

By the Committees on Agriculture; and Transportation; and
Senator Baker

575-04478-09

20091560c2

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;
6 providing that up to 10 percent of the annual use fees
7 collected from the United We Stand license plate may
8 be used for certain specified administrative and
9 promotion activities; creating the Florida Horse Park
10 license plate and the Let's Go Surfing license plate;
11 establishing an annual use fee for the plates;
12 providing for the distribution of use fees received
13 from the sale of such plates; providing an effective
14 date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. Paragraph (cc) of subsection (4) of section
19 320.08056, Florida Statutes, is amended, and paragraphs (qqq)
20 and (rrr) are added that section, to read:

21 320.08056 Specialty license plates.—

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

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

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

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

27 Section 2. Subsection (29) and paragraph (b) of subsection
28 (32) of section 320.08058, Florida Statutes, are amended, and
29 subsections (69) and (70) are added to that section, to read:

575-04478-09

20091560c2

30 320.08058 Specialty license plates.—

31 (29) CHOOSE LIFE LICENSE PLATES.—

32 (a) The department shall develop a Choose Life license
33 plate as provided in this section. The word "Florida" must
34 appear at the bottom of the plate, and the words "Choose Life"
35 must appear at the top of the plate.

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

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

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

575-04478-09

20091560c2

59 2. Choose Life license plate funds generated in counties
60 that do not have a qualified service provider shall be
61 distributed by Choose Life, Inc., to qualified service providers
62 in other counties. For purposes of this subparagraph, the term
63 "qualified service provider" means an entity that provides
64 medically accurate materials, with reference sources for any and
65 all statements of a medical nature. Sources may include, but are
66 not limited to, entities such as the Centers for Disease
67 Control, the American College of Obstetricians and
68 Gynecologists, and peer-reviewed health science journals, such
69 as the Journal of the American Medical Association.

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

79 ~~4.1.~~ Agencies that receive the funds must use at least 70
80 percent of the funds to provide for the material needs of
81 pregnant women who are committed to placing their children for
82 adoption, including clothing, housing, medical care, food,
83 utilities, and transportation. Such funds may also be expended
84 on infants awaiting placement with adoptive parents.

85 ~~5.2.~~ The remaining funds may be used for adoption,
86 counseling, training, or advertising, but may not be used for
87 administrative expenses, legal expenses, or capital

575-04478-09

20091560c2

88 expenditures.

89 ~~6.3.~~ Each service provider agency that receives such funds
90 must submit an annual attestation to Choose Life, Inc., which
91 shall, upon request, make copies available to a state agency
92 charged with auditing the county. Any unused funds that exceed
93 10 percent of the funds received by an agency during its fiscal
94 year must be returned to the county, which shall distribute them
95 to other qualified agencies.

96 7. Choose Life license plate use fees generated in this
97 state may be spent only on activities within the state.

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

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

104 (32) UNITED WE STAND LICENSE PLATES.-

105 (b) The department shall retain all revenues from the sale
106 of such plates until all startup costs for developing and
107 issuing the plates have been recovered. Thereafter,
108 notwithstanding s. 322.14, 100 percent of the annual use fee
109 shall be distributed to the Department of Transportation SAFE
110 Council for the development and implementations of programs to
111 fund a grant program to enhance security at airports throughout
112 the state, pursuant to s. 332.14. Up to 10 percent of the annual
113 use fee revenue may be used for administration, promotion, and
114 marketing of the plate, including the annual audit and
115 compliance affidavit costs.

116 (69) FLORIDA HORSE PARK LICENSE PLATES.-

575-04478-09

20091560c2

117 (a) The department shall develop a Florida Horse Park
118 license plate as provided in this section. The plate must bear
119 the colors and design approved by the department. The word
120 "Florida" must appear at the top of the plate and the words
121 "Discover Florida's Horses" must appear at the bottom of the
122 plate.

123 (b) The annual use fees shall be distributed to the Florida
124 Agriculture Center and Horse Park Authority created by s.
125 570.952, which shall retain all proceeds until the startup costs
126 to develop and establish the plates have been recovered.
127 Thereafter, the proceeds shall be used as follows:

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

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

132 3. The remaining fees shall be used by the authority to
133 promote the Florida Agriculture Center and Horse Park located in
134 Marion County; to support continued development of the park,
135 including the construction of additional educational facilities,
136 barns, and other structures; to provide improvements to the
137 existing infrastructure at the park; and to provide for
138 operational expenses of the park.

139 (70) LET'S GO SURFING LICENSE PLATES.—

140 (a) This subsection may be cited as the "Erik Jersted
141 Memorial Act."

142 (b) The department shall develop a Let's Go Surfing license
143 plate as provided in this section. Let's Go Surfing license
144 plates must bear the colors and design approved by the
145 department. The word "Florida" must appear at the top of the

575-04478-09

20091560c2

146 plate, and the words "Let's Go Surfing" must appear at the
147 bottom of the plate.

148 (c) The license plate annual use fees shall be distributed
149 to East Coast Surfing Hall of Fame and Museum, Inc., to fund
150 activities, programs, and projects to promote Florida's surfing-
151 related tourism, preserve Florida's surfing history and
152 heritage, preserve Florida's surf and shores, and honor
153 lifeguards who patrol Florida's surf and shores to protect
154 beach-goers, surfers, and others. East Coast Surfing Hall of
155 Fame and Museum, Inc., may retain all revenue from the annual
156 use fees until all startup costs for developing and establishing
157 the plate have been recovered. Thereafter, up to 10 percent of
158 the annual use fee revenue may be used for administration,
159 promotion, and marketing of the plate, including costs of the
160 annual audit and compliance affidavit.

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