

By the Committee on Transportation; and Senator Baker

596-03423-09

20091560c1

1 A bill to be entitled
2 An act relating to specialty license plates; amending
3 ss. 320.08056 and 320.08058, F.S.; revising the annual
4 use fee for the Choose Life license plate; revising
5 provisions for distribution of such use fees; creating
6 the Florida Horse Park license plate and the Let's Go
7 Surfing license plate; establishing an annual use fee
8 for the plates; providing for the distribution of use
9 fees received from the sale of such plates; providing
10 an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Paragraph (cc) of subsection (4) of section
15 320.08056, Florida Statutes, is amended, and paragraphs (qqq)
16 and (rrr) are added that section, to read:

17 320.08056 Specialty license plates.—

18 (4) The following license plate annual use fees shall be
19 collected for the appropriate specialty license plates:

20 (cc) Choose Life license plate, \$25 ~~\$20~~.

21 (qqq) Florida Horse Park license plate, \$25.

22 (rrr) Let's Go Surfing license plate, \$25.

23 Section 2. Subsection (29) of section 320.08058, Florida
24 Statutes, is amended, and subsections (69) and (70) are added to
25 that section, to read:

26 320.08058 Specialty license plates.—

27 (29) CHOOSE LIFE LICENSE PLATES.—

28 (a) The department shall develop a Choose Life license
29 plate as provided in this section. The word "Florida" must

596-03423-09

20091560c1

30 appear at the bottom of the plate, and the words "Choose Life"
31 must appear at the top of the plate.

32 (b) The annual use fees shall be distributed quarterly to
33 Choose Life, Inc., a nonprofit corporation under s. 501(c)(3) of
34 the Internal Revenue Code, along with a list of annually to each
35 county in the ratio that the annual use fees collected by each
36 county bears to the total fees collected for the plates within
37 the state.

38 (c) Up to 10 percent of the fees may be used for
39 administrative costs directly associated with the operations of
40 Choose Life, Inc., and activities by Choose Life, Inc., to
41 promote adoption and to market the license plate in the state.
42 Choose Life, Inc., shall administer distribution of the
43 remaining ~~Each county shall distribute the funds to~~
44 ~~nongovernmental,~~ not-for-profit agencies whose within the
45 county, which agencies' services primarily consist of are
46 limited to counseling and meeting the physical needs of pregnant
47 women who are considering committed to placing their children
48 for adoption.

49 1. Funds may not be distributed to any agency that is
50 involved or associated with abortion activities, including
51 counseling for or referrals to abortion clinics, providing
52 medical abortion-related procedures, or proabortion advertising,
53 and funds may not be distributed to any agency that charges
54 women for services received.

55 2. Choose Life, Inc., may, from time to time, establish
56 criteria pertaining to appropriate percentages of expenditures
57 on items, including, but not limited to, physical needs of
58 women, physical needs of infants awaiting adoption, counseling,

596-03423-09

20091560c1

59 advertising, and training.

60 3. Choose Life license plate funds generated in counties
61 that do not have a qualified service provider shall be
62 distributed by Choose Life, Inc., to qualified service providers
63 in other counties.

64 4. Funds may not be removed from a county that has active
65 qualified service providers for distribution to service
66 providers in other counties unless the year-end unused fund
67 balance exceeds 20 percent of the county's annual Choose Life
68 license plate revenues for 3 consecutive years. If a year-end
69 fund balance exceeds 20 percent of a county's annual revenues
70 for 3 consecutive years, such balance may be distributed by
71 Choose Life, Inc., to qualified service providers in other
72 counties.

73 ~~1. Agencies that receive the funds must use at least 70~~
74 ~~percent of the funds to provide for the material needs of~~
75 ~~pregnant women who are committed to placing their children for~~
76 ~~adoption, including clothing, housing, medical care, food,~~
77 ~~utilities, and transportation. Such funds may also be expended~~
78 ~~on infants awaiting placement with adoptive parents.~~

79 ~~2. The remaining funds may be used for adoption,~~
80 ~~counseling, training, or advertising, but may not be used for~~
81 ~~administrative expenses, legal expenses, or capital~~
82 ~~expenditures.~~

83 ~~5.3.~~ Each service provider agency that receives such funds
84 must submit an annual attestation to Choose Life, Inc., which
85 shall, upon request, make copies available to a state agency
86 charged with auditing the county. Any unused funds that exceed
87 10 percent of the funds received by an agency during its fiscal

596-03423-09

20091560c1

88 ~~year must be returned to the county, which shall distribute them~~
89 ~~to other qualified agencies.~~

90 6. Choose Life license plate use fees generated in this
91 state may be spent only on activities within the state.

92 (d)1. Within 90 days after October 1, 2009, county
93 commissions that have never distributed Choose Life funds shall
94 forward such funds to Choose Life, Inc., for distribution.

95 2. Within 180 days after October 1, 2009, county
96 commissions that have been distributing Choose Life funds shall
97 forward fund balances to Choose Life, Inc., for distribution.

98 (69) FLORIDA HORSE PARK LICENSE PLATES.-

99 (a) The department shall develop a Florida Horse Park
100 license plate as provided in this section. The plate must bear
101 the colors and design approved by the department. The word
102 "Florida" must appear at the top of the plate and the words
103 "Discover Florida's Horses" must appear at the bottom of the
104 plate.

105 (b) The annual use fees shall be distributed to the Florida
106 Agriculture Center and Horse Park Authority created by s.
107 570.952, which shall retain all proceeds until the startup costs
108 to develop and establish the plates have been recovered.
109 Thereafter, the proceeds shall be used as follows:

110 1. A maximum of 5 percent of the proceeds may be used to
111 administer the license plate program.

112 2. A maximum of 5 percent of the proceeds may be used to
113 promote and market the license plates.

114 3. The remaining fees shall be used by the authority to
115 promote the Florida Agriculture Center and Horse Park located in
116 Marion County; to support continued development of the park,

596-03423-09

20091560c1

117 including the construction of additional educational facilities,
118 barns, and other structures; to provide improvements to the
119 existing infrastructure at the park; and to provide for
120 operational expenses of the park.

121 (70) LET'S GO SURFING LICENSE PLATES.-

122 (a) The department shall develop a Let's Go Surfing license
123 plate as provided in this section. Let's Go Surfing license
124 plates must bear the colors and design approved by the
125 department. The word "Florida" must appear at the top of the
126 plate, and the words "Let's Go Surfing" must appear at the
127 bottom of the plate.

128 (b) The license plate annual use fees shall be distributed
129 to East Coast Surfing Hall of Fame and Museum, Inc., to fund
130 activities, programs, and projects to promote Florida's surfing-
131 related tourism, preserve Florida's surfing history and
132 heritage, preserve Florida's surf and shores, and honor
133 lifeguards who patrol Florida's surf and shores to protect
134 beach-goers, surfers, and others. East Coast Surfing Hall of
135 Fame and Museum, Inc., may retain all revenue from the annual
136 use fees until all startup costs for developing and establishing
137 the plate have been recovered. Thereafter, up to 10 percent of
138 the annual use fee revenue may be used for administration,
139 promotion, and marketing of the plate, including costs of the
140 annual audit and compliance affidavit.

141 Section 3. This act shall take effect October 1, 2009.