

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

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 12-2-24, Article 2 of Chapter 5 of Title 14, Code Section 27-1-13,
2 and Code Section 52-7-5 of the Official Code of Georgia Annotated, relating to, respectively,
3 powers and duties of the Board of Natural Resources, corporation commissioner, disposition
4 of funds received by the Department of Natural Resources, appropriations, and grants and
5 donations for natural resources conservation camps, and numbering of watercraft vessels, so
6 as to provide for refunding of fees under certain circumstances; to provide for related
7 matters; to repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 Code Section 12-2-24 of the Official Code of Georgia Annotated, relating to powers and
11 duties of the Board of Natural Resources, is amended by revising subsection (a) as follows:

12 "(a)(1) The Board of Natural Resources may make such rules and regulations as it may
13 deem advisable to govern the work of the department and the duties of its employees
14 under this title.

15 (2) Without limiting paragraph (1) of this subsection, the board may establish, by rule
16 or regulation, a procedure to refund fees collected in error or overpayment or to which
17 the department or state is not otherwise entitled."

18 **SECTION 2.**

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

22 "14-5-21.

23 All fees collected by the Secretary of State shall be paid into the state treasury for the use
24 of the state, and the Secretary of State shall include in his or her annual reports a full
25 statement of all fees collected or received under Chapters 2 through 5 of this title and the

26 disposition thereof. The Secretary of State shall be authorized to establish, by rule or
27 regulation, a procedure by which his or her office shall refund fees collected in error or
28 overpayment or to which the state is otherwise not entitled."

29 **SECTION 3.**

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

34 "(a) All funds resulting from the operation of the department and from the administration
35 of the laws and regulations pertaining to wildlife, excluding fines, but including all license
36 fees and other income (except that income provided for in subsection (b) of this Code
37 section), shall be paid into the general funds of the state treasury; and each year at least
38 such amount shall be appropriated to the department. The board shall be authorized to
39 establish, by rule or regulation, a procedure to refund fees collected in error or
40 overpayment or to which the department or state is otherwise not entitled."

41 **SECTION 4.**

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

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

47 **SECTION 5.**

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