

Senate Bill 121

By: Senators Miller of the 49th, Tolleson of the 20th, Jeffares of the 17th, Ginn of the 47th
and Gooch of the 51st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 5 of Title 14, Code Section 27-1-13, and Code Section 52-7-5
2 of the Official Code of Georgia Annotated, relating to, respectively, corporation
3 commissioner, disposition of funds received by the Department of Natural Resources,
4 appropriations, and grants and donations for natural resources conservation camps, and
5 numbering of watercraft vessels, so as to provide for refunding of fees under certain
6 circumstances; to provide for related matters; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 2 of Chapter 5 of Title 14 of the Official Code of Georgia Annotated, relating to
11 corporation commissioner, is amended by revising Code Section 14-5-21, relating to fees and
12 reports, as follows:

13 "14-5-21.

14 All fees collected by the Secretary of State shall be paid into the state treasury for the use
15 of the state, and the Secretary of State shall include in his or her annual reports a full
16 statement of all fees collected or received under Chapters 2 through 5 of this title and the
17 disposition thereof. The Secretary of State shall be authorized to establish, by rule or
18 regulation, a procedure by which his or her office shall refund fees collected in error or
19 overpayment or to which the state is otherwise not entitled."

20 **SECTION 2.**

21 Code Section 27-1-13 of the Official Code of Georgia Annotated, relating to disposition of
22 funds received by the Department of Natural Resources, appropriations, and grants and
23 donations for natural resources conservation camps, is amended by revising subsection (a)
24 as follows:

25 “(a) All funds resulting from the operation of the department and from the administration
26 of the laws and regulations pertaining to wildlife, excluding fines, but including all license
27 fees and other income (except that income provided for in subsection (b) of this Code
28 section), shall be paid into the general funds of the state treasury; and each year at least
29 such amount shall be appropriated to the department. The department shall be authorized
30 to establish, by rule or regulation, a procedure to refund fees collected in error or
31 overpayment or to which the department or state is otherwise not entitled.”

32 SECTION 3.

33 Code Section 52-7-5 of the Official Code of Georgia Annotated, relating to numbering of
34 watercraft vessels, is amended by adding a new subsection to read as follows:

35 "(o) The department shall be authorized to establish, by rule or regulation, a procedure to
36 refund fees collected pursuant to this chapter which were collected in error or overpayment
37 or to which the department or state is otherwise not entitled."

38 **SECTION 4.**

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