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LEGISLATIVE ACTION

Senate

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House

Floor: 3/AD/2R

04/24/2009 01:50 PM

Senator Baker moved the following:

Senate Amendment (with title amendment)

Between lines 135 and 136

insert:

Section 3. Paragraph (h) is added to subsection (15) of section 320.02, Florida Statutes, to read:

320.02 Registration required; application for registration; forms.-

(15)

(h) The application form for motor vehicle registration and renewal of registration must include language permitting a voluntary contribution of \$1 to Ronald McDonald Houses of



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13 Florida. Such contributions must be distributed by the
14 department each month to Ronald McDonald House Charities Tampa
15 Bay, Inc., a not-for-profit organization.

16
17 For the purpose of applying the service charge provided in s.
18 215.20, contributions received under this subsection are not
19 income of a revenue nature.

20 Section 4. Paragraph (cc) of subsection (4) of section
21 320.08056, Florida Statutes, is amended, and paragraphs (sss)
22 and (ttt) are added that section, to read:

23 320.08056 Specialty license plates.—

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

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

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

28 (ttt) Let's Go Surfing license plate, \$25.

29 Section 5. Subsection (29) of section 320.08058, Florida
30 Statutes, is amended, and subsections (71) and (72) are added to
31 that section, to read:

32 320.08058 Specialty license plates.—

33 (29) CHOOSE LIFE LICENSE PLATES.—

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

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



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42 county bears to the total fees collected for the plates within
43 the state.

44 (c) Up to 20 percent of the fees may be used for
45 administrative costs directly associated with the operations of
46 Choose Life, Inc., and activities by Choose Life, Inc., to
47 promote adoption and to market the license plate in the state.
48 Choose Life, Inc., shall administer distribution of the
49 remaining ~~Each county shall distribute the funds to~~
50 nongovernmental, not-for-profit agencies whose ~~within the~~
51 county, which agencies' services primarily consist of ~~are~~
52 ~~limited to~~ counseling and meeting the physical needs of pregnant
53 women who are considering ~~committed to~~ placing their children
54 for adoption.

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

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



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71 as the Journal of the American Medical Association.

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

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

87 5.2- A maximum of 30 percent of the ~~remaining~~ funds may be
88 used for adoption, counseling, training, or advertising, but may
89 not be used for administrative expenses, legal expenses, or
90 capital expenditures.

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

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



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

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

106 (71) FLORIDA HORSE PARK LICENSE PLATES.-

107 (a) The department shall develop a Florida Horse Park
108 license plate as provided in this section. The plate must bear
109 the colors and design approved by the department. The word
110 "Florida" must appear at the top of the plate and the words
111 "Discover Florida's Horses" must appear at the bottom of the
112 plate.

113 (b) The annual use fees shall be distributed to the Florida
114 Agriculture Center and Horse Park Authority created by s.
115 570.952, which shall retain all proceeds until the startup costs
116 to develop and establish the plates have been recovered.
117 Thereafter, the proceeds shall be used as follows:

118 1. A maximum of 10 percent of the proceeds may be used to
119 administer the license plate program.

120 2. A maximum of 15 percent of the proceeds may be used to
121 promote and market the license plates.

122 3. The remaining fees shall be used by the authority to
123 promote the Florida Agriculture Center and Horse Park located in
124 Marion County; to support continued development of the park,
125 including the construction of additional educational facilities,
126 barns, and other structures; to provide improvements to the
127 existing infrastructure at the park; and to provide for
128 operational expenses of the park.



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129 (72) LET'S GO SURFING LICENSE PLATES.-

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

132 (b) The department shall develop a Let's Go Surfing license
133 plate as provided in this section. Let's Go Surfing license
134 plates must bear the colors and design approved by the
135 department. The word "Florida" must appear at the top of the
136 plate, and the words "Let's Go Surfing" must appear at the
137 bottom of the plate.

138 (c) The license plate annual use fees shall be distributed
139 to East Coast Surfing Hall of Fame and Museum, Inc., to fund
140 activities, programs, and projects to promote Florida's surfing-
141 related tourism, preserve Florida's surfing history and
142 heritage, preserve Florida's surf and shores, and honor
143 lifeguards who patrol Florida's surf and shores to protect
144 beach-goers, surfers, and others. East Coast Surfing Hall of
145 Fame and Museum, Inc., may retain all revenue from the annual
146 use fees until all startup costs for developing and establishing
147 the plate have been recovered. Thereafter, up to 25 percent of
148 the annual use fee revenue may be used for administration,
149 promotion, and marketing of the plate, including costs of the
150 annual audit and compliance affidavit.

151
152 ===== T I T L E A M E N D M E N T =====

153 And the title is amended as follows:

154 Delete line 10

155 and insert:

156 from the sale of such plates; amending s. 320.02,

157 F.S.; requiring the application form for motor vehicle



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158 registration and renewal of registration to include
159 language permitting a voluntary contribution to the
160 Ronald McDonald Houses of Florida; revising the annual
161 use fee for the Choose Life license plate; revising
162 provisions for distribution of such use fees; creating
163 the Florida Horse Park license plate and the Let's Go
164 Surfing license plate; establishing an annual use fee
165 for the plates; providing for the distribution of use
166 fees received from the sale of such plates; providing
167 an effective