

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Prepared By: Health Care Committee

BILL: CS/SB 738

INTRODUCER: Health Care Committee and Senator Diaz de la Portilla

SUBJECT: Registration Check-Off

DATE: February 15, 2006

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Woods</u>	<u>Meyer</u>	<u>TR</u>	<u>Fav/2 amendments</u>
2.	<u>Garner</u>	<u>Wilson</u>	<u>HE</u>	<u>Fav/CS</u>
3.	_____	_____	<u>TA</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This committee substitute requires the Department of Highway Safety and Motor Vehicles (DHSMV), to include language allowing a voluntary \$1 contribution to the Miami Heart Research Institute, Inc., doing business as the Florida Heart Research Institute (FHRI), on each motor vehicle registration and renewal form. The FHRI is a non-profit organization established for the purpose of funding heart disease research, education, and prevention programs.

This bill amends section 320.02 of the Florida Statutes.

II. Present Situation:

DHSMV's Check-off Requirements

Section 320.02, F.S., authorizes check-offs for voluntary contributions appearing on the motor vehicle registration and renewal application forms. There are currently seven check-offs for the following organizations in the following amounts:

- \$2 for the Highway Safety Operating Trust Fund for the purpose of child safety seats;
- \$1 for the Non-game Wildlife Trust Fund;
- \$5 for the Election Campaign Financing Trust Fund;
- \$1 for the Transportation Disadvantaged Trust Fund;
- \$1 for Prevent Blindness Florida;
- \$1 for Southeastern Guide Dogs, Inc.; and
- An unspecified amount for Florida Mothers Against Drunk Driving, Inc.

Voluntary contributions may not be used for commercial or for-profit activities or for general or administrative expenses, except as authorized by law or to pay the cost of an audit or report required by law (see s. 320.023(5), F.S.). Any voluntary contributions authorized by law shall only be distributed under an appropriation by the Legislature (see s. 320.023(5)(c), F.S.).

Section 320.023, F.S., provides a procedure an organization must follow prior to seeking legislative authorization to establish a voluntary check-off on a motor vehicle registration application. Before the organization is eligible, the organization must submit to DHSMV for review 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.

The Florida Heart Research Institute

The Miami Heart Institute was founded in 1944 and was the first heart hospital and research center in the world. The divisions of research and education combined into the independent nonprofit organization, known today as the Florida Heart Research Institute, when the hospital was sold (the entity is still incorporated as a not-for-profit corporation under the legal name of the Miami Heart Research Institute, Inc.). The FHRI functions as both a self-contained cardiovascular research center and as a collaborator and facilitator of research. This research includes:

- Ongoing clinical trials;
- The Congestive Heart Failure Study (in collaboration with Mayo Clinic);
- The Defibrillation Study of treatment by police and first responders (in collaboration with the University of Miami, Miami-Dade Fire Rescue, the Miami-Dade Police Department, and Jackson Memorial Hospital);
- Cardiovascular Risk Factors in Post-Menopausal Women;
- A 20-year Study of Coronary Bypass in Women (in collaboration with Mt. Sinai Medical Center); and
- The Non-invasive Motion Ventilation/CPR Study (in collaboration with the Mt. Sinai Medical Center).

The FHRI has met the requirements specified in s. 320.023, F.S., for requesting the voluntary contribution language on motor vehicle registration and renewal forms. The DHSMV is authorized to discontinue production of a plate if the contributions from that plate have not reached or exceeded \$25,000 within a five-year period. The DHSMV may also discontinue production of a plate if contributions do not reach or exceed \$25,000 within any five-year period after the first five years.

III. Effect of Proposed Changes:

Section 1. Amends s. 320.02, F.S., requiring DHSMV to include language permitting a voluntary contribution of \$1 per applicant to the Miami Heart Research Institute, Inc., doing business as the FHRI, on each application for motor vehicle registration or renewal and provides for use of the funds.

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

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 Art. VII, s. 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 Art. I, s. 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 Art. III, Subsection 19(f) of the Florida Constitution.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Citizens wishing to contribute \$1 to FHRI would be able to select this organization from a voluntary check-off on the motor vehicle registration or renewal form.

C. Government Sector Impact:

The FHRI has paid all fees required by DHSMV for reviewing the application and developing the check-off. No fiscal impact is associated with this bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

VIII. Summary of Amendments:

None.

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