

The Senate Finance Committee offered the following substitute to HB 1055:

A BILL TO BE ENTITLED
AN ACT

To amend provisions of the Official Code of Georgia Annotated relating to fees; to change the amount of the fees; to provide for new fees; to provide for promulgation of rules and regulations regarding fees; to change fees and certain other provisions regarding special license plates; to provide for the retention of certain fees by state agencies or other entities; to change fees and certain other provisions regarding bona fide coin operated amusement machines; to correct cross-references in the Official Code of Georgia Annotated; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

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

"2-1-5.

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

SECTION 2.

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

"2-2-8.1.

The Commissioner is authorized to publicize and request, by means of publication of appropriate notices in the *Farmers and Consumers Market Bulletin* and the Poultry Market News, contributions to be used exclusively for the compilation, publication, printing, and

distribution of the *Farmers and Consumers Market Bulletin* and the *Poultry Market News*.
~~Any voluntary contribution made for such purpose shall be received by the Commissioner,
shall be separately accounted for, need not be deposited in the state treasury, and shall be
used and expended solely for the purpose donated."~~

SECTION 3.

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

"(f) The applicant desiring to register a pesticide shall pay an annual registration fee to the Commissioner for each pesticide registered for such applicant. The amount of such fee shall be established by the Commissioner in an amount not to exceed ~~\$100.00~~ less than \$100.00 nor more than \$200.00 per annum. All such registrations shall expire on December 31 of any one year, provided that if the Commissioner adopts a multiple-year registration period, the annual registration fee per product shall be compounded for the number of years included in the multiple-year registration. A registration for a special local need pursuant to subsection (i) of this Code section which is disapproved by the administrator of the Environmental Protection Agency shall expire on the effective date of the administrator's disapproval. Any fees collected pursuant to this Code section shall be retained pursuant to the provisions of Code Section 45-12-92.1."

SECTION 4.

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

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

SECTION 4.1.

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

SECTION 4.2.

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

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

SECTION 5.

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

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

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

~~1, 1981, for the remaining portion of their five-year certification period. Fees for such license renewals shall be:~~

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

SECTION 6.

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

“2-9-33.

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

SECTION 7.

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

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

128 fixed by rule or regulation of the Commissioner at not less than \$70.00 nor more than
129 \$100.00 per annum shall be charged for such license. Any fees collected pursuant to this
130 Code section shall be retained pursuant to the provisions of Code Section 45-12-92.1."

131 **SECTION 8.**

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

134 "(a) No person whose name appears upon the label of a fertilizer shall distribute that
135 fertilizer in Georgia until a fertilizer license has been obtained from the Commissioner. All
136 licenses expire on the thirtieth day of June each year. The license fee shall be ~~\$50.00~~
137 \$100.00 per year; and must be renewed annually with fees paid by July 1 of each year. If
138 the license renewal fee is not paid by July 1, the applicable license fee shall increase in the
139 manner prescribed by regulation. Any fees collected pursuant to this Code section shall
140 be retained pursuant to the provisions of Code Section 45-12-92.1."

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

150 **SECTION 9.**

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

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

SECTION 10.

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

"2-12-43.

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

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

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

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

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

(b)(1) No licensee shall distribute in this state an agricultural liming material until such product is registered with the Commissioner by the licensee whose name appears on the label. An application for registration for each brand and product name of liming materials shall be made on forms furnished by or otherwise acceptable to the Commissioner. Labels for each brand and product name shall accompany the application. The registration fee shall be ~~\$50.00~~ \$70.00 per product. Such fee shall be submitted with the registration, and a renewal fee of ~~\$50.00~~ \$70.00 shall be due each July 1. If renewal registration fees are not received by July 1 of each calendar year, the registration fee shall increase in the manner prescribed in the rules and regulations. Upon approval by the Commissioner, a copy of the registration shall be furnished to the applicant. Such registrations shall be considered permanent so long as no changes or deviations are made in the labels of such products and so long as the registration fees are paid as specified in this article and the rules and regulations of the Commissioner. Such registrations may

be canceled for cause, after due notice and hearing, for a violation of this article or any rules and regulations adopted by the Commissioner pursuant to this article.

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

SECTION 11.

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

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

SECTION 12.

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

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

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

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

SECTION 13.

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

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

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

SECTION 14.

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

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

SECTION 15.

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

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

SECTION 16.

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

"(b) Bird dealers' licenses shall be issued for a period of one year and shall be annually renewable. The department may establish separate classes of licenses, including wholesale and retail licenses. The department shall fix fees for licenses so that the revenue derived from licenses shall approximate the total direct and indirect costs of administering this chapter; but the annual fee for any such license shall be at least ~~\$25.00~~ \$50.00 but shall not exceed ~~\$200.00~~ \$400.00. Any fees collected pursuant to this Code section shall be retained pursuant to the provisions of Code Section 45-12-92.1."

SECTION 17.

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

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

SECTION 18.

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

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

SECTION 19.

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

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

SECTION 20.

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

"(a) During such time as the Commissioner's office is acting as the primary inspection agency pursuant to Section 623 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., or the regulations issued thereunder, every manufacturer who manufactures manufactured homes in Georgia shall pay to the Commissioner a manufacturing inspection fee for each manufactured home manufactured in Georgia, irrespective of whether the manufactured home is offered for sale

in this state. This manufacturing inspection fee shall be ~~\$20.00~~ \$30.00 for each certification label, as defined in Section 623 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq. For any reinspection, a ~~\$10.00~~ \$15.00 additional fee shall be charged."

SECTION 21.

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

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

SECTION 22.

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

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

SECTION 23.

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

"10-1-157.

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

SECTION 24.

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

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

SECTION 25.

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

SECTION 26.

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

"10-1-203.

Before any antifreeze shall be sold, exposed for sale, or stored, packed, or held with intent to sell within this state, a current certified test report thereof prepared by an independent laboratory recognized by the Department of Agriculture to do such testing must be submitted and evaluated under the supervision of the state oil chemist in the Department of Agriculture. ~~Under~~ Upon application of the manufacturer or packer or distributor, submission of container label, and the payment of a license fee of ~~\$25.00~~ \$50.00 for each brand or type of antifreeze submitted, the state oil chemist shall evaluate the test report so submitted. Any fees collected pursuant to this Code section shall be retained pursuant to the provisions of Code Section 45-12-92.1. If the antifreeze is not adulterated or misbranded, if it meets the standards established and promulgated by the Commissioner of Agriculture, and if the antifreeze is not a type or kind that is in violation of this part, the Commissioner shall issue the applicant a written license or permit authorizing the wholesale and retail sale by the applicant and by others of such antifreeze in this state for the fiscal year in which the license is issued, which license or permit shall be subject to renewal annually. If the Commissioner shall find at a later date that the antifreeze product or substance to be sold, exposed for sale, or held with intent to sell has been materially altered or adulterated or that a change has been made in the name, brand, or trademark under which the antifreeze is sold or that it violates this part, the Commissioner is authorized to revoke or suspend the license or permit issued under this part of the licensee found in violation of this part after notice and hearing before the Commissioner. No license or permit for the sale of antifreeze in this state shall be issued until the application, fee, and label submission have been made as provided by this part, the certified test report

has been evaluated by the state oil chemist, and the state oil chemist notifies the Commissioner of Agriculture that said antifreeze meets the requirements of this part."

SECTION 27.

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

"10-2-42.

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

SECTION 28.

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

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

SECTION 29.

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

"10-4-17.

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

SECTION 30.

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

"10-4-101.

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

SECTION 31.

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

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

SECTION 32.

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

"10-4-142.

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

SECTION 33.

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

"12-6-93.

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

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

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

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

SECTION 34.

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

"14-2-122.

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

<u>Document</u>	<u>Fee</u>
(1) Articles of incorporation	\$ 100.00
(2) Application for certificate of authority	225.00
(3) Annual registration	30.00 <u>50.00</u>
(4) Penalty for late filing of annual registration	25.00
(5) Agent's statement of resignation	No fee
(6) Certificate of judicial dissolution	No fee
(7) Articles of dissolution or intent to dissolve	No fee
(8) Application of withdrawal	No fee
(9) Application for reservation of a corporate name	25.00
(10) Civil penalty for a foreign corporation transacting business in this state without a certificate of authority	500.00

571 recorded elsewhere. Such record of the articles, when so recorded, shall be notice of the
572 articles to the world as well as to all parties dealing with such association."

573 **SECTION 37.**

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

576 "14-11-1101.

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

579	<u>Document</u>	<u>Fee</u>
580	(1) Articles of organization	\$100.00
581	(2) Articles of amendment	20.00
582	(3) Articles of merger	20.00
583	(4) Certificate of election under Code Section 14-11-212 (together with	
584	articles of organization)	95.00
585	(5) Application for certificate of authority to transact business	225.00
586	(6) Statement of commencement of winding up	No Fee fee
587	(7) Certificate of termination	No Fee fee
588	(8) Application of withdrawal	No fee
589	(9) Articles of correction	20.00
590	(10) Application for reservation of a name	25.00
591	(11) Statement of change of registered office or registered agent...\$5.00 per	
592	limited liability company (foreign or domestic), but not less than	20.00
593	(12) Registered agent's statement of resignation pursuant to subsection (d)	
594	of Code Section 14-11-209 or subsection (d) of Code Section 14-11-703	No fee
595	(13) Certificate of judicial dissolution	No fee
596	(14) Annual registration (foreign or domestic)	30.00 50.00
597	(15) Penalty for late filing of annual registration	25.00
598	(16) Reinstatement fee	100.00
599	(17) Any other document required or permitted to be filed by	
600	this chapter	20.00
601	(18) Certificate of conversion	95.00

602 (b) The Secretary of State shall collect the penalty provided for in paragraph (2) of
603 subsection (c) of Code Section 14-11-711."

SECTION 38.

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

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

"(g) Miscellaneous fees:

(1) Recording any instrument or writing, fee not otherwise specified, first page	\$ 5.00
Each page, after the first	2.00
(2) Uncertified copies of documents, if no assistance is required from the office of the clerk of superior court, per page25 .50
Uncertified copies, if assistance is required	1.00
Uncertified copies, if transmitted telephonically or electronically, first page	2.50
Each page, after the first	1.00
(3) Uncertified copies of documents, drawings, or plats, copy larger than 8.5 x 14 inches	2.00
(4) Certification or exemplification of record, including certificates and seals, first page	2.50
Each page, after the first50
(5) Clerk's certificate	1.00
(6) Court's seal	1.00
(7) The clerk may provide computer data or computer generated printouts of public records subject to disclosure maintained on computer by, or available to, the clerk, for each page or partial page of printed data or copies of such or its equivalent	2.50

Nothing in this paragraph shall be construed to require any clerk to provide computer generated reports nor shall any clerk be required to prepare custom or individualized computer compilations or reports for any person or entity which would require preparation of a computer program which is not a standard existing computer program in use by the clerk. The clerk shall not be required to permit access to, or to provide copies of, copyrighted computer programs or any other computer programs in violation of any software license agreement or containing confidential records otherwise excluded or exempted by this Code section or any other applicable law.

(8) Issuing certificate of pending or unsatisfied judgment, as provided in Code Section 40-9-40 3.00

(9) Issuing certificate of appointment and reappointment to notaries public, as provided by Code Section 45-17-4 ~~13.00~~ 20.00

(10) Registering and filing trade names pursuant to Code Section 10-1-490 ~~8.00~~ 15.00

(11) Issuing subpoena, signed and sealed, notwithstanding subsection (e) of this Code section, each ~~1.00~~ 5.00

(12) Preparation of record and transcript to the Supreme Court and Court of Appeals, per page ~~1.50~~ 10.00

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

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

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

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

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

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

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

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

704 all services rendered by the judge or clerk of the probate court through the entry of the
705 final order on such initial proceedings, exclusive of recording charges;"

706 "(f) Costs in minor guardianship matters:

707 (1) Except as otherwise provided, the cost in a proceeding regarding the person,
708 property, or person and property of a minor shall be ~~\$60.00~~ \$75.00 for all services
709 rendered by the judge or clerk of the probate court through the entry of the final order on
710 such proceeding, exclusive of recording charges, including, but not necessarily limited
711 to, the following proceedings: petition for temporary letters of guardianship of the person
712 of a minor; petition for letters of guardianship of person, property, or person and property
713 of a minor by person other than natural guardian; petition for letters of guardianship of
714 property of a minor, by natural guardian, with bond — personal property over \$5,000.00;
715 petition for order that natural guardian not be required to become legally qualified
716 guardian of the property; application of guardian for letters of dismission; or any other
717 proceeding by which the jurisdiction of the probate court is first invoked with regard to
718 the person, property, or person and property of a minor; and

719 (2) Except as otherwise provided, the costs for all services rendered by the judge or clerk
720 of the probate court shall be as set forth below for the following proceedings, pleadings,
721 or documents regarding the person, property, or person and property of a minor, exclusive
722 of recording charges:

- | | | |
|-----|--|----------------------------------|
| 723 | (A) Petition of guardian for leave to sell | \$ 50.00 <u>70.00</u> |
| 724 | (B) Petition to compromise doubtful claim of minor | 50.00 <u>70.00</u> |
| 725 | (C) Petition for leave to encroach on corpus | 25.00 <u>30.00</u> |
| 726 | (D) Petition to change accounting period | 25.00 |
| 727 | (E) Inventory or annual, intermediate, or final return (each) | 25.00 <u>30.00</u> |
| 728 | (F) Petition or motion for attorneys' fees | 50.00 <u>70.00</u> |
| 729 | (G) Petition to terminate temporary guardianship of minor | 25.00 <u>30.00</u> |
| 730 | (H) Any other petition, application, motion, or other pleading for which | |
| 731 | no specific cost is set forth in this Code section filed regarding an | |
| 732 | existing guardianship of a minor | 25.00 <u>30.00</u> |

733 (g) Costs in adult guardianship matters:

734 (1) Except as otherwise provided, the cost in a proceeding regarding the person,
735 property, or person and property of an adult alleged to be incapacitated shall be \$150.00
736 for all services rendered by the judge or clerk of the probate court through the entry of
737 the final order on such proceeding, exclusive of recording charges, including, but not
738 necessarily limited to, the following proceedings: petition for the appointment of an
739 emergency guardian for an alleged gravely incapacitated adult; petition for the

appointment of an emergency and permanent guardian for an alleged gravely incapacitated adult; petition for the appointment of a guardian for an alleged incapacitated adult; or any other proceeding by which the jurisdiction of the probate court is first invoked with regard to an adult alleged to be incapacitated; and

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

(A) Petition of guardian for leave to sell	\$ 50.00 <u>70.00</u>
(B) Petition to compromise doubtful claim	50.00 <u>70.00</u>
(C) Petition for leave to encroach on corpus	25.00 <u>30.00</u>
(D) Petition to change accounting period	25.00
(E) Inventory or annual, intermediate, or final return (each)	25.00 <u>30.00</u>
(F) Petition or motion for attorneys' fees	50.00 <u>70.00</u>
(G) Petition to terminate or modify guardianship of incapacitated adult	50.00 <u>70.00</u>
(H) Application of guardian for letters of dismissal	60.00 <u>75.00</u>
(I) Any other petition, application, motion, or other pleading for which no specific cost is set forth in this Code section filed regarding an existing guardianship of an adult	50.00 <u>70.00</u>

(h) Costs in matters involving sterilization, involuntary treatment, habilitation, or temporary placement:

(1) Except as otherwise provided, the cost in a proceeding filed under Chapter 20 of Title 31, Chapter 36A of Title 31, or Chapter 3, 4, or 7 of Title 37 shall be ~~\$75.00~~ \$130.00 for all services rendered by the judge or clerk of the probate court through the entry of the final order on such proceeding, exclusive of recording charges;

(2) There shall be no cost assessed for the receipt and consideration of affidavits in support of an order to apprehend under Part 1 of Article 3 of Chapter 3 of Title 37 or Part 1 of Article 3 of Chapter 7 of Title 37 or for the issuance of the order to apprehend; and

(3) There shall be no cost assessed for the receipt and consideration of a petition in support of an order to apprehend under Part 3 of Article 3 of Chapter 3 of Title 37 or Part 3 of Article 3 of Chapter 7 of Title 37 or for the issuance of the order to apprehend a patient alleged to be in noncompliance with an involuntary outpatient treatment order.

(i) Costs for hearings in contested matters:

774 (1) For conducting trials of contested matters or for formal hearing on the denial of an
775 application for a firearms license before the probate court, the cost shall be ~~\$25.00~~ \$30.00
776 per one-half day or portion thereof;

777 (2) There shall be no additional cost for the initial hearing in adult guardianship matters
778 or in matters involving sterilization, involuntary treatment, habilitation, or involuntary
779 placement; and

780 (3) There shall be no cost for any hearing in an uncontested matter.

781 (j) Custodial accounts. For each account accepted by the judge of the probate court as
782 custodian for a minor, incapacitated adult, or missing or unknown heir or beneficiary, there
783 shall be a one-time fee of 8 percent of the fund deducted from the fund when first accepted.

784 (k) Miscellaneous costs. Except as otherwise provided, the judge or clerk of the probate
785 court shall be entitled to the following costs for the proceedings, pleading, documents, or
786 services itemized:

787 (1) Application for writ of habeas corpus \$ 75.00

788 (2) Petition to establish lost papers, exclusive of recording charges 50.00

789 (3) Petition for or declaration of exemptions 25.00

790 (4) Petition to change birth certificate ~~60.00~~ 75.00

791 (5) For all services rendered by the judge or clerk of the probate court
792 through the entry of the final order, exclusive of recording charges, for any
793 application or petition by which the jurisdiction of the probate court is first
794 invoked for which no cost is set forth in this Code section or other applicable
795 law ~~50.00~~ 70.00

796 (6) Issuance of any order, including a rule nisi, in any matter for which the
797 costs set forth in this Code section do not include all services to be rendered
798 by the judge or clerk of the probate court, exclusive of recording charges ~~25.00~~ 30.00

799 (7) Motions, amendments, or other pleadings filed in any matter for which
800 the cost set forth in this Code section does not include all services to be
801 rendered by the judge or clerk of the probate court, exclusive of recording
802 charges, and no other cost is set forth in this Code section ~~10.00~~ 15.00

803 (8) For processing appeals to superior court, exclusive of recording
804 charges ~~25.00~~ 30.00

805 (9) For issuance of writ of fieri facias (fi.fa.) 10.00

806 (10) Reserved. ~~For issuance of permit to discharge explosives~~ 25.00

807 (11) For issuance of permit to discharge fireworks ~~25.00~~ 30.00

"15-10-80.

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

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

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

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

SECTION 41.

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

"15-10-81.

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

SECTION 42.

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

"15-10-82.

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

873 **SECTION 43.**

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

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

877	(1) Serving copy of process and returning original, per copy	\$ 25.00 <u>50.00</u>
878	(2) Action from another county, to be paid in advance	25.00 <u>50.00</u>
879	(3) Summoning each witness	6.00 <u>10.00</u>
880	(4) Each levy or writ of fieri facias	25.00 <u>50.00</u>
881	(5) Search and return of nulla bona	13.00 <u>20.00</u>
882	(6) Serving summons of garnishment or rule against garnishee	25.00 <u>50.00</u>
883	If more than one, for each additional copy	6.00
884	(7) Commissions on sales of property:	
885	On sums of \$50.00 or less	8%
886	On excess above \$50.00 up to \$550.00	6%
887	For all sums exceeding \$550.00, on excess	3%
888	No commissions shall be charged unless property is actually sold.	
889	(8) Making out and executing titles to land	25.00 <u>50.00</u>
890	If presented by purchaser	13.00 <u>20.00</u>
891	(9) Executing bill of sale to personal property, when demanded by	13.00 <u>20.00</u>
892	purchaser	
893	(10) Forthcoming bonds	13.00
894	(11) Serving process against tenant over or intruder upon land to	
895	dispossess them	25.00
896	(12) For dispossessing tenant or intruder	25.00
897	(13) Taking and returning counter-affidavit when summary process to	
898	dispossess tenant or intruder is resisted	13.00
899	(14) Settling each execution in his <u>or her</u> hands, settled without sale . . .	13.00 <u>20.00</u>
900	(15) Levying an attachment	25.00 <u>50.00</u>
901	(16) <u>Reserved.</u> Following property out of county with attachment, for	
902	every mile going and returning	.21
903	(17) <u>Reserved.</u> Attending superior, state, or city courts, per day	20.00
904	(18) <u>Reserved.</u> Probate courts, per day	15.00
905	(19) <u>Reserved.</u> At elections as required by law, each day	20.00
906	(20) Collecting tax fi. fas. \$100.00 or less, each	5.00 <u>10.00</u>
907	(21) Collecting tax fi. fas. over \$100.00, each	10.00 <u>20.00</u>

908 (c) For executing and returning any warrant or for serving a citation, the fees to which a
909 sheriff is entitled as provided in this subsection shall be paid at the disposition of the
910 criminal case. For summoning witnesses or taking bonds in criminal cases, the fees to
911 which a sheriff is entitled as provided in this subsection shall be paid in advance prior to
912 the sheriff's rendering such service. For the services of the sheriff in criminal cases, the
913 following fees shall be charged:

914	(1) Removing prisoner when habeas corpus is sought for his <u>or her</u> relief	\$ 15.00
915	(2) Removing prisoners under habeas corpus when no mileage is paid, per	15.00
916	day	
917	(3) Attending persons taken by warrant to judge's chamber, for each time	4.50
918	(4) Conducting prisoner before judge or court to and from jail	4.50
919	(5) Executing and returning any warrant	25.00
920	(6) Serving any citation issued pursuant to Article 10 of Chapter 10 of this	
921	title, relating to bad check prosecutions or any warrant	25.00
922	(7) Summoning each witness	6.00 <u>10.00</u>
923	(8) Taking bonds in criminal cases	13.00 <u>20.00</u>
924	(9) Executing a warrant of escape	10.00
925	(10) Service in every criminal case before a judge or a judge and jury ...	10.00"

926 **SECTION 43.1.**

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

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

SECTION 44.

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

"15-21A-6.1.

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

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

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

15-21A-6.2.

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

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

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

SECTION 45.

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

"20-1A-4.

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

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

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

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

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

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

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

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

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

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

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

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

SECTION 46.

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

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

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

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

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

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

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

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

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

"(r) If abuses, derelictions, or deficiencies are found in the operation and management of any early care and education program, including failure to pay the annual fee for licensure,

registration, or commission, they shall be brought immediately to the attention of the management of such program; and if correctable, but not corrected within a reasonable time, the department shall revoke the license, registration, or commission of such program in the manner prescribed in this Code section."

SECTION 46.1.

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

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

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

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

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

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

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

(c) When the department finds that any applicant or holder of a license has violated any provision of subsection (b) of this Code section or laws, rules, regulations, or formal orders related to the initial or continued licensing of the program, the department, subject to notice and opportunity for hearing, may take any of the following actions:

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

(2) Administer a public reprimand;

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

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

(5) Revoke any license;

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

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

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

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

SECTION 47.

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

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

SECTION 48.

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

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

SECTION 49.

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

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

(2) The commission shall collect the following fees:

(A) Annual lobbyist registration <u>or renewal</u> filed pursuant to this Code section	\$200.00 <u>\$300.00</u>
(B) Lobbyist supplemental registration filed pursuant to this Code section	10.00
(C) Each <u>copy of a</u> lobbyist identification card issued pursuant to this Code section	5.00 <u>20.00</u>
(D) In addition to other penalties provided under this chapter, a filing fee of \$50.00 <u>\$100.00</u> shall be imposed for each report that is filed late. In addition, a filing fee of \$25.00 <u>\$250.00</u> shall be imposed on the fifteenth day after the due date if the report has still not been filed. <u>A fine of \$1,000.00 shall be imposed on the forty-fifth day after the due date for such report if the report has not been filed by such date. When such a fine is imposed, such fine shall be paid from the personal funds of the lobbyist and no other funds from any source may be used to pay such fine."</u>	

SECTION 50.

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:

1145	(1) New anhydrous ammonia permit for storage in bulk (more than	
1146	2,000 gallons aggregate capacity) for sale or distribution one-time	
1147	fee	\$ 100.00 <u>150.00</u>
1148	(2) Annual license for manufacture of explosives other than	
1149	fireworks	100.00 <u>150.00</u>
1150	(3) Annual license for manufacture, storage, or transport of	
1151	fireworks	1,000.00 <u>1,500.00</u>
1152	(4) Carnival license	100.00 <u>150.00</u>
1153	(5) Certificate of occupancy	100.00
1154	(6) Construction plan review:	
1155	(A) Bulk storage construction	100.00 <u>150.00</u>
1156	(B) Building construction, 10,000 square feet or less	100.00 <u>150.00</u>
1157	(C) Building construction, more than 10,000 square feet015 per square foot
1158	(D) Other construction	100.00 <u>150.00</u>
1159	(7) Fire sprinkler contractor certificate of competency	100.00 <u>150.00</u>
1160	(8) Liquefied petroleum gas storage license:	
1161	(A) 2,000 gallons or less	100.00 <u>150.00</u>
1162	(B) More than 2,000 gallons	500.00 <u>600.00</u>
1163	(9) Building construction inspection:	
1164	(A) 80 percent completion, 100 percent completion, annual, and	
1165	first follow-up	none
1166	(B) Second follow-up	100.00 <u>150.00</u>
1167	(C) Third and each subsequent follow-up	150.00 <u>220.00</u>
1168	(10) Purchase, storage, sale, transport, or use of explosives other	
1169	than fireworks:	
1170	(A) 500 pounds or less	50.00 <u>75.00</u>
1171	(B) More than 500 pounds	100.00 <u>150.00</u>
1172	(11) New self-service gasoline station permit one-time fee	100.00 <u>150.00</u>
1173	(12) New permit to dispense compressed natural gas (CNG) for	
1174	vehicular fuel one-time fee	100.00 <u>150.00</u> "

1175 **SECTION 50.1.**

1176 Said title is further amended by revising Code Section 25-2-20, relating to the licensing of
 1177 carnivals, circuses, and other exhibits, as follows:

"25-2-20.

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

SECTION 51.

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

"25-10-5.

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

SECTION 52.

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

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

SECTION 53.

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

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

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

SECTION 54.

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

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

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

SECTION 55.

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

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

"(c) A fire protection system designer license shall expire annually as determined by the rules and regulations. A license holder desiring to renew his or her license shall submit a

renewal application to the Commissioner and remit a renewal fee of ~~\$50.00~~ \$75.00 on or before the date determined by the rules and regulations of each year."

SECTION 56.

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

"25-12-8.

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

SECTION 57.

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

"26-2-25.

(a) It shall be unlawful for any person to operate a food sales establishment without having first obtained a license from the Commissioner. No license issued under this article shall be suspended or revoked except for health and sanitation reasons or violations of this article and until the licensee to be affected shall be provided with reasonable notice thereof and an opportunity for hearing, as provided under Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' Licenses issued under this article shall be ~~valid until~~ suspended or revoked renewed annually and shall not be transferable with respect to persons or location. ~~There shall be no fee for such license.~~ Each food sales establishment licensed pursuant to this Code section shall post such license on the premises in an open and conspicuous manner so as to be visible to the public. Neither the state nor any county, municipality, or consolidated government shall issue or renew any business or occupation license or permit for any food sales establishment until the establishment complies with the requirements of this article.

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

(1) Tier 5	\$300.00
(2) Tier 4	250.00
(3) Tier 3	200.00
(4) Tier 2	150.00
(5) Tier 1	100.00

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

SECTION 58.

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

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

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

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

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

SECTION 58.1.

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

SECTION 59.

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

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

SECTION 60.

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

"32-6-75.2.

There is established a special fund to be known as the 'Roadside Enhancement and Beautification Fund.' This fund shall consist of all moneys collected under Code Section 32-6-75.3, any appropriations by the General Assembly to the fund, revenues derived from the sale of any special and distinctive wildflower motor vehicle license plates issued pursuant to ~~Code Section 40-2-49.2~~ paragraph (5) of subsection (l) of Code Section 40-2-86, any contributions to the fund from any other source, and all interest thereon. All moneys collected under Code Section 32-6-75.3 and ~~manufacturing~~ fees for any special and distinctive wildflower motor vehicle license plates shall be paid into the fund. All balances in the fund shall be deposited in an interest-bearing account identifying the fund and shall be carried forward each year so that no part thereof may be deposited in the general treasury. The department shall administer the fund and expend moneys held in the fund in furtherance of roadside enhancement and beautification projects along public roads in this state and administration of the tree and vegetation trimming permit program under

Code Section 32-6-75.3. In addition to the foregoing, the department may, without limitation, promote and solicit voluntary contributions, promote the sale of motor vehicle license tags authorized under ~~Code Section 40-2-49.2~~ paragraph (5) of subsection (1) of Code Section 40-2-86, and develop any fund raising or other promotional techniques deemed appropriate by the department. Contributions to the fund shall be deemed supplemental to and shall in no way supplant funding that would otherwise be appropriated for these purposes. The department shall prepare, by February 1 of each year, an accounting of the funds received and expended from the fund. The report shall be made available to the members of the State Transportation Board, the Senate Transportation Committee, the Transportation Committee of the House of Representatives, and to members of the public on request."

SECTION 61.

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

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

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

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

SECTION 62.

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

"(b) It is declared that the operation of airports used by the public for general aviation purposes but which are operated without regulation as to minimum and uniform safety requirements endangers the lives and property of persons operating aircraft at these facilities, the passengers of aircraft operated by such persons, and the occupants of lands in the vicinity of such facilities. For the purpose of establishing and improving a system of safer airports and to foster safer operating conditions at these airports, the department is authorized and directed to provide for the licensing of airports. The department may

charge a license fee of ~~\$10.00~~ \$100.00 per runway, up to a maximum of \$400.00, for each original license and each renewal thereof. All licenses shall be renewed biennially. In promulgating the rules and regulations establishing minimum standards, the department shall consult with the Georgia Aviation Trades Association."

SECTION 63.

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

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

SECTION 64.

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

"40-2-9.

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

SECTION 65.

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

"40-2-22.

License plates and revalidation decals shall be issued only upon applications made to the local tag agent or the commissioner. ~~License plates and revalidation decals may be issued~~

by the local tag agent upon a proper application and in accordance with the terms of this chapter or by the commissioner on an appropriate application forwarded to him by the local tag agent where the type of license plate applied for is not maintained in local inventory or where the license plate applied for is one of those special license plates provided by law. The commissioner shall not be authorized to receive any applications for license plates or revalidation decals except those received through the local tag agents as provided for in this chapter."

SECTION 66.

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

"40-2-30.

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

SECTION 67.

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

"(b) Such license plates shall be ~~of metal~~ at least six inches wide and not less than 12 inches in length, except motorcycle license plates which shall be at least four inches wide and not less than seven inches in length, and shall show in ~~bold~~ boldface characters the month and year of expiration, the serial number, and either the full name or the abbreviation of the name of the state, shall designate the county from which the license plate was issued unless specifically stated otherwise in this chapter, and shall show such other distinctive markings as in the judgment of the commissioner may be deemed advisable, so as to indicate the class of weight of the vehicle for which the license plate was issued; and any license plate for a low-speed vehicle shall designate the vehicle as such. Such plates may also bear such figures, characters, letters, or combinations thereof as in the judgment of the commissioner will to the best advantage advertise, popularize, and otherwise promote Georgia as the 'Peach State.' The ~~metal~~ license plate shall be of such strength and quality that the plate shall provide a minimum service period of at least five years. The commissioner shall adopt rules and regulations, pursuant to the provisions of

Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' for the design and issuance of new ~~metal~~ license plates and to implement the other provisions of this Code section.

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

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

SECTION 68.

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

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

SECTION 69.

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

"(a) Motor vehicle owners who are residents of Georgia, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles and, except as provided in subsection (c) of this Code section, upon the payment of a fee of ~~\$25.00~~ \$35.00 in addition to the regular motor vehicle registration fee, shall be issued special personalized prestige license plates by the commissioner. Special personalized license plates issued pursuant to this Code section shall be subject to an additional annual registration fee of

~~\$25.00~~ \$35.00 as a condition of obtaining an annual revalidation decal for such license plate which fee shall be collected by the county tag agent at the time of collection of other registration fees and shall be remitted to the state as provided in Code Section 40-2-34."

SECTION 70.

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

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

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

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

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

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

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

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

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

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

SECTION 71.

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

"40-2-61.

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

SECTION 72.

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

"40-2-62.

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

SECTION 73.

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

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

SECTION 74.

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

- (1) Code Section 40-2-32, relating to license plates commemorating colleges and universities;
- (2) Code Section 40-2-75, relating to special license plates for amateur radio operators;

- 1590 (3) Code Section 40-2-76, relating to special license plates for vehicles using alternative
1591 fuels;
- 1592 (4) Code Section 40-2-77, relating to special license plates for antique or hobby or special
1593 interest vehicles; and
- 1594 (5) Code Section 40-2-78, relating to special license plates for firefighters.

1595 **SECTION 75.**

1596 Said title is further amended by repealing the following Code sections:

- 1597 (1) Code Section 40-2-32.1, relating to license plates for Georgia organizations;
- 1598 (2) Code Sections 40-2-48 through 40-2-49.1, which were reserved;
- 1599 (3) Code Section 40-2-49.2, relating to license plates promoting the conservation of
1600 wildflowers;
- 1601 (4) Code Section 40-2-49.3, relating to license plates promoting dog and cat reproductive
1602 sterilizations;
- 1603 (5) Code Section 40-2-86, which was reserved;
- 1604 (6) Code Section 40-2-86.1, relating to special license plates for square and round dancers;
- 1605 (7) Code Section 40-2-86.2, relating to a special license plate commemorating the Shrine
1606 hospitals for children;
- 1607 (8) Code Section 40-2-86.3, which was reserved;
- 1608 (9) Code Section 40-2-86.4, relating to a special license plate commemorating public
1609 schools;
- 1610 (10) Code Section 40-2-86.5, relating to a special license plate honoring educators;
- 1611 (11) Code Section 40-2-86.6, which was reserved;
- 1612 (12) Code Section 40-2-86.7, relating to a special license plate commemorating the National
1613 Rifle Association;
- 1614 (13) Code Section 40-2-86.8, relating to a special license plate supporting breast cancer
1615 programs for the medically indigent;
- 1616 (14) Code Section 40-2-86.9, relating to a special license plate commemorating Rotary
1617 International;
- 1618 (15) Code Section 40-2-86.10, relating to a special license plate commemorating police
1619 officers wounded in the line of duty;
- 1620 (16) Code Section 40-2-86.11, relating to a special license plate commemorating the
1621 Benevolent and Protective Order of the Elks;
- 1622 (17) Code Section 40-2-86.12, relating to a special license plate displaying the EMS Star of
1623 Life symbol;
- 1624 (18) Code Section 40-2-86.13, which was reserved;

- (19) Code Section 40-2-86.14, relating to a special license plate commemorating licensed physicians;
- (20) Code Sections 40-2-86.15 through 40-2-86.17, which were reserved;
- (21) Code 40-2-86.19, relating to a special license plate supporting the Global War on Terrorism and the Operation Enduring Freedom; and
- (22) Code Section 40-2-86.20, relating to a special license plate supporting the Global War on Terrorism and Iraqi freedom.

SECTION 76.

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

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

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

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

(c) Notwithstanding the provisions of subsections (a) and (b) of this Code section, this Code section shall not be implemented until such time as the State of Georgia has, through a licensing agreement or otherwise, received such license or other permission as may be required to implement this Code section. The design of the initial edition of such special license plate, as well as the design of subsequent editions and excepting only any part or parts of the designs owned by others and licensed to the state, shall be owned solely by the State of Georgia for its exclusive use and control, except as authorized by the commissioner. The commissioner may take such steps as may be necessary to give notice of and protect such right, including the copyright or copyrights. However, such steps shall

be cumulative of the ownership and exclusive use and control established by this subsection as a matter of law, and no person shall reproduce or otherwise use such design or designs, except as authorized by the commissioner.

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

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

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

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

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

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

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

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

SECTION 77.

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

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

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

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

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

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

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

(b) The agency, fund, or nonprofit corporation sponsoring the special license plate, in cooperation with the commissioner, shall design special distinctive license plates appropriate to promote the program benefited by the sale of the special license plate. The special license plates must be of the same size as general issue motor vehicle license plates and shall include a unique design and identifying number, whereby the total number of characters does not exceed ~~six~~ an amount to be determined by the commissioner. No two recipients shall receive identically numbered plates. ~~The graphic on the special license plate shall be placed to the left of the alphanumeric characters and shall be no larger than~~

~~three inches by three inches.~~ The agency, fund, or nonprofit corporation sponsoring the license plate may request the assignment of the first of 100 in a series of license plates upon payment of an additional initial registration fee of \$25.00 for each license plate requested.

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

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

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

~~(f)~~(e) Before the department disburses to the agency, fund, or nonprofit corporation funds from the sale of special license plates, the agency, fund, or nonprofit corporation must provide a written statement stating the manner in which such funds shall be utilized. In addition, a nonprofit corporation must provide the department with documentation of its nonprofit status under Section 501(c)(3) of Title 26 of the Internal Revenue Code. The purposes for which the funds shall be utilized must be the same as those specified in ~~subsections (m) and (n)~~ of this Code section authorizing the dedication to the agency, fund, or nonprofit corporation of revenue from the sale of special license plates. The agency, fund, or nonprofit corporation shall periodically provide to the commissioner an audit of

the use of the funds or other evidence of use of the funds satisfactory to the commissioner.

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

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

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

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

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

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

1807 ~~(h)~~(k) The commissioner is authorized and directed to establish procedures and promulgate
1808 rules and regulations to effectuate the purposes of this Code section.

1809 ~~(m)~~(l)(1) The General Assembly has determined that ~~the following existing~~ special
1810 license plates supporting the agencies, funds, or nonprofit corporations listed in this
1811 subsection shall ~~continue to~~ be issued for the purposes indicated ~~and that all of the funds~~
1812 ~~raised from the manufacturing fee, less a \$1.00 fee to be paid to the county tag agent and~~
1813 ~~a \$2.00 manufacturing fee to be paid to the department, shall be disbursed to the agency,~~
1814 ~~fund, or nonprofit corporation indicated in this subsection.~~ The special license plates
1815 listed in this subsection shall ~~not~~ be subject to a manufacturing fee, a special tag license
1816 plate fee, and a special license plate renewal fee. The revenue disbursement for the
1817 special license plates listed in this subsection shall be as follows:

1818 (A) Manufacturing fee – \$25.00 of which \$24.00 is to be deposited into the general
1819 fund and \$1.00 to be paid to the local county tag agent;

1820 (B) Special license plate fee – \$35.00 of which \$25.00 is to be deposited into the
1821 general fund and \$10.00 is to be dedicated to the sponsoring agency, fund, or nonprofit
1822 corporation as permitted by Article III, Section IX, Paragraph VI(n) of the Constitution;
1823 and

1824 (C) Special license plate renewal fee – \$35.00 of which \$25.00 is to be deposited into
1825 the general fund and \$10.00 is to be dedicated to the sponsoring agency, fund, or
1826 nonprofit corporation as permitted by Article III, Section IX, Paragraph VI(n) of the
1827 Constitution.

1828 (2) Special license plates promoting the Nongame-Endangered Wildlife Program of the
1829 Georgia Department of Natural Resources. The funds raised by the sale of these special
1830 license plates shall be disbursed to the Nongame Wildlife Conservation and Wildlife
1831 Habitat Acquisition Fund of the Georgia Department of Natural Resources for the
1832 purposes enumerated in subsection (b) of Code Section 12-3-602. Such license plates
1833 shall not include a space for a county name decal but shall instead bear the legend 'Give
1834 Wildlife a Chance' in lieu of the name of the county of issuance.

1835 (3) A special license plate promoting conservation and enhancement of trout populations.
1836 The funds raised by the sale of this special license plate shall be disbursed to the Wildlife
1837 Resources Division of the Department of Natural Resources to supplement trout
1838 restoration and management programs.

1839 (4) A special license plate supporting the Bobwhite Quail Restoration Initiative. The
1840 funds raised by the sale of this special license plate shall be disbursed to the Wildlife
1841 Resources Division of the Department of Natural Resources to conduct programs
1842 designed to enhance the bobwhite quail population in this state. Such programs may
1843 include the creation of habitat demonstration areas on state managed wildlife lands,

education programs, technical assistance to private landowners in the creation and maintenance of bobwhite quail habitats on their lands, and projects to encourage public support for the license plate and the activities it funds. The Department of Natural Resources may enter into such contractual agreements as may be appropriate to further the objectives of the Bobwhite Quail Restoration Initiative, including entering into contractual agreements whereby private landowners, public agencies, or corporate entities create, preserve, or enhance habitat for bobwhite quail in return for the payment of incentives. Such license plate shall not include a space for a county decal but shall instead bear the legend 'Support Wildlife' in lieu of the name of the county of issuance.

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

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

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

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

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

(C) Each college or university located in Georgia that enters into an agreement with the commissioner pursuant to this paragraph shall designate a charitable foundation which shall annually receive an allocation from the special license plate and special license plate renewal fees collected as provided in paragraph (1) of this subsection. Special license plates issued under this paragraph shall be transferred between vehicles as provided in Code Section 40-2-42.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~(21)~~(28) A special license plate for foster parents to support programs for foster parents in Georgia. The funds raised by the sale of this special license plate shall be disbursed

to The Adoptive and Foster Parent Association of Georgia, Inc., for support of foster parents in Georgia.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~(40)~~(47) A special license plate for the Georgia Aquarium to support its mission as an entertaining, educational, and scientific institution and to promote the conservation of aquatic biodiversity throughout the world. The funds raised by the sale of this special

plate shall be disbursed to Georgia Aquarium, Inc. Such license plate shall not include a space for a county name decal but shall instead bear the legend 'Georgia Aquarium' in lieu of the name of the county of issuance.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(d) ~~Beginning on January 1, 2007, any~~ Any Georgia resident who is the owner of a motor vehicle, except a vehicle registered under the International Registration Plan, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles and upon the payment of a manufacturing fee of \$25.00 and a special license plate

2174 fee of \$35.00, in addition to the regular motor vehicle registration fee, shall be able to apply
2175 for a special license plate listed in subsection (l) of this Code section. Revalidation decals
2176 shall be issued for special license plates in the same manner as provided for general issue
2177 license plates, with the addition of a \$35.00 special license plate renewal fee.

2178 (e) The manufacturing fee, special license plate fee, and special license plate renewal fee
2179 derived from the sale of special license plates contained in subsection (l) of this Code
2180 section shall be deposited into the general fund. The sponsoring agency, fund, or nonprofit
2181 corporation, subject to the appropriation process of the General Assembly, may request that
2182 the funds derived from the sale of special license plates be appropriated to the department
2183 for disbursement to such agency, fund, or nonprofit corporation.

2184 (f) Before the department disburses to the agency, fund, or nonprofit corporation funds
2185 from the sale of special license plates, the agency, fund, or nonprofit corporation must
2186 provide a written statement stating the manner in which such funds shall be utilized. In
2187 addition, a nonprofit corporation must provide the department with documentation of its
2188 nonprofit status under Section 501(c)(3) of Title 26 of the Internal Revenue Code. The
2189 purposes for which the funds shall be utilized must be the same as those specified in
2190 subsection (l) of this Code section authorizing the potential appropriation to the agency,
2191 fund, or nonprofit corporation of revenue from the sale of special license plates. The
2192 agency, fund, or nonprofit corporation shall periodically provide to the commissioner an
2193 audit of the use of the funds or other evidence of use of the funds satisfactory to the
2194 commissioner. If it is determined that the funds are not being used for the purposes set
2195 forth in the statement provided by the agency, fund, or nonprofit corporation, the
2196 department shall withhold payment of such funds until such noncompliance issues are
2197 resolved.

2198 (g) An applicant may request a special license plate any time during the applicant's
2199 registration period. If such a license plate is to replace a current valid license plate, the
2200 special license plate shall be issued with appropriate decals attached, upon the payment of
2201 any applicable registration fees, the manufacturing fee, and the special license plate fee.

2202 (h) No special license plate authorized pursuant to subsection (l) of this Code section shall
2203 be issued except upon the receipt by the department of at least 1,000 prepaid applications
2204 along with the manufacturing fee. The special license plate shall have an application
2205 period of two years ~~after January 1, 2007~~, from the date of authorization for payment of the
2206 manufacturing fee. After such time if the minimum number of applications is not met, the
2207 department shall not continue to accept the manufacturing fee, and all fees shall be
2208 refunded to applicants; provided, however, that once the department has received 1,000
2209 prepaid applications along with the manufacturing fee, the sponsor shall not be entitled to
2210 a refund.

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

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

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

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

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

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

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

(5) A special license plate honoring Georgia municipal clerks. The municipal clerk's office provides the professional link connecting citizens with their local governing bodies

and agencies of government at other levels. The funds raised by the sale of this license plate shall be deposited in the general fund.

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

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

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

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

(ii) 'Alternative fueled vehicle' means:

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

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

Act, 42 U.S.C. Section 7583(c)(2), for that make and model year or, for any 2004 and later model, a vehicle which has received a certificate that such vehicle meets or exceeds the Bin 5 Tier II emission level established in regulations prescribed by the administrator of the Environmental Protection Agency under Section 202(i) of the Clean Air Act, 42 U.S.C. Section 7521(i), for that make and model year vehicle and which achieves a composite label fuel economy greater than or equal to 1.5 times the Model Year 2002 EPA composite class average for the same vehicle class and which is made by a manufacturer.

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

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

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

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

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

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

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

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

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SECTION 78.

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

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

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SECTION 79.

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

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

2370	(1) For instruction permits for Classes A, B, C, and M drivers'	
2371	licenses and for Class D drivers' licenses	\$ 10.00
2372	(2) For five-year Classes A, B, C, and M noncommercial drivers'	
2373	licenses	20.00
2374	(2.1) For ten-year <u>eight-year</u> Classes A, B, C, and M noncommercial	
2375	drivers' licenses	35.00 <u>32.00</u>
2376	(3) For Classes A, B, C, and M commercial drivers' licenses	20.00
2377	(4) For application for Classes A, B, C, and M commercial drivers'	
2378	licenses or a Class P commercial driver's instruction permit	35.00
2379	(5) For Class P commercial drivers' instruction permits for Classes	
2380	A, B, C, and M commercial drivers' licenses	10.00
2381	(6) For Classes A, B, C, and M commercial drivers' licenses, initial	
2382	issuance requiring a road test	70.00
2383	(7) For Classes A, B, C, and M commercial drivers' licenses, initial	
2384	issuance not requiring a road test	20.00
2385	(8) For renewal of Classes A, B, C, and M commercial drivers'	
2386	licenses	20.00
2387	(8.1) For renewal of five-year Classes A, B, C, and M	
2388	noncommercial drivers' licenses	20.00
2389	(8.2) For renewal of ten-year <u>eight-year</u> Classes A, B, C, and M	
2390	noncommercial drivers' licenses	35.00 <u>32.00</u>

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

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

SECTION 80.

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

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

SECTION 81.

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

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

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

SECTION 82.

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

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

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

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

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

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

SECTION 83.

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

"43-25-3.

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

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

SECTION 84.

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

"45-9-76.

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

SECTION 84.1.

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

"45-12-92.1.

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

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

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

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

SECTION 85.

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

"46-5-70.

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

SECTION 86.

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

"46-5-73.

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

SECTION 87.

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

"46-5-100.

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

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

SECTION 88.

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

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

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

SECTION 89.

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

"48-17-2.

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

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

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

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

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

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

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

(2) For Class B machines:

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

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

operation under this chapter, such owner shall pay an additional master license fee of \$2,000.00; or

(C) For 61 or more machines, the owner shall pay a master license fee of \$5,000.00.

The cost of the license shall be paid to the commissioner by company check, cash, cashier's check, or money order. Upon said payment, the commissioner shall issue a master license certificate to the owner. The master license fee levied by this ~~chapter~~ Code section shall be collected by the commissioner on an annual basis, ~~provided that an owner may purchase a six-month master license during the calendar year for \$175.00 for a level one license, \$1,050.00 for a level two license, or \$1,750.00 for a level three license for the period from July 1 to June 30.~~ The commissioner may establish procedures for master license collection and set due dates for these license payments. No refund or credit of the master license charge levied by this ~~chapter~~ Code section may be allowed to any owner who ceases the operation of bona fide coin operated amusement machines prior to the end of any ~~calendar year~~ license or permit period."

SECTION 90.

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

"(a) Every owner, except an owner holding a coin operated amusement machine solely for personal use or resale, who offers others the opportunity to play for a charge, whether direct or indirect, any bona fide coin operated amusement machine shall pay ~~a uniform an~~ an annual permit fee ~~of \$25.00 per for each~~ for each bona fide coin operated amusement machine in the amount of \$75.00 for each Class A machine and \$150.00 for each Class B machine. The fee shall be paid to the commissioner by company check, cash, cashier's check, or money order. Upon payment, the commissioner shall issue a sticker ~~for each \$25.00 payment~~ for each bona fide coin operated amusement machine. The annual fees levied by this chapter ~~will~~ shall be collected by the commissioner on an annual basis for the period July 1 to June 30. The commissioner may establish procedures for annual collection and set due dates for the fee payments. No refund or credit of the annual fee levied by this chapter shall be allowed to any owner who ceases the exhibition or display of any bona fide coin operated amusement machine prior to the end of any calendar year."

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

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

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

SECTION 91.

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

"48-17-11.

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

SECTION 92.

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

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

SECTION 93.

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

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SECTION 94.

2628

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