>	<u>150.00</u>
612	<u>(D) Capacity of 101 to 200 children</u>	<u>200.00</u>
613	<u>(E) Capacity of more than 200 children</u>	<u>250.00"</u>

614 **SECTION 39.**

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

617 "(l) In addition to other penalties provided under this chapter, ~~an additional~~ a filing fee of
618 ~~\$25.00~~ \$50.00 shall be imposed for each report that is filed late. In addition, a filing fee
619 of ~~\$50.00~~ \$100.00 shall be imposed on the fifteenth day after the due date if the report has
620 still not been filed; ~~provided, however, a 15-day extension period shall be granted on the~~
621 ~~final report.~~ A fine of \$250.00 shall be imposed on the forty-fifth day after the due date for
622 such report if the report has not been filed by such date. In the case of a candidate, such
623 fine shall be paid from the personal funds of the candidate and no other funds from any
624 source may be used to pay such fine."

625 **SECTION 40.**

626 Said Title 21 is further amended by adding a new paragraph to subsection (a) of Code
627 Section 21-5-50, relating to filing of financial disclosure statements, to read as follows:

628 "(6) In addition to other penalties provided under this chapter, a filing fee of \$50.00 shall
 629 be imposed for each financial disclosure statement that is filed late. In addition, a filing
 630 fee of \$100.00 shall be imposed on the fifteenth day after the due date if the statement has
 631 still not been filed. A fine of \$250.00 shall be imposed on the forty-fifth day after the due
 632 date for such statement if the statement has not been filed by such date. Such fine shall
 633 be paid from the personal funds of the person required to file such statement and no other
 634 funds from any source may be used to pay such fine."

635 **SECTION 41.**

636 Said Title 21 of the Official Code of Georgia Annotated, relating to elections, is amended by
 637 revising subsection (f) Code Section 21-5-71, relating to registration of lobbyists, as follows:

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

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

647 (A) Annual lobbyist registration or renewal filed pursuant to this Code
 648 section \$200.00
 \$250.00

649 (B) Lobbyist supplemental registration filed pursuant to this Code
 650 section 10.00

651 (C) Each copy of a lobbyist identification card issued pursuant to this
 652 Code section ~~5.00~~ 20.00

653 (D) In addition to other penalties provided under this chapter, a filing
 654 fee of \$50.00 shall be imposed for each report that is filed late. In
 655 addition, a filing fee of ~~\$25.00~~ \$100.00 shall be imposed on the
 656 fifteenth day after the due date if the report has still not been filed. A
 657 fine of \$250.00 shall be imposed on the forty-fifth day after the due
 658 date for such report if the report has not been filed by such date.
 659 When such a fine is imposed, such fine shall be paid from the personal
 660 funds of the lobbyist and no other funds from any source may be used
 661 to pay such fine."

SECTION 42.

662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687

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

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

- (1) New anhydrous ammonia permit for storage in bulk (more than 2,000 gallons aggregate capacity) for sale or distribution one-time fee \$ ~~100.00~~
150.00
- (2) Annual license for manufacture of explosives other than fireworks ~~100.00~~
150.00
- (3) Annual license for manufacture, storage, or transport of fireworks ~~1,000.00~~
1,500.00
- (4) Carnival license ~~100.00~~
150.00
- (5) Certificate of occupancy 100.00
- (6) Construction plan review:
 - (A) Bulk storage construction ~~100.00~~
150.00
 - (B) Building construction, 10,000 square feet or less ~~100.00~~
150.00
 - (C) Building construction, more than 10,000 square feet015 per square foot
 - (D) Other construction ~~100.00~~
150.00
- (7) Fire sprinkler contractor certificate of competency ~~100.00~~
150.00
- (8) Liquefied petroleum gas storage license:
 - (A) 2,000 gallons or less ~~100.00~~
150.00
 - (B) More than 2,000 gallons ~~500.00~~
600.00
- (9) Building construction inspection:
 - (A) 80 percent completion, 100 percent completion, annual, and first follow-up none

688	(B) Second follow-up	+100.00 <u>150.00</u>
689	(C) Third and each subsequent follow-up	+150.00 <u>220.00</u>
690	(10) Purchase, storage, sale, transport, or use of explosives other than	
691	fireworks:	
692	(A) 500 pounds or less	50.00 <u>75.00</u>
693	(B) More than 500 pounds	+100.00 <u>150.00</u>
694	(11) New self-service gasoline station permit one-time fee	+100.00 <u>150.00</u>
695	(12) New permit to dispense compressed natural gas (CNG) for vehicular fuel	
696	one-time fee	+100.00 <u>150.00"</u>

SECTION 43.

697
698 Said Title 25 is further amended by revising Code Section 25-10-5, relating to licensing of
699 fireworks dealers or displays, as follows:

700 "25-10-5.

701 The annual license fee for any person, firm, or corporation conducting business in this state
702 under paragraph (4) of Code Section 25-10-3 or storing fireworks under Code Section
703 25-10-3.1 or conducting pyrotechnic displays under Code Section 25-10-3.2 shall be
704 ~~\$1,000.00~~ \$1,500.00 per year, payable to the Safety Fire Commissioner. The license shall
705 expire on December 31 of each year. The Safety Fire Commissioner is authorized and
706 directed to promulgate safety regulations relating to the manufacture, storage, and
707 transportation of fireworks within this state in order to ensure the adequate protection of
708 the employees of any such person, firm, or corporation and of the general public. The
709 Safety Fire Commissioner is also authorized and directed to promulgate safety regulations
710 relating to the public exhibition or display of pyrotechnics and the licensing requirements
711 of those conducting such public exhibitions or displays, as he or she deems necessary. The
712 Safety Fire Commissioner is further authorized and directed to conduct periodic inspections
713 of the facilities of any person, firm, or corporation manufacturing, storing, and transporting
714 fireworks as provided in paragraph (4) of Code Section 25-10-3 or as provided in Code
715 Section 25-10-3.1 in order to ensure compliance with fire safety rules and regulations."

716 **SECTION 44.**

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

719 "(a) Any individual desiring to become a certificate holder shall submit to the
 720 Commissioner a completed application on forms prescribed by the Commissioner. Such
 721 individual shall remit with his or her application a nonrefundable certificate fee of ~~\$100.00~~
 722 \$150.00 plus a one-time filing fee of ~~\$50.00~~ \$75.00. Such fee shall not be prorated for
 723 portions of a year."

724 **SECTION 45.**

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

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

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

736 **SECTION 46.**

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

739 "(a) Any individual desiring to become a fire protection sprinkler system inspector shall
 740 submit to the Commissioner a completed application on the prescribed forms. Such
 741 individual shall remit with his or her application a nonrefundable license fee of ~~\$50.00~~
 742 \$100.00 plus a one-time filing fee of ~~\$50.00~~ \$75.00. Such fees shall not be prorated for
 743 portions of a year."

744 "(c) A fire protection sprinkler system inspector license shall expire annually as
 745 determined by the rules and regulations. A license holder desiring to renew his or her
 746 license shall submit a renewal application to the Commissioner and remit a renewal fee of
 747 ~~\$50.00~~ \$75.00 on or before the date determined by the rules and regulations of each year."

748 **SECTION 47.**

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

751 "(a) Any individual desiring to become a fire protection system designer shall submit to
752 the Commissioner a completed application on forms prescribed by the Commissioner.
753 Such individual shall remit with his or her application a nonrefundable license fee of
754 ~~\$50.00~~ \$100.00 plus a one-time filing fee of ~~\$50.00~~ \$75.00. Such fee shall not be prorated
755 for portions of a year."

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

760 **SECTION 48.**

761 Said Title 25 is further amended by revising Code Section 25-12-8, relating to permits for
762 fire suppression systems and fire extinguishers testing, as follows:

763 "25-12-8.

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

773 **SECTION 49.**

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

777 "26-2-25.

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

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

791 (b) The Commissioner shall charge the following fees for the licenses issued pursuant to
 792 subsection (a) of this Code section:

793	<u>(1) Large grocery (15,000 square feet and up)</u>	<u>\$550.00</u>
794	<u>(2) Small grocery (less than 15,000 square feet)</u>	<u>350.00</u>
795	<u>(3) Convenience store with food service</u>	<u>300.00</u>
796	<u>(4) Convenience store without food service</u>	<u>150.00"</u>

797 **SECTION 50.**

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

800 "(a) No person, firm, association of persons, or corporation shall be authorized or
 801 permitted to engage in the business of wholesale fish dealer in this state without first
 802 having paid to the Commissioner of Agriculture the annual license fees required in this
 803 Code section and having procured a license from the Commissioner authorizing such
 804 person to engage in the business of wholesale fish dealer. The annual license fee
 805 applicable to and required of wholesale fish dealers shall be as follows:

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

808 (2) The annual license fee for each nonresident or alien wholesale fish dealer shall be
 809 ~~\$50.00~~ \$60.00 for each place of business, fixed or movable, provided that the annual
 810 license fee for each nonresident or alien wholesale fish dealer who is a resident of a state
 811 which charges Georgia resident wholesale fish dealers a fee in excess of ~~\$50.00~~ \$60.00
 812 shall be the same as the fee such state charges Georgia resident wholesale fish dealers for
 813 each place of business, fixed or movable. The Commissioner of Agriculture of the State
 814 of Georgia may enter into a reciprocal agreement with any other state to limit the fees
 815 such state charges a Georgia resident who operates as a wholesale fish dealer or its
 816 equivalent in such other state."

817 **SECTION 51.**

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

820 "(a) Any person who sells, displays for sale, or offers for sale at retail any fresh or frozen
821 meat, poultry, or seafood in, on, or from a mobile vehicle shall prominently display in such
822 mobile vehicle a current and valid license issued by the Department of Agriculture. Such
823 license shall be issued by the department following the satisfactory inspection of such
824 mobile vehicle and the meat, poultry, or seafood offered for sale therefrom to determine
825 compliance with the laws of this state and the rules and regulations of the Commissioner
826 and the payment of a license fee of ~~\$50.00~~ \$100.00 per vehicle per year or any portion
827 thereof. All licenses shall expire 12 months from the date of issue. Any license may be
828 renewed for any subsequent year upon a satisfactory inspection of the mobile vehicle and
829 its contents and the payment of the license fee."

830 **SECTION 52.**

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

834 "32-6-75.2.

835 There is established a special fund to be known as the 'Roadside Enhancement and
836 Beautification Fund.' This fund shall consist of all moneys collected under Code Section
837 32-6-75.3, any appropriations by the General Assembly to the fund, revenues derived from
838 the sale of any special and distinctive wildflower motor vehicle license plates issued
839 pursuant to ~~Code Section 40-2-49.2~~ paragraph (5) of subsection (1) of Code Section
840 40-2-86, any contributions to the fund from any other source, and all interest thereon. All
841 moneys collected under Code Section 32-6-75.3 and ~~manufacturing~~ fees for any special and
842 distinctive wildflower motor vehicle license plates shall be paid into the fund. All balances
843 in the fund shall be deposited in an interest-bearing account identifying the fund and shall
844 be carried forward each year so that no part thereof may be deposited in the general
845 treasury. The department shall administer the fund and expend moneys held in the fund
846 in furtherance of roadside enhancement and beautification projects along public roads in
847 this state and administration of the tree and vegetation trimming permit program under
848 Code Section 32-6-75.3. In addition to the foregoing, the department may, without
849 limitation, promote and solicit voluntary contributions, promote the sale of motor vehicle
850 license tags authorized under ~~Code Section 40-2-49.2~~ paragraph (5) of subsection (1) of
851 Code Section 40-2-86, and develop any fund raising or other promotional techniques
852 deemed appropriate by the department. Contributions to the fund shall be deemed

853 supplemental to and shall in no way supplant funding that would otherwise be appropriated
 854 for these purposes. The department shall prepare, by February 1 of each year, an
 855 accounting of the funds received and expended from the fund. The report shall be made
 856 available to the members of the State Transportation Board, the Senate Transportation
 857 Committee, the Transportation Committee of the House of Representatives, and to
 858 members of the public on request."

859 **SECTION 53.**

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

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

- 864 (1) Buses;
- 865 (2) Motorcycles;
- 866 (3) Passenger vehicles occupied by two persons or more;
- 867 (4) Vehicles bearing alternative fueled vehicle license plates issued under ~~Code Section~~
 868 ~~40-2-76~~ paragraph (7) of subsection (1) of Code Section 40-2-86.1; or
- 869 (5) Other vehicles as designated by the department.

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

873 **SECTION 54.**

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

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

887 **SECTION 55.**

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

891 "(g) In addition to all other penalties provided for under this title, the Commissioner shall
 892 have the authority to place any insurer, agent, broker, counselor, solicitor, administrator,
 893 or adjuster on probation for a period of time not to exceed one year for each and every act
 894 in violation of this title or of the rules and regulations or orders of the Commissioner and
 895 may subject such insurer, agent, broker, counselor, solicitor, administrator, or adjuster to
 896 a monetary penalty of up to ~~\$1,000.00~~ \$2,000.00 for each and every act in violation of this
 897 title or of the rules, regulations, or orders of the Commissioner, unless the insurer, agent,
 898 broker, counselor, solicitor, administrator, or adjuster knew or reasonably should have
 899 known he or she was in violation of this title or of the rules and regulations or orders of the
 900 Commissioner, in which case the monetary penalty provided for in this subsection may be
 901 increased to an amount up to \$5,000.00 for each and every act in violation."

902 **SECTION 56.**

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

906 "40-2-9.

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

911 **SECTION 57.**

912 Said Title 40 is further amended by revising Code Section 40-2-22, relating to applications
 913 to local tag agents, as follows:

914 "40-2-22.

915 License plates and revalidation decals shall be issued only upon applications made to the
 916 local tag agent or the commissioner. ~~License plates and revalidation decals may be issued~~
 917 ~~by the local tag agent upon a proper application and in accordance with the terms of this~~
 918 ~~chapter or by the commissioner on an appropriate application forwarded to him by the local~~
 919 ~~tag agent where the type of license plate applied for is not maintained in local inventory or~~
 920 ~~where the license plate applied for is one of those special license plates provided by law.~~
 921 ~~The commissioner shall not be authorized to receive any applications for license plates or~~

922 revalidation decals except those received through the local tag agents as provided for in this
 923 chapter."

924 **SECTION 58.**

925 Said Title 40 is further amended by revising Code Section 40-2-30, relating to purchasing
 926 license plates by mail, as follows:

927 "40-2-30.

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

935 **SECTION 59.**

936 Said Title 40 is further amended by revising subsections (b), (b.1), and (d) of Code Section
 937 40-2-31, relating to the design of license plates and revalidation decals, as follows:

938 "(b) Such license plates shall be ~~of metal~~ at least six inches wide and not less than 12
 939 inches in length, except motorcycle license plates which shall be at least four inches wide
 940 and not less than seven inches in length, and shall show in ~~bold~~ boldface characters the
 941 month and year of expiration, the serial number, and either the full name or the
 942 abbreviation of the name of the state, shall designate the county from which the license
 943 plate was issued unless specifically stated otherwise in this chapter, and shall show such
 944 other distinctive markings as in the judgment of the commissioner may be deemed
 945 advisable, so as to indicate the class of weight of the vehicle for which the license plate was
 946 issued; and any license plate for a low-speed vehicle shall designate the vehicle as such.
 947 Such plates may also bear such figures, characters, letters, or combinations thereof as in
 948 the judgment of the commissioner will to the best advantage advertise, popularize, and
 949 otherwise promote Georgia as the 'Peach State.' The ~~metal license plate~~ shall be of such
 950 strength and quality that the plate shall provide a minimum service period of at least five
 951 years. The commissioner shall adopt rules and regulations, pursuant to the provisions of
 952 Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' for the design and
 953 issuance of new ~~metal~~ license plates and to implement the other provisions of this Code
 954 section.

955 (b.1) ~~Repealed.~~ Notwithstanding the provisions of Code Sections 40-2-131 and 48-2-17,
 956 the commissioner is authorized to retain a per plate fee as designated in the General
 957 Appropriations Act."

958 "(d) In those years in which a ~~metal~~ new license plate is not issued, a revalidation decal
 959 with a distinctive serial number shall be issued and affixed in the space provided on the
 960 license plate issued to the applicant which shall indicate the year and month through which
 961 the registration of the vehicle shall be valid; provided, however, that if the commissioner
 962 determines that it is necessary, two revalidation decals shall be issued for each license plate
 963 to reflect the required information. When an applicant is issued a revalidation decal and
 964 such applicant registered the vehicle in another county the previous year, the applicant shall
 965 also be issued a new county decal which shall be properly affixed to the license plate and
 966 shall replace the other county decal."

967 **SECTION 60.**

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

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

977 **SECTION 61.**

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

980 "(a) Motor vehicle owners who are residents of Georgia, upon complying with the motor
 981 vehicle laws relating to registration and licensing of motor vehicles and, except as provided
 982 in subsection (c) of this Code section, upon the payment of a fee of ~~\$25.00~~ \$35.00 in
 983 addition to the regular motor vehicle registration fee, shall be issued special personalized
 984 prestige license plates by the commissioner. Special personalized license plates issued
 985 pursuant to this Code section shall be subject to an additional annual registration fee of
 986 ~~\$25.00~~ \$35.00 as a condition of obtaining an annual revalidation decal for such license
 987 plate which fee shall be collected by the county tag agent at the time of collection of other
 988 registration fees and shall be remitted to the state as provided in Code Section 40-2-34."

989

990 **SECTION 62.**

991 Said Title 40 is further amended by revising subsections (c), (d), and (h) of Code Section
 992 40-2-60.1, relating to the standardized administrative process for the issuance of special
 993 license plates, as follows:

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

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

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

998 (3) 'Special license plate' means a ~~metal~~ license plate that is authorized under this Code
 999 section that commemorates an event or supports an agency, fund, or program beneficial
 1000 to the people of this state or is specifically authorized by the General Assembly for
 1001 certain persons or vehicles.

1002 (4) 'Special license plate fee' means a ~~\$25.00~~ \$35.00 fee paid at the time a special license
 1003 plate is issued.

1004 (5) 'Special license plate renewal fee' means a ~~\$25.00~~ \$35.00 fee paid at the time a
 1005 special license plate is renewed and a revalidation decal is issued.

1006 (c.1) Any special license plate issued under the provisions of this Code section shall be
 1007 subject to the manufacturing fee, special license plate fee, and special license plate renewal
 1008 fee provided for in this Code section.

1009 (d) The agency, fund, or nonprofit corporation sponsoring a special license plate, in
 1010 cooperation with the commissioner, shall design a special distinctive license plate
 1011 appropriate to promote the program benefited by the issuance of the special license plate.
 1012 Special license plates for groups of individuals and vehicles shall be readily recognizable
 1013 by the insertion of an appropriate logo or graphic identifying the special nature of the
 1014 license plate. All special license plates must be of the same size as general issue motor
 1015 vehicle license plates and shall include a unique design and identifying number, whereby
 1016 the total number of characters does not exceed ~~six~~ an amount to be determined by the
 1017 commissioner. No two recipients shall receive identically numbered plates. ~~The graphic~~
 1018 ~~on the special license plate shall be placed to the left of the alphanumeric characters and~~
 1019 ~~shall be no larger than three inches by three inches.~~ Spaces for county name labels are
 1020 required for license plates authorized under this Code section unless expressly eliminated
 1021 by the request of the agency, fund, or nonprofit corporation sponsoring a special license
 1022 plate at the time the license plate is designed."

1023 "(h) ~~After July 1, 2007, any~~ Any party requesting a special license plate not previously
 1024 authorized by this chapter shall make application with the department. The application
 1025 shall include a design of the proposed license plate and a bond of \$50,000.00 to serve as
 1026 surety for moneys collected from applicants by the sponsor. The commissioner shall

1027 review and approve or disapprove all applications within 30 days of receipt by the
 1028 department. Upon approval of the design by the commissioner, the special license plate
 1029 authorized pursuant to this subsection shall not be issued except upon the receipt by the
 1030 department of at least 1,000 prepaid applications together with the manufacturing fees
 1031 within two years after the date of approval by the commissioner. After such time if the
 1032 minimum number of applications is not met, the department shall not continue to accept
 1033 the manufacturing fee, and all fees held by the department and the sponsor shall be
 1034 refunded to applicants; provided, however, that once the department has received 1,000
 1035 prepaid applications, the sponsor shall not be entitled to a refund."

1036

SECTION 63.

1037 Said Title 40 is further amended by revising Code Section 40-2-61, relating to special
 1038 license plates for certain governmental officials, as follows:

1039 "40-2-61.

1040 The commissioner shall design and issue distinctive license plates to each United States
 1041 Senator and Congressman elected from the State of Georgia, the Governor, the Lieutenant
 1042 Governor, the Speaker of the House of Representatives, and each Justice of the Supreme
 1043 Court and each Judge of the Court of Appeals to be placed on such official's personal motor
 1044 vehicle. Each such distinctive license plate shall indicate the individual's elected office and
 1045 no county name decal need be affixed to such plate. The special license plate authorized
 1046 by this Code section shall be issued to such elected official upon application and payment
 1047 of a manufacturing fee of ~~\$25.00~~ \$35.00 and upon compliance with the state laws relating
 1048 to registration and licensing of motor vehicles and shall be transferred as provided in Code
 1049 Section 40-2-80. Distinctive license plates issued pursuant to this Code section shall be
 1050 renewed annually, and revalidation decals shall be issued upon compliance with the laws
 1051 relating to registration and licensing and upon payment of an additional registration fee of
 1052 ~~\$25.00~~ \$35.00 which shall be collected by the county tag agent at the time for collection
 1053 of other registration fees and shall be remitted to the state as provided in Code Section
 1054 40-2-34."

1055

SECTION 64.

1056 Said Title 40 is further amended by revising Code Section 40-2-62, relating to special
 1057 license plates for members of the General Assembly, as follows:

1058 "40-2-62.

1059 The commissioner shall mail special and distinctive license plates printed for members of
 1060 the General Assembly to the local tag agent in the counties wherein such members reside
 1061 on or before the owner's registration period each year. Such special and distinctive license

1062 plates shall be issued only upon applications made to the local tag agent and payment of
 1063 a ~~\$25.00~~ \$35.00 manufacturing fee. License plates may be issued by the local tag agent
 1064 upon a proper application and in accordance with the terms of this chapter. License plates
 1065 issued pursuant to this Code section need not contain a place for the county name decal,
 1066 and no county name decal need be affixed to a license plate issued pursuant to this Code
 1067 section. Special and distinctive license plates issued pursuant to this Code section shall be
 1068 renewed annually, and revalidation decals shall be issued upon compliance with the laws
 1069 relating to registration and licensing and upon payment of an additional registration fee of
 1070 ~~\$25.00~~ \$35.00 which shall be collected by the county tag agent at the time for collection
 1071 of other registration fees and shall be remitted to the state as provided in Code Section
 1072 40-2-34. The special license plates issued pursuant to this Code section shall be transferred
 1073 to another vehicle as provided in Code Section 40-2-80."

1074 **SECTION 65.**

1075 Said Title 40 is further amended by revising subsection (b) of Code Section 40-2-64.1,
 1076 relating to special license plates for foreign organizations, as follows:

1077 "(b) Upon application and compliance with the state motor vehicle laws relating to the
 1078 registration and licensing of motor vehicles and the payment of ~~the regular license fee, any~~
 1079 registration fees, including the \$25.00 manufacturing fee and the \$35.00 special license
 1080 plate fee or the \$35.00 special license plate renewal fee, as applicable, official
 1081 representatives of the Taipei Economic and Cultural Representatives Office in the United
 1082 States who maintain a presence in Georgia shall be issued Foreign Organization license
 1083 plates as prescribed in Code Section 40-2-31 in duplicate. Such license plates shall be
 1084 fastened to both the front and the rear of the vehicle."

1085 **SECTION 66.**

1086 Said Title 40 is further amended by reserving the following Code sections:

- 1087 (1) Code Section 40-2-32, relating to license plates commemorating colleges and
 1088 universities;
- 1089 (2) Code Section 40-2-75, relating to special license plates for amateur radio operators;
- 1090 (3) Code Section 40-2-76, relating to special license plates for vehicles using alternative
 1091 fuels;
- 1092 (4) Code Section 40-2-77, relating to special license plates for antique or hobby or
 1093 special interest vehicles; and
- 1094 (5) Code Section 40-2-78, relating to special license plates for firefighters.

SECTION 67.

1095

1096 Said Title 40 is further amended by repealing the following Code sections:

1097 (1) Code Section 40-2-32.1, relating to license plates for Georgia organizations;

1098 (2) Code Sections 40-2-48 through 40-2-49.1, which were reserved;

1099 (3) Code Section 40-2-49.2, relating to license plates promoting the conservation of
1100 wildflowers;1101 (4) Code Section 40-2-49.3, relating to license plates promoting dog and cat reproductive
1102 sterilizations;

1103 (5) Code Section 40-2-86, which was reserved;

1104 (6) Code Section 40-2-86.1, relating to special license plates for square and round
1105 dancers;1106 (7) Code Section 40-2-86.2, relating to a special license plate commemorating the Shrine
1107 hospitals for children;

1108 (8) Code Section 40-2-86.3, which was reserved;

1109 (9) Code Section 40-2-86.4, relating to a special license plate commemorating public
1110 schools;

1111 (10) Code Section 40-2-86.5, relating to a special license plate honoring educators;

1112 (11) Code Section 40-2-86.6, which was reserved;

1113 (12) Code Section 40-2-86.7, relating to a special license plate commemorating the
1114 National Rifle Association;1115 (13) Code Section 40-2-86.8, relating to a special license plate supporting breast cancer
1116 programs for the medically indigent;1117 (14) Code Section 40-2-86.9, relating to a special license plate commemorating Rotary
1118 International;1119 (15) Code Section 40-2-86.10, relating to a special license plate commemorating police
1120 officers wounded in the line of duty;1121 (16) Code Section 40-2-86.11, relating to a special license plate commemorating the
1122 Benevolent and Protective Order of the Elks;1123 (17) Code Section 40-2-86.12, relating to a special license plate displaying the EMS Star
1124 of Life symbol;

1125 (18) Code Section 40-2-86.13, which was reserved;

1126 (19) Code Section 40-2-86.14, relating to a special license plate commemorating licensed
1127 physicians;

1128 (20) Code Sections 40-2-86.15 through 40-2-86.17, which were reserved;

1129 (21) Code 40-2-86.19, relating to a special license plate supporting the Global War on
1130 Terrorism and the Operation Enduring Freedom; and

1131 (22) Code Section 40-2-86.20, relating to a special license plate supporting the Global
 1132 War on Terrorism and Iraqi freedom.

1133 **SECTION 68.**

1134 Said Title 40 is further amended by redesignating and revising Code Section 40-2-86.18,
 1135 relating to a special license plate honoring family members of service members killed in
 1136 action, as follows:

1137 ~~"40-2-86.18~~ 40-2-85.3.

1138 (a) There shall be issued ~~beginning July 1, 2007,~~ special license plates honoring the family
 1139 members of service members who have been killed in action while serving in the armed
 1140 forces of the United States. The license plate shall be officially designated as the Gold Star
 1141 license plate.

1142 (b) The commissioner, in cooperation with supporters of this license plate, shall design a
 1143 special license plate for the family members of service members who have been killed in
 1144 action while serving in the armed forces of the United States. The license plates must be
 1145 of the same size as general issue motor vehicle license plates and shall include a unique
 1146 design and identifying number, whereby the total number of characters does not exceed ~~six~~
 1147 an amount to be determined by the commissioner. The license plate shall bear in a
 1148 conspicuous place a gold star with blue fringe on a white background with a red border.
 1149 This is the symbol for a fallen service member. In the indented area normally used for the
 1150 county of residence decal, the words 'Gold Star Family' shall be displayed. ~~The graphic on~~
 1151 ~~the special license plate shall be placed to the left of the alphanumeric characters and shall~~
 1152 ~~be no larger than three inches by three inches.~~

1153 (c) Notwithstanding the provisions of subsections (a) and (b) of this Code section, this
 1154 Code section shall not be implemented until such time as the State of Georgia has, through
 1155 a licensing agreement or otherwise, received such license or other permission as may be
 1156 required to implement this Code section. The design of the initial edition of such special
 1157 license plate, as well as the design of subsequent editions and excepting only any part or
 1158 parts of the designs owned by others and licensed to the state, shall be owned solely by the
 1159 State of Georgia for its exclusive use and control, except as authorized by the
 1160 commissioner. The commissioner may take such steps as may be necessary to give notice
 1161 of and protect such right, including the copyright or copyrights. However, such steps shall
 1162 be cumulative of the ownership and exclusive use and control established by this
 1163 subsection as a matter of law, and no person shall reproduce or otherwise use such design
 1164 or designs, except as authorized by the commissioner.

1165 (d) ~~On and after July 1, 2007, any~~ Any motor vehicle owner who is a resident of Georgia,
 1166 other than one registering under the International Registration Plan, upon complying with

1167 state laws relating to registration and licensing of motor vehicles shall be issued such a
 1168 special license plate upon application therefor. Special license plates issued under this
 1169 Code section shall be renewed annually with a revalidation decal as provided in Code
 1170 Section 40-2-31. One Gold Star license plate per eligible family member is free of charge,
 1171 after payment of all ad valorem taxes and other fees due at registration of a motor vehicle.
 1172 In order to qualify as a family member, the person must be directly related to the fallen
 1173 service member as a spouse or legal mother or father. If a Gold Star license plate is lost,
 1174 damaged, or stolen, the eligible family member must pay the reasonable cost, to be
 1175 established by the department, but not to exceed the cost of other specialty license plates,
 1176 to replace the Gold Star license plate.

1177 (e) Whether a service member is deemed to have been killed in action shall be determined
 1178 by the classification of death as listed by the United States Department of Defense and may
 1179 be verified from documentation directly from the Department of Defense.

1180 (f) The Gold Star license plate shall be issued only to family members of service members
 1181 who resided in Georgia at the time of the death of the service member.

1182 (g) Renewal decals shall be issued at no cost to the eligible family member upon the
 1183 payment of ad valorem taxes and other registration fees, provided that the renewal is
 1184 applied for on or within 30 days prior to the renewal date of the eligible family member.
 1185 If the eligible family member fails to renew within such time, he or she shall pay a standard
 1186 renewal fee and be subject to the standard penalties for late payment of ad valorem taxes
 1187 due on the motor vehicle.

1188 (h) An eligible family member may request a Gold Star license plate at any time during
 1189 his or her registration period. If such a license plate is to replace a current valid license
 1190 plate, the license plate shall be issued with appropriate renewal decals attached.

1191 (i) License plates issued pursuant to this Code section shall not be transferred between
 1192 vehicles as provided in Code Section 40-2-42, unless the transfer is to another motor
 1193 vehicle owned by the eligible family member.

1194 (j) Gold Star license plates shall be issued within 30 days of application.

1195 (k) The commissioner is authorized and directed to establish procedures and promulgate
 1196 rules and regulations to effectuate the purposes of this Code section."

1197 **SECTION 69.**

1198 Said Title 40 is further amended by redesignating and revising Code Section 40-2-86.21,
 1199 relating to revenue-sharing special license plates promoting certain beneficial projects and
 1200 supporting certain agencies, funds, or nonprofit corporations, and Code Section 40-2-86.22,
 1201 relating to nonrevenue-sharing special license plates promoting certain beneficial projects
 1202 and supporting certain agencies, funds, or nonprofit corporations, as follows:

1203 ~~"40-2-86.21~~ 40-2-86.

1204 (a)(1) As used in this Code section, the term:

1205 (A) 'Manufacturing fee' means a \$25.00 fee paid at the time a ~~metal~~ special license
1206 plate is issued.

1207 (B) 'Special license plate fee' means a \$35.00 fee paid at the time a special license plate
1208 is issued.

1209 (C) 'Special tag license plate renewal fee' means a ~~\$25.00~~ \$35.00 fee paid at the time
1210 a revalidation decal is issued for a special license plate.

1211 (2) In accordance with Article III, Section IX, Paragraph VI(n) of the Constitution, the
1212 ~~The~~ General Assembly has determined that the issuance of special license plates to
1213 support an agency or fund or a program beneficial to the people of this state that is
1214 administered by a nonprofit corporation organized under Section 501(c)(3) of Title 26 of
1215 the Internal Revenue Code and dedicating a portion of the funds raised from the sale of
1216 these special license plates is in the best interests of the people of this state. ~~Therefore,~~
1217 ~~the special license plates listed in subsection (o) of this Code section shall be issued by~~
1218 ~~the department beginning on July 1, 2007, if all of the requirements of subsections (b)~~
1219 ~~through (k) of this Code section have been satisfied. The license plates listed in~~
1220 ~~subsections (m) and (n) of this Code section shall continue to be issued so long as they~~
1221 ~~meet the requirements of subsections (b), (c), (f), (g), (i), (j), and (k) of this Code section.~~
1222 Any new special license plates adopted after July 1, 2010, that share a portion of the
1223 revenue raised with any agency, fund, nonprofit organization, or other similar entity shall
1224 allocate the revenue in accordance with the formula contained in subsection (l) of this
1225 Code section.

1226 (b) The agency, fund, or nonprofit corporation sponsoring the special license plate, in
1227 cooperation with the commissioner, shall design special distinctive license plates
1228 appropriate to promote the program benefited by the sale of the special license plate. The
1229 special license plates must be of the same size as general issue motor vehicle license plates
1230 and shall include a unique design and identifying number, whereby the total number of
1231 characters does not exceed ~~six~~ an amount to be determined by the commissioner. No two
1232 recipients shall receive identically numbered plates. ~~The graphic on the special license~~
1233 ~~plate shall be placed to the left of the alphanumeric characters and shall be no larger than~~
1234 ~~three inches by three inches.~~ The agency, fund, or nonprofit corporation sponsoring the
1235 license plate may request the assignment of the first of 100 in a series of license plates upon
1236 payment of an additional initial registration fee of \$25.00 for each license plate requested.

1237 (c) Notwithstanding the provisions of subsection (b) of this Code section, no special
1238 license plate shall be produced until such time as the State of Georgia has, through a
1239 licensing agreement or otherwise, received such licenses or other permissions as may be

1240 required to produce the special license plate. The design of the initial edition of any special
 1241 license plate, as well as the design of subsequent editions and excepting only any part or
 1242 parts of the designs owned by others and licensed to the state, shall be owned solely by the
 1243 State of Georgia for its exclusive use and control, except as authorized by the
 1244 commissioner. The commissioner may take such steps as may be necessary to give notice
 1245 of and protect such right, including the copyright or copyrights. However, such steps shall
 1246 be cumulative of the ownership and exclusive use and control established by this
 1247 subsection as a matter of law, and no person shall reproduce or otherwise use such design
 1248 or designs, except as authorized by the commissioner.

1249 ~~(d) Beginning on January 1, 2007, any~~ Any Georgia resident who is the owner of a motor
 1250 vehicle, except a vehicle registered under the International Registration Plan, upon
 1251 complying with the motor vehicle laws relating to registration and licensing of motor
 1252 vehicles and upon the payment of the ~~manufacturing fee and the special tag renewal fee~~
 1253 appropriate fees in addition to the regular motor vehicle registration fee shall be able to
 1254 apply for a special license plate listed in ~~subsection (o)~~ of this Code section. Revalidation
 1255 decals shall be issued for special license plates in the same manner as provided for general
 1256 issue license plates.

1257 ~~(e) The manufacturing fee and the special tag renewal fee derived from the sale of special~~
 1258 ~~license plates listed in subsection (o) of this Code section shall be apportioned as follows:~~
 1259 ~~\$1.00 to the county tag agent, \$2.00 to the department, \$12.00 to be deposited into the~~
 1260 ~~general fund, and \$10.00 to be dedicated to the sponsoring agency, fund, or nonprofit~~
 1261 ~~corporation as permitted by Article III, Section IX, Paragraph VI(n) of the Constitution.~~

1262 ~~(f)~~(e) Before the department disburses to the agency, fund, or nonprofit corporation funds
 1263 from the sale of special license plates, the agency, fund, or nonprofit corporation must
 1264 provide a written statement stating the manner in which such funds shall be utilized. In
 1265 addition, a nonprofit corporation must provide the department with documentation of its
 1266 nonprofit status under Section 501(c)(3) of Title 26 of the Internal Revenue Code. The
 1267 purposes for which the funds shall be utilized must be the same as those specified in
 1268 ~~subsections (m) and (n)~~ of this Code section authorizing the dedication to the agency, fund,
 1269 or nonprofit corporation of revenue from the sale of special license plates. The agency,
 1270 fund, or nonprofit corporation shall periodically provide to the commissioner an audit of
 1271 the use of the funds or other evidence of use of the funds satisfactory to the commissioner.
 1272 If it is determined that the funds are not being used for the purposes set forth in the
 1273 statement provided by the agency, fund, or nonprofit corporation, the department shall
 1274 withhold payment of such funds until such noncompliance issues are resolved.

1275 ~~(g)~~(f) An applicant may request a special license plate any time during the applicant's
 1276 registration period. If such a license plate is to replace a current valid license plate, the

1277 special license plate if issued under subsection (m) of this Code section shall be issued with
 1278 appropriate decals attached upon payment of the manufacturing fee but without payment
 1279 of the special tag renewal fee. However, special license plates issued under subsections (n)
 1280 and (o) of this Code section shall be issued with appropriate decals attached upon payment
 1281 of the manufacturing fee and the special tag license plate renewal fee.

1282 ~~(h)~~(g) On or after July 1, 2010, no No special license plate authorized pursuant to
 1283 subsection ~~(o)~~(l) of this Code section shall be issued except upon the receipt by the
 1284 department of at least 1,000 prepaid applications. The special license plate shall have an
 1285 application period of two years after the date on which the application period becomes
 1286 effective for payment of the manufacturing fee. After such time if the minimum number
 1287 of applications is not met, the department shall not continue to accept the manufacturing
 1288 fee, and all fees shall be refunded to applicants; provided, however, that once the
 1289 department has received 1,000 prepaid applications the sponsor shall not be entitled to a
 1290 refund.

1291 ~~(i)~~(h) The department shall not be required to continue to manufacture the special license
 1292 plate if the number of active registrations falls below 500 registrations at any time during
 1293 the period provided for in subsection (b) of Code Section 40-2-31. A current registrant
 1294 may continue to renew such special license plate during his or her annual registration
 1295 period upon payment of the special tag license plate renewal fee, ~~if applicable~~, which shall
 1296 be collected by the county tag agent at the time of collection of other registration fees and
 1297 shall be remitted to the state as provided in Code Section 40-2-34. The department may
 1298 continue to issue such special license plates that it has in its inventory to assist in achieving
 1299 the minimum number of registrations. If the special license plate falls below 500 active
 1300 registrations at any time during the period provided for in subsection (b) of Code Section
 1301 40-2-31, the sponsoring agency, fund, or nonprofit corporation shall be required again to
 1302 obtain 1,000 prepaid applications ~~accompanied by the manufacturing fee~~ to continue to
 1303 manufacture the special license plate.

1304 ~~(j)~~(i) Special license plates shall be transferred from one vehicle to another vehicle in
 1305 accordance with the provisions of Code Section 40-2-80.

1306 ~~(k)~~(j) Special license plates shall be issued within 30 days of application once the
 1307 requirements of this Code section have been met.

1308 ~~(l)~~(k) The commissioner is authorized and directed to establish procedures and promulgate
 1309 rules and regulations to effectuate the purposes of this Code section.

1310 ~~(m)~~(l)(1) The General Assembly has determined that ~~the following existing~~ special
 1311 license plates supporting the agencies, funds, or nonprofit corporations listed in this
 1312 subsection shall ~~continue to~~ be issued for the purposes indicated ~~and that all of the funds~~
 1313 ~~raised from the manufacturing fee, less a \$1.00 fee to be paid to the county tag agent and~~

1314 ~~a \$2.00 manufacturing fee to be paid to the department, shall be disbursed to the agency,~~
 1315 ~~fund, or nonprofit corporation indicated in this subsection.~~ The special license plates
 1316 listed in this subsection shall ~~not~~ be subject to a manufacturing fee, a special tag license
 1317 plate fee, and a special license plate renewal fee. The revenue disbursement for the
 1318 special license plates listed in this subsection shall be as follows:

1319 (A) Manufacturing fee – \$25.00 of which \$24.00 is to be deposited into the general
 1320 fund and \$1.00 to be paid to the local county tag agent;

1321 (B) Special license plate fee – \$35.00 of which \$25.00 is to be deposited into the
 1322 general fund and \$10.00 is to be dedicated to the sponsoring agency, fund, or nonprofit
 1323 corporation as permitted by Article III, Section IX, Paragraph VI(n) of the Constitution;
 1324 and

1325 (C) Special license plate renewal fee – \$35.00 of which \$25.00 is to be deposited into
 1326 the general fund and \$10.00 is to be dedicated to the sponsoring agency, fund, or
 1327 nonprofit corporation as permitted by Article III, Section IX, Paragraph VI(n) of the
 1328 Constitution.

1329 (2) Special license plates promoting the Nongame-Endangered Wildlife Program of the
 1330 Georgia Department of Natural Resources. The funds raised by the sale of these special
 1331 license plates shall be disbursed to the Nongame Wildlife Conservation and Wildlife
 1332 Habitat Acquisition Fund of the Georgia Department of Natural Resources for the
 1333 purposes enumerated in subsection (b) of Code Section 12-3-602. Such license plates
 1334 shall not include a space for a county name decal but shall instead bear the legend 'Give
 1335 Wildlife a Chance' in lieu of the name of the county of issuance.

1336 (3) A special license plate promoting conservation and enhancement of trout populations.
 1337 The funds raised by the sale of this special license plate shall be disbursed to the Wildlife
 1338 Resources Division of the Department of Natural Resources to supplement trout
 1339 restoration and management programs.

1340 (4) A special license plate supporting the Bobwhite Quail Restoration Initiative. The
 1341 funds raised by the sale of this special license plate shall be disbursed to the Wildlife
 1342 Resources Division of the Department of Natural Resources to conduct programs
 1343 designed to enhance the bobwhite quail population in this state. Such programs may
 1344 include the creation of habitat demonstration areas on state managed wildlife lands,
 1345 education programs, technical assistance to private landowners in the creation and
 1346 maintenance of bobwhite quail habitats on their lands, and projects to encourage public
 1347 support for the license plate and the activities it funds. The Department of Natural
 1348 Resources may enter into such contractual agreements as may be appropriate to further
 1349 the objectives of the Bobwhite Quail Restoration Initiative, including entering into
 1350 contractual agreements whereby private landowners, public agencies, or corporate entities

1351 create, preserve, or enhance habitat for bobwhite quail in return for the payment of
1352 incentives. Such license plate shall not include a space for a county decal but shall
1353 instead bear the legend 'Support Wildlife' in lieu of the name of the county of issuance.

1354 (5) Special license plates promoting the conservation of wildflowers within this state.
1355 The funds raised by the sale of these special license plates shall be disbursed to the
1356 Department of Transportation to be deposited in the Roadside Enhancement and
1357 Beautification Fund established by Code Section 32-6-75.2 and shall be expended only
1358 for the purposes enumerated in Code Section 32-6-75.2 and Article III, Section IX,
1359 Paragraph VI(1) of the Constitution of the State of Georgia.

1360 (6) Special license plates promoting the dog and cat reproductive sterilization support
1361 program of the Georgia Department of Agriculture. The funds raised by the sale of these
1362 special license plates shall be disbursed to the Georgia Department of Agriculture and
1363 shall be deposited in the special fund for support of the dog and cat reproductive
1364 sterilization support program created by Code Section 4-15-1 and Article III, Section IX,
1365 Paragraph VI(m) of the Constitution of the State of Georgia.

1366 (7) Special license plates to honor Georgia educators and financially benefit the Georgia
1367 Public School Personnel Indemnification Fund. The funds raised by the sale of these
1368 special license plates shall be disbursed to a charitable foundation designated by the State
1369 School Superintendent and used to fund educational programs, grants to teachers, and
1370 scholarships. The license plates shall display the phrase 'Georgia Educators Make A
1371 Difference' and a ripe Red Delicious apple shall be depicted to the left of the identifying
1372 number of each plate.

1373 (8)(A) The commissioner in cooperation with a college or university may design a
1374 special license plate to be issued commemorating that college or university, which
1375 license plate shall be similar in design to the license plate issued to all other residents
1376 of the state except that the logo or emblem of the college or university shall be placed
1377 on the license plate along with the letters and numbers on the license plate. The name
1378 of the college or university shall be imprinted on such special license plate in lieu of the
1379 county name decal.

1380 (B) Any college or university that enters into an agreement with the commissioner
1381 pursuant to this paragraph shall waive any royalty fees to which it might otherwise be
1382 entitled for use of its seal, symbol, emblem, or logotype as provided in this paragraph.

1383 (C) Each college or university located in Georgia that enters into an agreement with
1384 the commissioner pursuant to this paragraph shall designate a charitable foundation
1385 which shall annually receive an allocation from the special license plate and special
1386 license plate renewal fees collected as provided in paragraph (1) of this subsection.

1387 Special license plates issued under this paragraph shall be transferred between vehicles
 1388 as provided in Code Section 40-2-42.

1389 (D) The funds allocated for colleges and universities located in Georgia shall be
 1390 delivered by the department to the charitable foundation designated by the particular
 1391 college or university to support needs based, academic, financial aid scholarships for
 1392 eligible undergraduate students enrolled in the college or university. The funds
 1393 otherwise allocated for colleges and universities located outside the State of Georgia
 1394 shall be placed into the general fund.

1395 (E) Each college or university shall review and approve plans for the implementation
 1396 of these scholarship programs by the applicable charitable foundation. These plans shall
 1397 include, but need not be limited to, criteria for the awarding of the scholarships and
 1398 procedures for determining the recipients.

1399 ~~(o)(1) The General Assembly has determined that license plates supporting the agencies,~~
 1400 ~~funds, or nonprofit corporations listed in this subsection shall be issued for the purposes~~
 1401 ~~indicated and with a portion of the revenue being disbursed to the agency, fund, or~~
 1402 ~~nonprofit corporation indicated in this subsection. The revenue disbursement for the~~
 1403 ~~special license plates in this subsection shall be as described in subsection (e) of this~~
 1404 ~~Code section.~~

1405 ~~(2)(9)~~ A special license plate for the Georgia Center for the Book to support the purchase
 1406 of books for public libraries in Georgia. The funds raised by the sale of this special
 1407 license plate shall be disbursed to the Georgia Center for the Book.

1408 ~~(3)(10)~~ A special license plate for Children's Healthcare of Atlanta to support the work
 1409 this pediatric hospital system does in the State of Georgia. The funds raised by the sale
 1410 of this special license plate shall be disbursed to Children's Healthcare of Atlanta.

1411 ~~(4)(11)~~ A special license plate for the Georgia War Veterans Nursing Home to support
 1412 the implementation and operation of the Georgia War Veterans Nursing Home. The
 1413 funds raised by the sale of this special license plate shall be disbursed to the Department
 1414 of Veterans Service for use in operating the Georgia War Veterans Nursing Home.

1415 ~~(5)(12)~~ A special license plate for the Georgia Automobile Racing Hall of Fame
 1416 Association to promote the Georgia Automobile Racing Hall of Fame Association, which
 1417 is devoted to preserving the history of automobile racing in Georgia. The funds raised
 1418 by the sale of this special license plate shall be disbursed to the Georgia Automobile
 1419 Racing Hall of Fame Association.

1420 ~~(6)(13)~~ A special license plate for the Alzheimer's Association, Georgia Chapter, to help
 1421 eliminate Alzheimer's disease through the advancement of research and to enhance care
 1422 and support for individuals, their families, and caregivers. The funds raised by the sale

1423 of this special license plate shall be disbursed to the Alzheimer's Association, Georgia
1424 Chapter.

1425 ~~(7)~~(14) A special license plate for the school health and physical education program to
1426 help fund school health and physical education programs. The funds raised by the sale
1427 of this special license plate shall be disbursed to the Department of Education.

1428 ~~(8)~~(15) A special license plate for stroke awareness, treatment, and prevention to support
1429 programs aiding stroke victims in Georgia. Such license plate shall not include a space
1430 for a county name decal but shall instead bear the legend 'Stroke Awareness' in lieu of the
1431 name of the county of issuance. The funds raised by the sale of this special license plate
1432 shall be disbursed to the Center for Telehealth of the Medical College of Georgia.

1433 ~~(9)~~(16) A special license plate for Project Lifesaver promoting the establishment of a
1434 Project Lifesaver or similar type of program by local law enforcement agencies. Project
1435 Lifesaver's mission is to use state of the art technology in assisting those who care for
1436 victims of Alzheimer's disease and other related mental dysfunction disorders and victims
1437 who become lost. The funds raised by the sale of this special license plate shall be
1438 disbursed to the Department of Public Safety or a nonprofit corporation organized
1439 exclusively for the purpose of establishing a Project Lifesaver or similar type of program
1440 by local law enforcement agencies.

1441 ~~(10)~~(17) A special license plate for pediatric cancer to raise funds to support the
1442 treatment of pediatric cancer. Such license plate shall not include a space for a county
1443 name decal but shall instead bear the legend 'Cure Kids' Cancer' in lieu of the name of the
1444 county of issuance. The funds raised by the sale of this special license plate shall be
1445 disbursed to the Department of Community Health to be deposited in the Indigent Care
1446 Trust Fund created by Code Section 31-8-152 to fund pediatric cancer screening and
1447 treatment related programs for those children who are medically indigent and may have
1448 cancer.

1449 ~~(11)~~(18) A special license plate for the child care industry to promote the child care
1450 industry by encouraging higher educational standards and providing for professional
1451 camaraderie for child care providers. Such license plate shall not include a space for a
1452 county name decal but shall instead bear the legend 'Support Improved Child Care' in lieu
1453 of the name of the county of issuance. The funds raised by the sale of this special license
1454 plate shall be disbursed to the Minority Alliance for Child Care Development Advocates,
1455 Inc., for the development of programs to help improve child care.

1456 ~~(12)~~(19) A special license plate to display the motto, 'In God We Trust.' The funds
1457 raised by the sale of this special license plate shall be disbursed to the Boy Scouts of
1458 America for the development of scouting programs.

1459 ~~(13)~~(20) A special license plate for child abuse prevention. Such license plate shall not
 1460 include a space for a county name decal but shall instead bear the legend 'Prevent Child
 1461 Abuse' in lieu of the name of the county of issuance. The funds raised by the sale of this
 1462 special license plate shall be disbursed to the Foster Family Foundation of Georgia for
 1463 the development of programs to help victims of child abuse.

1464 ~~(14)~~(21) A special license plate for the Thanks Mom and Dad Fund. The funds raised
 1465 by the sale of this special license plate shall be disbursed to the Department of Human
 1466 Services to address the key needs of the state's older population or a nonprofit corporation
 1467 organized to serve the needs of the state's older population.

1468 ~~(15)~~(22) A special license plate for pediatric cancer research. The funds raised by the
 1469 sale of this special license plate shall be disbursed to the Joanna McAfee Childhood
 1470 Cancer Foundation for support of pediatric cancer research. The design of the special
 1471 license plate provided for in this paragraph shall include the words 'Joanna McAfee
 1472 Childhood Cancer Foundation' horizontally across the bottom of the plate in lieu of the
 1473 county name.

1474 ~~(16)~~(23) A special license plate for supporting beautification projects in Cobb County.
 1475 The funds raised by the sale of this special license plate shall be disbursed to Keep Cobb
 1476 Beautiful, Inc., for support of beautification projects in Cobb County.

1477 ~~(17)~~(24) A special license plate for the AIDS Survival Project. The funds raised by the
 1478 sale of this special license plate shall be disbursed to the AIDS Survival Project which
 1479 is committed to providing people living with HIV the information and support they need
 1480 to live healthy and productive lives.

1481 ~~(18)~~(25) A special license endorsing 'Support Our Troops.' The funds raised by the sale
 1482 of this special license plate shall be disbursed to the Georgia National Guard Family
 1483 Support Foundation, Incorporated.

1484 ~~(19)~~(26) A special license plate for the Sons of Confederate Veterans. The funds raised
 1485 by the sale of this special license plate shall be disbursed to Georgia Sons of Confederate
 1486 Veterans.

1487 ~~(20)~~(27) A special license plate for amyotrophic lateral sclerosis (ALS), also known as
 1488 'Lou Gehrig's disease,' to support research and education on amyotrophic lateral sclerosis.
 1489 The funds raised by the sale of this special license plate shall be disbursed to the ALS
 1490 Association of Georgia.

1491 ~~(21)~~(28) A special license plate for foster parents to support programs for foster parents
 1492 in Georgia. The funds raised by the sale of this special license plate shall be disbursed
 1493 to The Adoptive and Foster Parent Association of Georgia, Inc., for support of foster
 1494 parents in Georgia.

1495 ~~(22)~~(29) A special license plate for the Atlanta Braves Foundation to assist the charities
 1496 supported by the foundation. The funds raised by the sale of this special license plate
 1497 shall be disbursed to the Department of Community Affairs or such other public agency
 1498 or nonprofit corporation as may be designated.

1499 ~~(23)~~(30) A special license plate for the Atlanta Falcons Youth Foundation to assist the
 1500 charities supported by the foundation. The funds raised by the sale of this special license
 1501 plate shall be disbursed to the Atlanta Falcons Youth Foundation. Such license plate
 1502 shall not include a space for a county name decal but shall instead bear the legend
 1503 'Atlanta Falcons' in lieu of the name of the county of issuance.

1504 ~~(24)~~(31) A special license plate for supporting beautification projects in Georgia. The
 1505 funds raised by the sale of this special license plate shall be disbursed to Keep Georgia
 1506 Beautiful Foundation, Inc., for support of beautification projects in Georgia.

1507 ~~(25)~~(32) A special license plate displaying the logo of Choose Life, Inc. The words
 1508 'Choose Life' must appear at the bottom. The funds raised by the sale of this special
 1509 license plate shall be disbursed to Choose Life of Georgia, Inc., to be distributed among
 1510 nonprofit corporations in Georgia that counsel women to consider adoption.

1511 ~~(26)~~(33) A special license plate supporting education on the maritime history of
 1512 Georgia's coast. The funds raised by the sale of this special license plate shall be
 1513 disbursed to The Georgia Maritime Foundation, Inc., for use in programs supporting
 1514 education on the maritime history of Georgia.

1515 ~~(27)~~(34) A special license plate supporting programs for persons with ~~brain-related~~ brain
 1516 related disorders and disabilities. The funds raised by the sale of this special license plate
 1517 shall be disbursed to Pilot International; for support of programs for persons with
 1518 ~~brain-related~~ brain related disorders in Georgia.

1519 ~~(28)~~(35) A special license plate supporting agriculture in Georgia. The funds raised by
 1520 the sale of this special license plate shall be evenly split between Georgia 4-H and the
 1521 Georgia Association of Future Farmers of America to fund projects promoting agriculture
 1522 in Georgia.

1523 ~~(29)~~(36) A special license plate promoting the Georgia equine industry. The funds raised
 1524 by the sale of this special license plate shall be disbursed to the Agricultural Commodity
 1525 Commission for Equines.

1526 ~~(30)~~(37) A special license plate promoting African American history and tourism in
 1527 Georgia. The funds raised by the sale of this special license plate shall be disbursed to
 1528 organizations dedicated to the preservation of African American history in Georgia.

1529 ~~(31)~~(38) A special license plate honoring veterans who have been awarded the Bronze
 1530 Star. The funds raised by the sale of this special license plate shall be disbursed to the
 1531 National Guard Family Foundation.

1532 ~~(32)~~(39) A special license plate promoting the arts in Georgia. The funds raised by the
1533 sale of this special license plate shall be disbursed to the Georgia Council for the Arts.

1534 ~~(33)~~(40) A special license plate supporting programs for the treatment of autism. The
1535 funds raised by the sale of this special license plate shall be disbursed to the Department
1536 of Behavioral Health and Developmental Disabilities for the support of programs for the
1537 treatment of autism in Georgia.

1538 ~~(34)~~(41) A special license plate honoring the work of The Garden Club of Georgia, Inc.
1539 The funds raised by the sale of this special license plate shall be disbursed to The Garden
1540 Club of Georgia, Inc., and used to fund scholarships that are awarded by the club.

1541 ~~(35)~~(42) A special license plate promoting the Georgia Junior Golf Foundation. The
1542 funds raised by the sale of this special license plate shall be disbursed to the Georgia
1543 Junior Golf Foundation.

1544 ~~(36)~~(43) A special license plate commemorating 100 years of scouting in the United
1545 States. The funds raised by the sale of this special license plate shall be disbursed to the
1546 Boy Scouts of America for the development of scouting programs.

1547 ~~(37)~~(44) A special license plate supporting Cobb County Public Schools. The funds
1548 raised by the sale of this special license plate shall be disbursed to the Cobb County
1549 Public Schools Educational Foundation and used to fund educational programs, grants
1550 to teachers, and scholarships in the Cobb County Public School System.

1551 ~~(38)~~(45) A special license plate supporting the Georgia Sea Turtle Center. The funds
1552 raised by the sale of this special license plate shall be charged and disbursed to the
1553 Nongame Wildlife Conservation and Wildlife Habitat Acquisition Fund and used to fund
1554 nongame wildlife conservation and education programs. The design of the license plate
1555 provided for in this paragraph shall include the words 'Jekyll Island – Georgia's Jewel'
1556 horizontally across the bottom of the plate in lieu of the county name, with a diamond
1557 jewel symbol in place of the dash.

1558 ~~(39)~~(46) A special license plate commemorating and supporting the sport of soccer in
1559 Georgia. The funds raised by the sale of this special license plate shall be disbursed to
1560 the Georgia State Soccer Association, Inc., for the development and promotion of soccer
1561 programs in the State of Georgia. Such license plate shall not include a space for a
1562 county decal but shall instead bear the legend 'gasoccer.org'.

1563 ~~(40)~~(47) A special license plate for the Georgia Aquarium to support its mission as an
1564 entertaining, educational, and scientific institution and to promote the conservation of
1565 aquatic biodiversity throughout the world. The funds raised by the sale of this special
1566 plate shall be disbursed to Georgia Aquarium, Inc. Such license plate shall not include
1567 a space for a county name decal but shall instead bear the legend 'Georgia Aquarium' in
1568 lieu of the name of the county of issuance.

1569 ~~(n)(m)~~(1) The General Assembly has determined that the following special license plates
 1570 supporting the agencies, funds, or nonprofit corporations listed in this subsection shall be
 1571 issued for the purposes indicated ~~and that all of the funds raised from the manufacturing~~
 1572 ~~fee and the special tag renewal fee, less a \$1.00 fee to be paid to the county tag agent and~~
 1573 ~~a \$2.00 manufacturing fee to be paid to the department, shall be disbursed to the agency,~~
 1574 ~~fund, or nonprofit corporation indicated in this subsection. The special license plates~~
 1575 ~~listed in this subsection shall be subject to a special tag renewal fee. The special license~~
 1576 ~~plates listed in this subsection shall be subject to a manufacturing fee, a special license~~
 1577 ~~plate fee, and a special license plate renewal fee. The revenue disbursement for the~~
 1578 ~~special license plates listed in this subsection shall be as follows:~~

1579 (A) Manufacturing fee - \$25.00 of which \$24.00 is to be deposited into the general
 1580 fund and \$1.00 to be paid to the local county tag agent;

1581 (B) Special license plate fee - \$35.00 of which \$13.00 is to be deposited into the
 1582 general fund and \$22.00 is to be dedicated to the sponsoring agency, fund, or nonprofit
 1583 corporation; and

1584 (C) Special license plate renewal fee - \$35.00 of which \$13.00 is to be deposited into
 1585 the general fund and \$22.00 is to be dedicated to the sponsoring agency, fund, or
 1586 nonprofit corporation.

1587 (2) A special license plate promoting the United States Disabled Athletes Fund, for the
 1588 support of disabled athletes. The funds raised by the sale of this special license plate
 1589 shall be disbursed as provided in paragraph (1) of this subsection to the United States
 1590 Disabled Athletes Fund.

1591 (3) A special license plate commemorating Civil War battlefields and historic sites. The
 1592 funds raised by the sale of this special license plate shall be disbursed as provided in
 1593 paragraph (1) of this subsection to the Civil War Commission for the acquisition of Civil
 1594 War battlefields and associated Civil War historic sites in this state and for the
 1595 maintenance, protection, and interpretation of the same as provided by Article 5 of
 1596 Chapter 7 of Title 50.

1597 (4) A special license plate promoting historic preservation efforts. The funds raised by
 1598 the sale of this special license plate shall be disbursed as provided in paragraph (1) of this
 1599 subsection to the Department of Natural Resources for use by the Historic Preservation
 1600 Division to fund historic preservation programs in the state through the Georgia historic
 1601 preservation grant program as otherwise authorized by law.

1602 (5) A special license plate promoting bicycle safety. The funds raised by the sale of this
 1603 special license plate shall be disbursed as provided in paragraph (1) of this subsection to
 1604 the Governor's Highway Safety Program administered by the Office of Highway Safety
 1605 in the Department of Public Safety.

1606 (6) A special license plate honoring families with a member serving in the military. The
 1607 funds raised by the sale of this special license plate shall be disbursed as provided in
 1608 paragraph (1) of this subsection to the Department of Veterans Service for use by the
 1609 National Guard Foundation in carrying out such programs and purposes as may be
 1610 contractually agreed upon by the department and the foundation.

1611 (7) A special license plate promoting 'Support Georgia Troops.' The funds raised by the
 1612 sale of this special license plate shall be disbursed as provided in paragraph (1) of this
 1613 subsection to the Department of Veterans Service for use by the National Guard
 1614 Foundation in carrying out such programs and purposes as may be contractually agreed
 1615 upon by the department and the foundation.

1616 (8) A special license plate promoting NASCAR. The provisions of paragraph (1) of this
 1617 subsection notwithstanding, from the additional ~~\$25.00~~ \$35.00 special license plate
 1618 renewal fee charged for the issuance and renewal of the NASCAR license plates
 1619 authorized under this paragraph, \$10.25 shall be used by the department for purchasing
 1620 plates from the supplier of the plates, as designated by NASCAR, and royalty costs,
 1621 \$10.00 shall be deposited in the general fund, and \$14.75 shall be disbursed to the
 1622 Governor's Highway Safety Program administered by the Office of Highway Safety in
 1623 the Department of Public Safety.

1624 (9) A special license plate to support breast cancer related programs for the medically
 1625 indigent. The provisions of paragraph (1) of this subsection notwithstanding, from the
 1626 additional \$35.00 special license plate fee or special license plate renewal fee charged for
 1627 the issuance and renewal of breast cancer license plates authorized under this paragraph,
 1628 \$12.95 shall be deposited in the general fund and \$22.05 shall be deposited in the
 1629 Indigent Care Trust Fund created by Code Section 31-8-152 to fund cancer screening and
 1630 treatment related to programs for those persons who are medically indigent and may have
 1631 breast cancer. To the extent consistent with Article III, Section IX, Paragraph VI(i) of the
 1632 Constitution and Article 6 of Chapter 8 of Title 31, such programs may include education,
 1633 breast cancer screening, grants-in-aid to breast cancer victims, pharmacy assistance
 1634 programs for breast cancer victims, and other projects to encourage public support for the
 1635 special license plate and the activities which it funds. Such design shall include a logo the
 1636 same as the United States postal stamp supporting breast cancer research and bearing the
 1637 slogan 'Fund the Fight. Find A Cure.' over the sketch of a woman and the breast cancer
 1638 awareness pink ribbon symbol.

1639 ~~40-2-86.22~~ 40-2-86.1.

1640 (a) The General Assembly has determined that the issuance of special license plates to
 1641 support an agency or fund or a program beneficial to the people of this state that is

1642 administered by a nonprofit corporation organized under Section 501(c)(3) of Title 26 of
1643 the Internal Revenue Code and, subject to the appropriation process of the General
1644 Assembly, appropriating a portion of the funds raised from the sale of these special license
1645 plates is in the best interests of the people of this state. Therefore, the license plates listed
1646 in subsection (l) of this Code section shall be issued by the department ~~beginning on~~
1647 ~~January 1, 2007~~, if all of the requirements of subsections (b) through (k) of this Code
1648 section have been satisfied.

1649 (b) The commissioner, in cooperation with the agency, fund, or nonprofit corporation
1650 sponsoring the special license plate, shall design special distinctive license plates intended
1651 to promote the program benefited by the sale of the special license plate. The special
1652 license plates must be of the same size as general issue motor vehicle license plates and
1653 shall include a unique design and identifying number, whereby the total number of
1654 characters does not exceed ~~six~~ an amount to be determined by the commissioner. No two
1655 recipients shall receive identically numbered plates. ~~The graphic on the special license~~
1656 ~~plate shall be placed to the left of the alphanumeric characters and shall be no larger than~~
1657 ~~three inches by three inches~~. The agency, fund, or nonprofit corporation sponsoring the
1658 license plate may request the assignment of the first of 100 in a series of license plates upon
1659 payment of an additional initial registration fee of \$25.00 for each license plate requested.

1660 (c) Notwithstanding the provisions of subsection (b) of this Code section, no special
1661 license plate shall be produced until such time as the State of Georgia has, through a
1662 licensing agreement or otherwise, received such licenses or other permissions as may be
1663 required to produce the special license plate. The design of the initial edition of any special
1664 license plate, as well as the design of subsequent editions and excepting only any part or
1665 parts of the designs owned by others and licensed to the state, shall be owned solely by the
1666 State of Georgia for its exclusive use and control, except as authorized by the
1667 commissioner. The commissioner may take such steps as may be necessary to give notice
1668 of and protect such right, including the copyright or copyrights. However, such steps shall
1669 be cumulative of the ownership and exclusive use and control established by this
1670 subsection as a matter of law, and no person shall reproduce or otherwise use such design
1671 or designs, except as authorized by the commissioner.

1672 (d) ~~Beginning on January 1, 2007, any~~ Any Georgia resident who is the owner of a motor
1673 vehicle, except a vehicle registered under the International Registration Plan, upon
1674 complying with the motor vehicle laws relating to registration and licensing of motor
1675 vehicles and upon the payment of a manufacturing fee of \$25.00 and a special license plate
1676 fee of \$35.00, in addition to the regular motor vehicle registration fee, shall be able to apply
1677 for a special license plate listed in subsection (l) of this Code section. Revalidation decals

1678 shall be issued for special license plates in the same manner as provided for general issue
1679 license plates, with the addition of a \$35.00 special license plate renewal fee.

1680 (e) The manufacturing fee, special license plate fee, and special license plate renewal fee
1681 derived from the sale of special license plates contained in subsection (l) of this Code
1682 section shall be deposited into the general fund. The sponsoring agency, fund, or nonprofit
1683 corporation, subject to the appropriation process of the General Assembly, may request that
1684 the funds derived from the sale of special license plates be appropriated to the department
1685 for disbursement to such agency, fund, or nonprofit corporation.

1686 (f) Before the department disburses to the agency, fund, or nonprofit corporation funds
1687 from the sale of special license plates, the agency, fund, or nonprofit corporation must
1688 provide a written statement stating the manner in which such funds shall be utilized. In
1689 addition, a nonprofit corporation must provide the department with documentation of its
1690 nonprofit status under Section 501(c)(3) of Title 26 of the Internal Revenue Code. The
1691 purposes for which the funds shall be utilized must be the same as those specified in
1692 subsection (l) of this Code section authorizing the potential appropriation to the agency,
1693 fund, or nonprofit corporation of revenue from the sale of special license plates. The
1694 agency, fund, or nonprofit corporation shall periodically provide to the commissioner an
1695 audit of the use of the funds or other evidence of use of the funds satisfactory to the
1696 commissioner. If it is determined that the funds are not being used for the purposes set
1697 forth in the statement provided by the agency, fund, or nonprofit corporation, the
1698 department shall withhold payment of such funds until such noncompliance issues are
1699 resolved.

1700 (g) An applicant may request a special license plate any time during the applicant's
1701 registration period. If such a license plate is to replace a current valid license plate, the
1702 special license plate shall be issued with appropriate decals attached, upon the payment of
1703 any applicable registration fees, the manufacturing fee, and the special license plate fee.

1704 (h) No special license plate authorized pursuant to subsection (l) of this Code section shall
1705 be issued except upon the receipt by the department of at least 1,000 prepaid applications.
1706 The special license plate shall have an application period of two years ~~after January 1,~~
1707 ~~2007,~~ from the date of authorization for payment of the manufacturing fee. After such time
1708 if the minimum number of applications is not met, the department shall not continue to
1709 accept the manufacturing fee, and all fees shall be refunded to applicants; provided,
1710 however, that once the department has received 1,000 prepaid applications the sponsor
1711 shall not be entitled to a refund.

1712 (i) The department shall not be required to continue to manufacture the special license
1713 plate if the number of active registrations falls below 500 registrations at any time during
1714 the period provided for in subsection (b) of Code Section 40-2-31. A current registrant

1715 may continue to renew such special license plate during his or her annual registration
 1716 period upon payment of an additional ~~\$25.00 annual special tag~~ \$35.00 special license plate
 1717 renewal fee, which fee shall be collected by the county tag agent at the time of collection
 1718 of other registration fees and shall be remitted to the state as provided in Code Section
 1719 40-2-34. The department may continue to issue such special license plates that it has in its
 1720 inventory to assist in achieving the minimum number of registrations. If the special license
 1721 plate falls below 500 active registrations at any time during the period provided for in
 1722 subsection (b) of Code Section 40-2-31, the sponsoring agency, fund, or nonprofit
 1723 corporation shall be required again to obtain 1,000 prepaid applications ~~accompanied by~~
 1724 ~~the manufacturing fee~~ to continue to manufacture the special license plate.

1725 (j) Special license plates shall be transferred from one vehicle to another vehicle in
 1726 accordance with the provisions of Code Section 40-2-80.

1727 (k) Special license plates shall be issued within 30 days of application once the
 1728 requirements of this Code section have been met.

1729 (1)(1) The General Assembly has determined that license plates promoting the agencies,
 1730 funds, or nonprofit corporations listed in this subsection shall be issued for the purposes
 1731 indicated and the revenue shall be deposited in the general fund, subject to the
 1732 appropriation process of the General Assembly.

1733 (2) A special license plate identifying persons with diabetes. The main purpose of the
 1734 special license plate is that law enforcement officers and emergency personnel will be
 1735 alerted to the potential for special needs before they approach the driver of a vehicle,
 1736 especially if the vehicle has been involved in an accident. The funds raised by the sale
 1737 of this special license plate shall be deposited in the general fund.

1738 (3) A special license plate honoring all veterans who have served in the armed services
 1739 of the United States. All of these men and women have sacrificed a portion of their lives
 1740 in order to serve their country and protect our freedom. The funds raised by the sale of
 1741 this special license plate shall be deposited in the general fund.

1742 (4) A special license plate honoring the Georgia Association of Realtors. The
 1743 Association is being honored for its long-standing support of housing opportunities for
 1744 all citizens of this state, private property rights, and all organizations that assist people
 1745 in achieving the American dream of home ownership. The funds raised by the sale of this
 1746 special license plate shall be deposited in the general fund.

1747 (5) A special license plate honoring Georgia municipal clerks. The municipal clerk's
 1748 office provides the professional link connecting citizens with their local governing bodies
 1749 and agencies of government at other levels. The funds raised by the sale of this license
 1750 plate shall be deposited in the general fund.

1751 (6) A special license plate identifying residents of the State of Georgia who hold an
 1752 unrevoked and unexpired official amateur radio station license issued by the Federal
 1753 Communication Commission. The special license plate shall be inscribed with the
 1754 official amateur radio call letters of such applicant as assigned by the Federal
 1755 Communication Commission. The funds raised by the sale of this license plate shall be
 1756 deposited in the general fund.

1757 (7)(A) A special license plate to be issued for alternative fueled vehicles, which license
 1758 plate shall be similar in design to the license plate issued to all other residents of the state
 1759 except that the commissioner shall place a distinctive logo or emblem on the license plate
 1760 which shall distinguish the vehicle as an alternative fueled vehicle eligible to travel in
 1761 travel lanes designated for such vehicles under paragraph (4) of subsection (a) of Code
 1762 Section 32-9-4. The words 'alternative fueled vehicle' shall be imprinted on such special
 1763 license plate in lieu of the county name decal. The funds raised by the sale of this license
 1764 plate shall be deposited in the general fund.

1765 (B) As used in this paragraph, the term:

1766 (i) 'Alternative fuel' means methanol, denatured ethanol, and other alcohols; mixtures
 1767 containing 85 percent or more or such other percentage, but not less than 70 percent,
 1768 as determined by the United States secretary of energy, by rule as it existed on January
 1769 1, 1997, to provide for requirements relating to cold start, safety, or vehicle functions,
 1770 by volume of methanol, denatured ethanol, and other alcohols with gasoline or other
 1771 fuels; natural gas; liquefied petroleum gas; hydrogen; coal derived liquid fuels; fuels
 1772 other than alcohol derived from biological materials; electricity including electricity
 1773 from solar energy; and any other fuel the United States secretary of energy determined
 1774 by rule as it existed on January 1, 1997, is substantially not petroleum and would yield
 1775 substantial energy security benefits and substantial environmental benefits.

1776 (ii) 'Alternative fueled vehicle' means:

1777 (I) Any vehicle fueled by alternative fuel as defined in division (i) of this
 1778 subparagraph; or

1779 (II) A hybrid vehicle, which means a motor vehicle which draws propulsion energy
 1780 from onboard sources of stored energy which include an internal combustion or heat
 1781 engine using combustible fuel and a rechargeable energy storage system; and, in the
 1782 case of a passenger automobile or light truck, means for any 2000 and later model, a
 1783 vehicle which has received a certificate of conformity under the Clean Air Act, 42
 1784 U.S.C. Section 7401, et seq., and meets or exceeds the equivalent qualifying
 1785 California low-emission vehicle standard under Section 243(e)(2) of the Clean Air
 1786 Act, 42 U.S.C. Section 7583(c)(2), for that make and model year or, for any 2004 and
 1787 later model, a vehicle which has received a certificate that such vehicle meets or

1788 exceeds the Bin 5 Tier II emission level established in regulations prescribed by the
1789 administrator of the Environmental Protection Agency under Section 202(i) of the
1790 Clean Air Act, 42 U.S.C. Section 7521(i), for that make and model year vehicle and
1791 which achieves a composite label fuel economy greater than or equal to 1.5 times the
1792 Model Year 2002 EPA composite class average for the same vehicle class and which
1793 is made by a manufacturer.

1794 (8) A special license plate for antique or hobby or special interest vehicles. As used in
1795 this paragraph, the term 'antique or hobby or special interest vehicle' means any motor
1796 vehicle or motor cycle or a motor vehicle which as been designed and manufactured to
1797 resemble an antique or historical vehicle and which is owned as a collector's item and for
1798 participation in club activities, exhibitions, tours, parades and similar uses but which may
1799 be used for general transportation. No owner of such antique vehicle or hobby or special
1800 interest vehicle shall be required to obtain any special permits for its operation on the
1801 roads of this state. The funds raised by the sale of this license plate shall be deposited in
1802 the general fund.

1803 (9)(A) A special license plate for owners of a private passenger car or truck used for
1804 personal transportation, who are firefighters certified pursuant to Article 1 of Chapter
1805 4 of Title 25 and who are members of fire departments certified pursuant to Article 2
1806 of Chapter 3 of Title 25 and motor vehicle owners who are certified firefighters of
1807 legally organized volunteer fire departments which have been certified pursuant to
1808 Article 2 of Chapter 3 of Title 25. Such license plate shall be inscribed with such letters,
1809 numbers, words, symbols, or a combination thereof as determined by the commissioner
1810 to identify the owner as a certified firefighter. The chiefs of the various fire departments
1811 shall furnish to the commissioner a list of the certified firefighters of their fire
1812 departments who reside in Georgia which list shall be updated as necessary. The funds
1813 raised by the sale of this license plate shall be deposited in the general fund.

1814 (B) Should a certified firefighter who has been issued a special and distinctive license
1815 plate be separated from such firefighter's department for any reason other than
1816 retirement from employment, the chief of such fire department shall obtain the
1817 separated member's license plate at the time of the separation and shall forward same
1818 to the commissioner along with a certificate to the effect that such person has been
1819 separated, and thereupon the commissioner shall reissue a regular license plate, at no
1820 additional charge, to such former certified firefighter to replace the special and
1821 distinctive plate. Should a certified firefighter return to service with the same or another
1822 fire department, the chief of such fire department shall likewise secure the regular
1823 license plate of such person and return same to the commissioner, along with a
1824 certificate to the effect that such person has become a member of the fire department.

1825 and the effective date thereof, whereupon the commissioner shall, upon application and
 1826 upon the payment of a \$35.00 manufacturing fee and all other applicable registration
 1827 and licensing fees at the time of registration, reissue a special and distinctive license
 1828 plate to such new member to replace the returned regular plate. Upon such request for
 1829 a change in plate for a certified firefighter who is separated from a fire department, the
 1830 chief of the fire department shall furnish such member with a copy of the chief's letter
 1831 to the commissioner requesting the appropriate change in plate, which copy of such
 1832 letter may be used by such member pending the issuance of the new plate.

1833 (C) Motor vehicle owners who were firefighters certified pursuant to Article 1 of
 1834 Chapter 4 of Title 25 or were members of fire departments certified pursuant to Article
 1835 2 of Chapter 3 of Title 25 and who retired from employment as such shall continue to
 1836 be eligible for the firefighter license plates issued under this paragraph the same as if
 1837 they continued to be certified and employed as firefighters. Whenever such a certified
 1838 firefighter who has been issued a special and distinctive license plate is retired from
 1839 employment with such firefighter's department, the chief of such fire department shall
 1840 forward to the commissioner a certificate to the effect that such person has been retired.

1841 (D) The spouse of a deceased firefighter shall continue to be eligible to be issued a
 1842 distinctive special firefighter's license plate as provided in this paragraph so long as
 1843 such person does not remarry.

1844 (10) A special license plate supporting Rotary International. The design of the special
 1845 license plate, excepting only the Rotary International logo and motto 'Service Above Self'
 1846 and the years 1905-2005 and any other part of the design owned by others and licensed
 1847 to the state, shall be owned solely by the State of Georgia for its exclusive use and
 1848 control, except as authorized by the commissioner. The funds raised by the sale of this
 1849 license plate shall be deposited in the general fund.

1850 (11) A special license plate for any Georgia resident who is the owner of a private
 1851 passenger motor vehicle and provides proof of certification or licensure by the State of
 1852 Georgia as an emergency medical technician, paramedic, or owner of a licensed
 1853 ambulance service in the State of Georgia promoting the EMS Star of Life Symbol. Such
 1854 license plate shall display the National Highway Traffic Safety Administration's EMS
 1855 Star of Life Symbol and the initials 'EMS.' The funds raised by the sale of this license
 1856 plate shall be deposited in the general fund."

1857

1858

SECTION 70.

1859 Said Title 40 is further amended by revising paragraph (1) of subsection (g) Code Section
 1860 40-5-67.1, relating to chemical tests for drugs or alcohol and implied consent notices, as
 1861 follows:

H. B. 1055 (SUB)

1862 "(g)(1) A person whose driver's license is suspended or who is disqualified from
 1863 operating a commercial motor vehicle pursuant to this Code section shall remit to the
 1864 department a \$150.00 filing fee together with a request, in writing, for a hearing within
 1865 ten business days from the date of personal notice or receipt of notice sent by certified
 1866 mail or statutory overnight delivery, return receipt requested, or the right to said hearing
 1867 shall be deemed waived. Within 30 days after receiving a written request for a hearing,
 1868 the department shall hold a hearing as is provided in Chapter 13 of Title 50, the 'Georgia
 1869 Administrative Procedure Act.' The hearing shall be recorded."

1870 **SECTION 71.**

1871 Said Title 40 is further amended by revising subsection (a) of Code Section 40-8-90, relating
 1872 to restrictions on use of blue lights on vehicles, as follows:

1873 "(a)(1) Except as provided in this paragraph and subsection (b) of this Code section, it
 1874 shall be unlawful for any person, firm, or corporation to operate any motor vehicle
 1875 equipped with or containing a device capable of producing any blue lights, whether
 1876 flashing, blinking, revolving, or stationary, except:

1877 (A) Motor vehicles owned or leased by any federal, state, or local law enforcement
 1878 agency;

1879 (B) Motor vehicles with a permit granted by a state agency to bear such lights; or

1880 (C) Antique, hobby, and special interest vehicles, as defined in ~~subsection (a) of Code~~
 1881 ~~Section 40-2-77~~ paragraph (8) of subsection (1) of Code Section 40-2-86.1, which may
 1882 display a blue light or lights of up to one inch in diameter as part of any such vehicle's
 1883 rear stop lamps, rear turning indicator, rear hazard lamps, and rear reflectors.

1884 (2) Any person who violates paragraph (1) of this subsection shall be guilty of a
 1885 misdemeanor.

1886 **SECTION 72.**

1887 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
 1888 is amended by revising Code Section 43-25-3, relating to licenses to operate a motor vehicle
 1889 racetrack, as follows:

1890 "43-25-3.

1891 Application for a license to operate or conduct a racetrack or other place for the holding of
 1892 motor vehicle races or exhibitions shall be made in writing to the Safety Fire
 1893 Commissioner on a form prescribed by or furnished by the Safety Fire Commissioner. The
 1894 application form shall require a full and complete address of the track or other place desired
 1895 to be licensed, the name and address of the licensee, and the name and address of the
 1896 promoter of such race or exhibition and shall contain such further information as the Safety

1897 Fire Commissioner may require in order to comply with Code Section 43-25-4. Such
 1898 application shall be accompanied by a nonrefundable fee of ~~\$100.00~~ \$150.00."

1899 **SECTION 74.**

1900 Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees,
 1901 is further amended by revising Code Section 45-9-76, relating to the Georgia Public School
 1902 Personnel Indemnification Fund, as follows:

1903 "45-9-76.

1904 The Georgia Public School Personnel Indemnification Fund shall consist of revenues
 1905 derived from the sale of special and distinctive motor vehicle license plates honoring
 1906 Georgia educators as provided by paragraph (7) of subsection (1) of Code Section 40-2-86.5
 1907 40-2-86. In addition, the Department of Administrative Services is authorized to accept
 1908 for deposit in the Georgia Public School Personnel Indemnification Fund any other funds
 1909 from any other source. All revenue or other funds received by the Georgia Public School
 1910 Personnel Indemnification Fund shall not lapse.

1911 **SECTION 75.**

1912 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
 1913 amended by revising subsection (a) of Code Section 48-17-2, relating to license fees for coin
 1914 operated amusement machines, as follows:

1915 "(a) Every owner, except an owner holding a bona fide coin operated amusement machine
 1916 solely for personal use or resale, who offers others the opportunity to play for a charge,
 1917 whether directly or indirectly, any bona fide coin operated amusement machine shall pay
 1918 annual master license fees as follows:

1919 (1) Level one license. (A) For five or fewer machines, the owner shall pay a master
 1920 license fee of ~~\$250.00~~ \$1,000.00.

1921 (B) In the event such owner acquires a sixth or greater number of machines during a
 1922 calendar year which require a certificate for lawful operation under this chapter so that
 1923 the total number of machines owned does not exceed 60 machines or more, such owner
 1924 shall pay an additional master license fee of ~~\$1,250.00~~ \$1,500.00;

1925 (2) Level two license. (A) For six or more machines but not more than 60 machines,
 1926 the owner shall pay a master license fee of ~~\$1,500.00~~ \$2,500.00.

1927 (B) In the event such owner acquires a sixty-first or greater number of machines during
 1928 a calendar year which require a certificate for lawful operation under this chapter, such
 1929 owner shall pay an additional master license fee of ~~\$1,000.00~~ \$2,500.00; or

1930 (3) Level three license. For 61 or more machines, the owner shall pay a master license
 1931 fee of ~~\$2,500.00~~ \$5,000.00.

1932 The cost of the license shall be paid to the commissioner by company check, cash, cashier's
 1933 check, or money order. Upon said payment, the commissioner shall issue a master license
 1934 certificate to the owner. The master license fee levied by this chapter shall be collected by
 1935 the commissioner on an annual basis, provided that an owner may purchase a six-month
 1936 master license during the calendar year for ~~\$175.00~~ \$500.00 for a level one license,
 1937 ~~\$1,050.00~~ \$1,250.00 for a level two license, or ~~\$1,750.00~~ \$2,500.00 for a level three
 1938 license. The commissioner may establish procedures for master license collection and set
 1939 due dates for these license payments. No refund or credit of the master license charge
 1940 levied by this chapter may be allowed to any owner who ceases the operation of bona fide
 1941 coin operated amusement machines prior to the end of any calendar year."

1942

SECTION 76.

1943 Said Title 48 is further amended by revising subsections (a) and (d) of Code Section 48-17-9,
 1944 relating to payment and collection of the annual permit fee, as follows:

1945 "(a) Every owner, except an owner holding a coin operated machine solely for personal use
 1946 or resale, who offers others the opportunity to play for a charge, whether direct or indirect,
 1947 any bona fide coin operated amusement machine shall pay a uniform annual permit fee of
 1948 ~~\$25.00~~ \$200.00 per bona fide coin operated amusement machine. The fee shall be paid to
 1949 the commissioner by company check, cash, cashier's check, or money order. Upon
 1950 payment, the commissioner shall issue a sticker for each ~~\$25.00~~ \$200.00 payment for each
 1951 coin operated machine. The annual fees levied by this chapter will be collected by the
 1952 commissioner on an annual basis. The commissioner may establish procedures for annual
 1953 collection and set due dates for the fee payments. No refund or credit of the annual fee
 1954 levied by this chapter shall be allowed to any owner who ceases the exhibition or display
 1955 of any coin operated machine prior to the end of any calendar year."

1956 "(d) The commissioner may provide a duplicate permit sticker if a valid permit sticker has
 1957 been lost, stolen, or destroyed. The fee for a duplicate permit sticker shall be ~~\$10.00~~
 1958 \$50.00. If a permit sticker is lost, stolen, or destroyed, a sworn, written statement must be
 1959 submitted explaining the circumstances by which the permit sticker was lost, stolen, or
 1960 destroyed and including the number of the lost, stolen, or destroyed permit before a
 1961 replacement permit can be issued. A permit for which a duplicate permit sticker has been
 1962 issued is void."

1963

SECTION 77.

1964 Said Title 48 is further amended by revising Code Section 48-17-11, relating to permit fees
 1965 for additional coin operated machines, as follows:

1966 "48-17-11.
 1967 If an owner purchases or receives additional coin operated machines during the calendar
 1968 year, the ~~\$25.00~~ \$200.00 permit fee shall be paid to the commissioner and the sticker shall
 1969 be affixed to the machine or placed at the location where the machine is located before the
 1970 machine may be legally operated. A penalty fee of ~~\$50.00~~ \$10,000.00 shall be assessed by
 1971 the commissioner for every machine ~~in operation~~ being illegally operated with or without
 1972 a permit sticker. In addition to the penalty fee the commissioner shall revoke the master
 1973 license to operate coin operated machines of the owner of a machine in operation without
 1974 a permit sticker and shall initiate an investigation to determine if the owner's license to sell
 1975 alcohol or tobacco should be revoked."

1976 **SECTION 78.**

1977 Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended
 1978 by revising subsection (d) of Code Section 50-7-70, relating to agricultural tourist attractions,
 1979 as follows:

1980 "(d) Entities wishing to be recognized by the department as an agricultural tourist attraction
 1981 shall submit an application to the department with a one-time application fee of up to
 1982 ~~\$250.00~~ \$300.00."

1983 **SECTION 79.**

1984 This Act shall become effective upon its approval by the Governor or upon its becoming law
 1985 without such approval.

1986 **SECTION 80.**

1987 All laws and parts of laws in conflict with this Act are repealed.