

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:

Present Situation

Specialty license plates are listed in s. 320.08058, F.S. Specialty license plates are available to any owner or lessee of a motor vehicle who is willing to pay an annual use fee for the privilege. The legislature has enacted 106 specialty license plates to date, though only 100 are currently available for purchase. Section 320.08056, F.S., specifies annual use fees ranging from \$15 to \$25 for the various specialty plates, which are paid in addition to required license taxes and service charges.

Funds derived from these annual use fees are distributed to an organization or organizations in support of a particular cause or charity signified on the plate's design and designated in s. 320.08058, F.S. This section also provides for the uses of funds derived for each plate from its annual use fee. There is wide variation on the uses of these fees regarding administrative costs and marketing or promotion expenses. For example, the "Support Soccer" license plate¹ allows 25 percent of funds to be used for promotion and marketing and 5 percent to be used for administrative costs; while the "United We Stand" license plate² requires that 100 percent of funds be used for airport security grants.

The Police Athletic League license plate³ was created by the legislature in 1996 by chapter 96-163, Laws of Florida. This license plate ranks 24th in popularity for the number of license plates currently issued. The Police Athletic League license plate raised \$328,500 in calendar year 2004, with \$1.8 million raised from 1997 to 2004.

Currently the annual use fees from the Police Athletic League license plates are distributed to the Florida Police Athletic League, Inc., to provide educational materials, athletic equipment, transportation, food, medical checkups, counseling, scholarships, and other direct expenses incurred by the league in conducting its youth programs. The Police Athletic League, Inc. is not authorized to use any portion of the license plate proceeds for administrative, marketing or promotional costs.

Proposed Changes

HB 385 amends s. 320.08058, F.S., transferring distribution of the annual use fees of Police Athletic League license plates from the Florida Police Athletic League, Inc., to the State of Florida Association of Police Athletic/Activities Leagues, Inc. The purpose is to reflect an administrative change in the corporation that receives the proceeds from the sale of Police Athletic League license plates.

The bill also authorizes the use of a portion of the funds for administrative and promotional costs. The league may use a maximum of 15 percent of such fees for administrative costs and a maximum of 10 percent to market and promote the plate.

¹ S. 320.08058 (54), F.S.,

² S. 320.08058 (33), F.S.,

³ S. 320.08058 (16), F.S.

C. SECTION DIRECTORY:

Section 1. Amends s. 320.08058, F.S., providing distribution and allocation of annual use fees from the sale of the Police Athletic League license plate.

Section 2. Provides an effective date of July 1, 2006.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill does not appear to have a significant direct economic impact on the private sector.

D. FISCAL COMMENTS:

If the bill's provisions were effective in 2004, the Police Athletic League, Inc. would have been authorized to use \$49,275 for administrative costs and \$32,850 for marketing and promotion.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because the bill does not appear to: require counties or cities to spend funds or take 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:

The purpose of the transfer of proceeds is to reflect an administrative change in the corporation that receives the proceeds from the sale of Police Athletic League license plates. The new corporation is on file with the Department of State, Division of Corporations, listed as the State of Florida Association of Police Athletic Leagues/Activities, Inc.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES