

The House Committee on Ways and Means offers the following substitute to HB 851:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Code Section 48-6-73 of the Official Code of Georgia Annotated, relating to  
2 reports and distributions of intangible recording taxes, so as to change certain provisions  
3 relating to population brackets and the census relative to the commission on the collection  
4 of intangible recording taxes; provide for related matters; to repeal conflicting laws; and for  
5 other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 48-6-73 of the Official Code of Georgia Annotated, relating to reports and  
9 distributions of intangible recording taxes, is amended as follows:

10 "48-6-73.

11 Each collecting officer shall make a report to the commissioner by the tenth day of each  
12 month on forms prescribed by the commissioner of all sums collected and remitted under  
13 this article for the preceding month. The collecting officer shall retain 6 percent of the tax  
14 collected as compensation for ~~said~~ such officer's services in collecting the tax. All such  
15 taxes shall be deemed to have been collected by the collecting officer in ~~said~~ such officer's  
16 official capacity. Failure to collect and distribute the tax as provided by law shall  
17 constitute a breach of the official duty and of the official bond of the collecting officer. In  
18 each county in which the collecting officer is on a salary, the 6 percent commission  
19 allowed by this Code section shall be paid into the county treasury and shall become county  
20 property. The long-term notes secured by real property upon which this tax is based shall  
21 not be placed upon the property tax digest prepared and maintained by the tax receiver. It  
22 is the intention of the General Assembly that the 6 percent commission permitted under this  
23 article for the collection and distribution of this tax by the collecting officer shall be the  
24 only compensation permitted to any collecting officer with respect to this tax. In counties  
25 having a population of ~~more than 650,000~~ at least 690,000 but not more than 700,000 and  
26 counties having a population of at least 900,000 according to the United States decennial

27 census of ~~2000~~ 2010 or any future such census, however, the commission allowed under  
28 this article as compensation to the collecting officer shall be 4 percent."

29 **SECTION 2.**

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