

**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.)

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Prepared By: The Professional Staff of the Transportation and Economic Development Appropriations Committee

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BILL: SB 1394  
INTRODUCER: Senator Oelrich  
SUBJECT: Motor Vehicle Registration Application  
DATE: April 15, 2009                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Noble	TA	<b>Favorable</b>
2.	ODonnell	McKee	FT	<b>Favorable</b>
3.	Carey	Noble	TA	<b>Favorable</b>
4.				
5.				
6.				

**I. Summary:**

This bill requires the Department of Highway Safety and Motor Vehicles (DHSMV), to include a checkoff for a voluntary contribution to Florida Sheriffs Youth Ranches, Inc., on each application and renewal form for motor vehicle registration. Florida Sheriffs Youth Ranches, Inc., a not-for-profit organization, has completed the statutory requirements, authorizing it to seek legislative enactment of the voluntary contribution checkoff. The bill has no fiscal impact.

This bill substantially amends s. 320.02, F.S.

**II. Present Situation:**

Section 320.023, F.S., outlines the procedures which an organization must follow prior to seeking Legislative authorization to establish a voluntary checkoff on a motor vehicle registration application. Before the organization is eligible, it must submit the following requirements 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 checkoff, 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.

DHSMV must discontinue the checkoff 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.

Section 320.02, F.S., specifies the language that must appear on the State of Florida vehicle's registration and renewal application forms. Included in s. 320.02, F.S., are options for voluntary contributions to the following corporations, trust funds, and organizations:

- Nongame Wildlife Trust Fund (\$1)
- Highway Safety Operating Trust Fund, used to purchase child safety seats (\$2)
- Transportation Disadvantaged Trust Fund (\$1)
- Prevent Blindness Florida (\$1)
- Unspecified monetary contribution to Florida Mothers Against Drunk Driving, Inc.
- Southeastern Guide Dogs, Inc. (\$1)
- Miami Heart Research Institute, Inc. (\$1)
- Children's Hearing Help Fund (\$1)
- State Homes for Veterans Trust Fund (\$1)
- Family First (\$1)

Section 320.02, F.S., requires an explanation of the purpose of the trust fund established be included on the application form. Section 320.02, F.S., further provides none of the contributions are subject to the seven percent trust fund service charge as defined in s. 215.20, F.S., because the funds are not income of a revenue nature.

The mission of Florida Sheriffs Youth Ranches, Inc. (FSYRI) is to prevent juvenile delinquency and develop strong, lawful, resilient, and productive citizens who will make a positive contribution to the community for years to come. FSYRI includes four residential child-care campuses and two camps aimed at preparing boys and girls for the future. FSYRI also provides community-based services, such as family counseling, family life education, and foster care.

### **III. Effect of Proposed Changes:**

This bill amends s. 320.02, F.S., to include a voluntary contribution checkoff option of \$1 on motor vehicle registration and renewal forms to Florida Sheriffs Youth Ranches, Inc., a not-for-profit organization. The DHSMV would receive voluntary contributions and transfer those funds monthly to FSYRI. Contributions are not income of a revenue nature for purposes of applying the service charge provided in s. 215.20, F.S. According to DHSMV, FSYRI has met the requirements set forth in 320.023, F.S.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Applicants for motor vehicle registration and renewals wishing to donate \$1 to Florida Sheriffs Youth Ranches, Inc., would have the option of doing so by selecting the checkoff option on the application form. Florida Sheriffs Youth Ranches, Inc., would benefit by receiving monthly donations.

C. Government Sector Impact:

Florida Sheriff Youth Ranches, Inc., has paid an application fee of \$10,000 to defray DHSMV's costs for reviewing the application and developing the checkoff.

**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.)

None.

B. Amendments:

None.