

Implementation of a 9-1-1 Fee on
Prepaid Wireless Service

WHEREAS, Part 4 of Article 2 of Chapter 5 of Title 46 of the Official Code of Georgia Annotated, as amended by Act No. 187, Georgia Laws 2011, authorizes counties and cities that operate a 9-1-1 public safety answering point to impose a 9-1-1 charge on prepaid wireless service at the retail point of sale; and,

WHEREAS, pursuant to Code Section 46-5-134.2 of the Official Code of Georgia Annotated such charges may be imposed at the rate of 75 cents per retail transaction; and

WHEREAS, revenues received by a county or municipality from such charges must be deposited in the emergency telephone assistance fund maintained by the county or municipality; and

WHEREAS, imposition of the charge on prepaid wireless service is contingent upon the enactment of an ordinance or resolution of the county or municipality; and

WHEREAS, Fannin County, a political subdivision of the State of Georgia operates a 9-1-1 public safety answering point.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Fannin County, a political subdivision of the State of Georgia, does hereby ordain as follows:

Section 1. 9-1-1 Charge on Prepaid Wireless Transactions

In accordance with O.C.G.A. § 46-5-134.2, there is hereby imposed a prepaid wireless 9-1-1 charge as defined by O.C.G.A. § 46-5-134.2(a)(4) upon every prepaid wireless retail transaction occurring within the jurisdiction of the public service answering point in the amount of 75 cents.

Section 2. Collection of 9-1-1 Charge on Prepaid Wireless Transactions

Prepaid wireless 9-1-1 charges collected by sellers shall be remitted to the Commissioner of the Department of Revenue at the times and in the manner provided by Chapter 8 of Title 48 of the Official Code of Georgia Annotated with respect to the sales and use tax imposed on prepaid wireless calling service.

Section 3. Administrative Provisions

The Clerk of the County is hereby directed to file with the State Revenue Commissioner a certified copy of this ordinance and amendments thereto, in accordance with O.C.G.A. § 46-5-134.2(j)(1), within ten (10) days of enactment of this ordinance.

¹ *NOTE: Each jurisdiction must adopt an ordinance imposing the charge in order to ensure receipt of the jurisdiction's share of the prepaid 9-1-1 revenues collected by the Department of Revenue.*

Section 4. Depositing of Funds; Use of Funds

In accordance with O.C.G.A. § 46-5-134.2(j)(5), funds received by this county from charges imposed by this ordinance shall be deposited in the Emergency Telephone System Fund maintained by this county pursuant to O.C.G.A. § 46-5-134 and kept separate from general revenue of the jurisdiction; all such funds shall be used exclusively for the purposes authorized by O.C.G.A. § 46-5-134 (e).

Section 5. Repealer

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

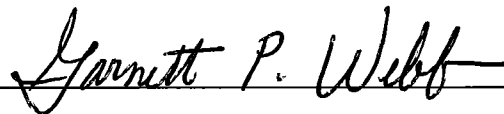
Section 6. Effective Date

The ordinance shall become effective January 1, 2012.

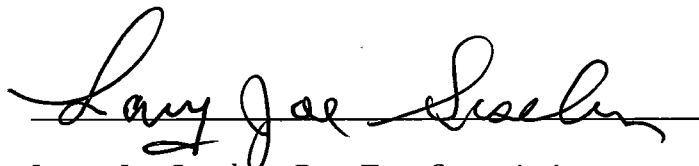
Be IT ORDAINED this ___ day of _____, 2011, by the Board of Commissioners of Fannin County, a political subdivision of the State of Georgia



William C. Simonds, Chairman



Garnett P. Webb, Post One Commissioner

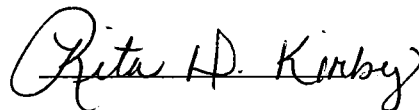


Larry Joe Sosebee, Post Two Commissioner

CERTIFICATION

I hereby certify that the foregoing is a true and correct copy of an original ordinance duly adopted by the Board of Commissioners of Fannin County, a political subdivision of the State of Georgia.

In witness whereof, I hereunto set my hand and affix the seal of the County, this 26th day of July, 2011.



County Clerk

[Affix Seal]