

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Health and Human Services Appropriations Committee

BILL: CS/SB 858

INTRODUCER: Health Regulation Committee and Senator Garcia

SUBJECT: Driver Licenses/Contribution to Stop Heart Disease

DATE: April 13, 2009 **REVISED:** _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|---------|----------------|-----------|------------------------|
| 1. | Hansson | Meyer | TR | Fav/1 amendment |
| 2. | Munroe | Wilson | HR | Fav/CS |
| 3. | Kynoch | Peters | HA | Favorable |
| 4. | | | | |
| 5. | | | | |
| 6. | | | | |

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE..... Statement of Substantial Changes

B. AMENDMENTS..... Technical amendments were recommended

Amendments were recommended

Significant amendments were recommended

I. Summary:

This bill requires the Department of Highway Safety and Motor Vehicles (DHSMV) to include a check-off for a voluntary contribution to Stop Heart Disease on each driver’s license application form. Stop Heart Disease is a special trust fund established by the Florida Heart Research Institute, a nonprofit organization. The Florida Heart Research Institute has completed the statutory requirements, authorizing it to seek Legislative enactment of the voluntary contribution check-off.

The minimal fiscal impact to the DHSMV is offset by the application fee received by the DHSMV from the Florida Heart Disease Research Institute.

This bill amends section 322.08, Florida Statutes.

II. Present Situation:

Section 322.081, F.S., provides the procedures that an organization must follow prior to seeking legislative authorization to establish a voluntary check-off on a driver’s license application.

Before the organization is eligible, it must submit the following to the DHSMV at least 90 days before the convening of the regular session of the Legislature:

- A request for the particular voluntary contribution being sought, describing it in general terms.
- An application fee of up to \$10,000 to defray the DHSMV's costs for reviewing the application and developing the check-off, if authorized, and state funds may not be used to pay the application fee.
- A short and long-term marketing strategy and a financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the voluntary contributions.

The DHSMV must discontinue the check-off if less than \$25,000 has been contributed by the end of the fifth year, or if less than \$25,000 is contributed during any subsequent 5-year period.

Pursuant to s. 322.08, F.S., the driver's license application and renewal forms currently include the following six voluntary contribution check-offs:

- A voluntary contribution of \$1 per applicant, which shall be deposited into the Health Care Trust Fund for organ and tissue donor education and for maintaining the organ and tissue donor registry.
- A voluntary contribution of \$1 per applicant, which shall be distributed to the Florida Council of the Blind.
- A voluntary contribution of \$2 per applicant, which shall be distributed to the Hearing Research Institute, Incorporated.
- A voluntary contribution of \$1 per applicant, which shall be distributed to the Juvenile Diabetes Foundation International.
- A voluntary contribution of \$1 per applicant, which shall be distributed to the Children's Hearing Help Fund.
- A voluntary contribution of \$1 per applicant, which shall be distributed to Family First, a nonprofit organization.

An organization requesting a driver's license check-off must also provide a statement that explains the purpose of the trust fund created through the check-off. Some contributions received through driver's license check-offs are exempted from the general revenue service charges as established in s. 215.20, F.S.

Currently, Stop Heart Disease is not an option for a voluntary contribution on driver's license application and driver's license renewal issuance or renewal extension forms.

The mission of the Florida Heart Disease Research Institute (FHDRI) is to pursue heart disease research, education and prevention in Florida. Heart disease is the leading cause of death in the United States. The FHDRI is a self-contained cardiovascular research center, but it also collaborates with other research partners on the national level, thereby developing new and innovative research efforts. The FHDRI is also recognized as a leading cardiovascular resource for the local community, as it provides free community services, including onsite and offsite screening programs for the underserved and uninsured and a free lecture series for community service organizations.

III. Effect of Proposed Changes:

Section 1 amends s. 322.08, F.S., to require the DHSMV to include a check-off for a voluntary \$1 contribution to Stop Heart Disease on each driver's license application form. The contributions donated to Stop Heart Disease through the driver's license check-off will go towards the Florida Heart Disease Research Institute, a nonprofit organization. This section also exempts the funds from the general revenue service charge.

Section 2 provides an effective date of October 1, 2009.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

The provisions of this bill have no impact on municipalities and the counties under the requirements of Article VII, Section 18 of the Florida Constitution.

B. Public Records/Open Meetings Issues:

The provisions of this bill have no impact on public records or open meetings issues under the requirements of Article I, Section 24(a) and (b) of the Florida Constitution.

C. Trust Funds Restrictions:

The provisions of this bill have no impact on the trust fund restrictions under the requirements of Article III, Subsection 19(f) of the Florida Constitution.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Driver's license applicants wishing to contribute \$1 to Stop Heart Disease may do so by checking the organization on the driver's license application form or the forms for renewal issuance or renewal extension.

C. Government Sector Impact:

The Florida Heart Disease Research Institute has paid an application fee of \$10,000 to defray the DHSMV's costs for reviewing the application and developing the check-off.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Health Regulation on March 25, 2009:

The committee substitute deletes section 2 of the bill which amends s. 322.18, F.S., to require the driver's license application form for renewal issuance or renewal extension to include language permitting the applicant to make a voluntary contribution of \$1 per applicant to Stop Heart Disease, for distribution to the Florida Heart Research Institute, a nonprofit organization. The committee substitute also changes the effective date from July 1, 2009 to October 1, 2009.

- B. **Amendments:**

None.