

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 993 CS

Driver License Applications

SPONSOR(S): Legg

TIED BILLS:

IDEN./SIM. BILLS: SB 1502

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Transportation Committee</u>	<u>12 Y, 0 N, w/CS</u>	<u>Thompson</u>	<u>Miller</u>
2) <u>Transportation & Economic Development Appropriations Committee</u>	<u>14 Y, 0 N</u>	<u>McAuliffe</u>	<u>Gordon</u>
3) <u>State Infrastructure Council</u>	<u></u>	<u>Thompson</u>	<u>Havlicak</u>
4) <u></u>	<u></u>	<u></u>	<u></u>
5) <u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

HB 993 w/CS requires the Department of Highway Safety and Motor Vehicles (DHSMV), to include a check-off for a voluntary \$1.00 contribution to the Children's Hearing Help Fund which is administered by the Sertoma Speech and Hearing Foundation of Florida, Inc. The organization has completed the statutory requirements authorizing it to seek Legislative enactment of the voluntary contribution check-off. Currently, the driver's license application form contains five voluntary contribution check-offs.

The required \$10,000 fee provided by the Sertoma Speech and Hearing Foundation of Florida, Inc., will defray DHSMV's programming costs associated with the development of the driver's license application check-off. The amount of contributions that may be collected for this organization is unknown.

The bill takes effect July 1, 2005.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

The bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Section 322.081, F.S., provides a procedure 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 to 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 DHSMV's costs for reviewing the application and developing the check-off, if authorized; and
- 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.

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 five-year period.

Currently, the driver's license application form contains five voluntary contribution check-offs. They include:

- A voluntary contribution of \$5 per applicant, which is transferred into the Election Campaign Financing Trust Fund.
- A voluntary contribution of \$1 per applicant, which is deposited into the Florida Organ and Tissue Donor Education and Procurement 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 is distributed to the Florida Council of the Blind.
- A voluntary contribution of \$2 per applicant, which is distributed to the Hearing Research Institute, Incorporated.
- A voluntary contribution of \$1 per applicant, which is distributed to the Juvenile Diabetes Foundation International.

HB 993 w/CS requires the DHSMV to include a check-off for a voluntary \$1.00 contribution to the Children's Hearing Help Fund (administered by the Sertoma Speech and Hearing Foundation of Florida, Inc.) on each driver's license application form. The organization has completed the statutory requirements authorizing it to seek Legislative enactment of the voluntary contribution check-off.

According to the Sertoma Speech and Hearing Foundation, its mission is to, "provide quality development and rehabilitative services, products, and education (primarily to children) throughout Florida, in a caring and compassionate environment, never limited by ability to pay."

The required \$10,000 fee provided by the Sertoma Speech and Hearing Foundation of Florida, Inc., will defray DHSMV's programming costs associated with the development of the driver's license application voluntary check-off. The amount of contributions that may be collected for this organization is unknown.

C. SECTION DIRECTORY:

Section 1. Amends s. 322.08, F.S., requiring each driver's license application to provide for a voluntary contribution of \$1 per applicant to the Children's Hearing Help Fund; provides for use of the funds; and exempts such funds from the general revenue service charge.

Section 2. Provides an effective date of July 1, 2005.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See Fiscal Comments below.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Persons applying for driver's license will be permitted to make a \$1 voluntary contribution to benefit the Children's Hearing Help Fund which is administered by the Sertoma Speech and Hearing Foundation of Florida, Inc. The contribution is not mandatory. In addition, the voluntary check-off will generate an indeterminate amount of revenue for the Children's Hearing Help Fund.

D. FISCAL COMMENTS:

The required \$10,000 fee provided by the Sertoma Speech and Hearing Foundation of Florida, Inc, will defray DHSMV's programming costs associated with the development of the driver's license application voluntary check-off. The amount of contributions that may be collected for this organization is unknown.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to: require the counties or cities to spend funds or take an action requiring the expenditure of funds; reduce the authority that cities or counties have to raise revenues in the aggregate; or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

On **March 22, 2005** the Committee on Transportation considered HB 993 and adopted 1 amendment which made the following changes to the bill.

Amendment #1. Specifies that a \$1 voluntary contribution will benefit the Children's Hearing Help Fund and deleted a reference to the Sertoma Speech and Hearing Foundation of Florida, Inc.

The committee then voted 12-0 to report the bill favorably with committee substitute.