COUNTY AGENDA REQUEST

Department:	Finance	Presenter(s):	Mary S. Holland
Meeting Date:	Thursday, October 13, 2011	Type of Request:	Consent

Wording for the Agenda:

Approval of staff's request for funding in the amount of $5,500 for an enhancement to the County's MUNIS software system to create an export file adhering to the record layout as required by Georgia Department of Revenue for submitting business occupation tax data to the State.

Background/History/Details:

On February 10, 2011, the Board of Commissioners adopted Resolution No. 2011-04 "Partner with the Georgia Department of Revenue in an Effort to Ensure Proper Payment of Sales Tax". This agreement is based on the June, 2010 adoption of HB 1093 which changed Georgia Code section 48-13-20.1 to allow participating counties to submit certain business occupation tax data (OTC) to the State for purposes of validating those businesses are in compliance with state and local sales tax laws.

In July, 2011, the Department of Revenue provided the reporting specifications which requires the county to capture additional data of ownership type codes as defined by the State. Programming changes are needed to meet this data requirement and to create an export file for transmission to the State. Two programming options were provided by Munis of which one is to enhance a future release (version 9.4) and the second is to enhance the current software (version 8.2). Price quotes are $3,300 for option one and $5,500 for option two. Staff is recommending option two at $5,500 as the future release under option one is scheduled for December 2012 at the earliest. OTC renewals will be mailed the first week of December 2011 with renewals due by January 31, 2012. Option two will allow the county to submit 2011 data and 2012 data while option one would not capture 2011 data and may delay 2012 data. Although definite figures are not available at this time, expectations are to collect more than the cost of $5,500 in additional LOST and OTC revenues each year.

What action are you seeking from the Board of Commissioners?

Approval of Staff's recommendation to fund option two for $5,500 utilizing funds from the completed capital project, HR Kronos Software with a balance of $5,052 and the remaining funding of $448 coming from Finance's 2012 technical services budget.

If this item requires funding, please describe:

Funding of $5,500 is requested as outlined above under BOC action needed.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?	No	Backup Provided with Request?	Yes

STAFF USE ONLY

Approved by Finance	Yes	Reviewed by Legal	Yes
Approved by Purchasing	Yes	County Clerk's Approval	Yes
Administrator's Approval	Yes		

Staff Notes:

Fayette County GEORGIA

Where Quality Is A Lifestyle

February 15, 2011

Douglas J. MacGinnitie, Commissioner
Georgia Department of Revenue
1800 Century Blvd, NE
Atlanta, GA 30345-3205

Subject: Resolution to Partner with Ga. DOR to Ensure Payment of Sales Tax

Dear Commissioner MacGinnitie:

Fayette County has opted to participate in the program administered by the Georgia Department of Revenue to ensure that businesses are properly compliant with state and local sales tax laws, as provided for in Georgia Code section 48-13-20.1. Attached, please find the county's Resolution Number 2011-04, adopted February 10, 2011, and titled "Resolution to Partner with the Georgia Department of Revenue in an Effort to Ensure Proper Payment of Sales Tax."

If you have questions, please contact the county's Chief Financial Officer, Ms. Mary S. Holland, or me.

Sincerely,

Jack J. Krakeel,
County Administrator

JJK/tlb
Enclosure

cc: Mary S. Holland

RESOLUTION NO. 2011-04

RESOLUTION TO PARTNER WITH THE GEORGIA DEPARTMENT OF REVENUE IN AN EFFORT TO ENSURE PROPER PAYMENT OF SALES TAX

WHEREAS, pursuant to O.C.G.A. § 48-13-20.1, the Georgia Department of Revenue is partnering with counties and cities to enable the Department to ensure that businesses are properly compliant with state and local sales tax laws;

WHEREAS, counties and cities that impose an occupation tax or regulatory fee pursuant to O.C.G.A. § 48-13-1 *et seq.*, may pass a resolution to participate in this voluntary program;

WHEREAS, Fayette County levies an occupation tax and/or regulatory fee pursuant to O.C.G.A. § 48-13-1 *et seq.*; and

WHEREAS, the Fayette County Board of Commissioners desires to have Fayette County participate in this voluntary program.

NOW, THEREFORE BE IT RESOLVED by the Fayette County Board of Commissioners that Fayette County will participate in the Georgia Department of Revenue's program to verify that businesses paying occupation taxes and regulatory fees are also paying their state and local sales tax.

BE IT FURTHER RESOLVED that, upon adoption of this Resolution, any person who performs any business, occupation or profession subject to an occupation tax or regulatory fee under O.C.G.A. § 48-13-1 *et seq.* is required to provide the County the following information when paying their occupation tax or regulatory fee:

(a) The legal name of the business;
(b) Any associated trade names for the business;
(c) The mailing address for the business;
(d) The actual physical address of each location of the business, if it is different than the mailing address;
(e) NAICS – North American Industry Classification System Code; and
(f) The sales and use tax identification number assigned to the business by the Georgia Department of Revenue, if the business is required by law to have such a number.

BE IT FURTHER RESOLVED that the County will provide written notice to all persons subject to occupation tax or regulatory fees and that:

(a) This information will be turned over to the Georgia Department of Revenue; or
(b) If the person refuses or fails to provide the required information, the County will notify the Georgia Department of Revenue of this fact.

BE IT FURTHER RESOLVED that, within thirty (30) days after receiving the payment of occupation taxes or regulatory fees under O.C.G.A. § 48-13-20, the County will electronically submit the information received from each business, to the Georgia Department of Revenue.

BE IT FURTHER RESOLVED that a copy of this executed Resolution will be immediately transmitted to the Commissioner of the Georgia Department of Revenue.

This 10th day of February, 2011.

Fayette County Board of Commissioners

By Herbert Frady

Herbert E. Frady
Chairman

ATTEST:

Carol Chandler

Carol Chandler,
County Clerk