

House Bill 851 (AS PASSED HOUSE AND SENATE)

By: Representatives Rice of the 51<sup>st</sup>, Powell of the 29<sup>th</sup>, and Sheldon of the 105<sup>th</sup>

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 regarding the taxation of intangibles, so as to change certain  
3 requirements regarding the rates to be charged by collecting officers; to provide for related  
4 matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 48-6-73 of the Official Code of Georgia Annotated, relating to reports and  
8 distributions regarding the taxation of intangibles, is revised as follows:

9 "48-6-73.

10 Each collecting officer shall make a report to the commissioner by the tenth day of each  
11 month on forms prescribed by the commissioner of all sums collected and remitted under  
12 this article for the preceding month. The collecting officer shall retain 6 percent of the tax  
13 collected as compensation for said officer's services in collecting the tax. All such taxes  
14 shall be deemed to have been collected by the collecting officer in said officer's official  
15 capacity. Failure to collect and distribute the tax as provided by law shall constitute a  
16 breach of the official duty and of the official bond of the collecting officer. In each county  
17 in which the collecting officer is on a salary, the 6 percent commission allowed by this  
18 Code section shall be paid into the county treasury and shall become county property. The  
19 long-term notes secured by real property upon which this tax is based shall not be placed  
20 upon the property tax digest prepared and maintained by the tax receiver. It is the intention  
21 of the General Assembly that the 6 percent commission permitted under this article for the  
22 collection and distribution of this tax by the collecting officer shall be the only  
23 compensation permitted to any collecting officer with respect to this tax. ~~In counties~~  
24 ~~having a population of more than 650,000, according to the United States decennial census~~  
25 ~~of 2000 or any future such census, however, the commission allowed under this article as~~  
26 ~~compensation to the collecting officer shall be 4 percent."~~

27

**SECTION 2.**

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

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**SECTION 3.**

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