

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 621 Voluntary Contributions to End Breast Cancer

**SPONSOR(S):** Fitzenhagen

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 676

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Highway & Waterway Safety Subcommittee	10 Y, 0 N	Whittaker	Smith
2) Transportation & Economic Development Appropriations Subcommittee	8 Y, 0 N	Cobb	Davis
3) Economic Affairs Committee	17 Y, 0 N	Whittaker	Creamer

### SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to include language permitting a voluntary contribution of \$1 or more on a motor vehicle registration and driver license application listed as "End Breast Cancer." Such contributions will be distributed by the DHSMV to the Florida Breast Cancer Coalition Research Foundation, Inc., and shall be used for breast cancer research and education.

The organization has met all requirements to pursue legislation to establish a voluntary contribution by submitting a letter of request, \$20,000 application fee (\$10,000 for motor vehicle registration and \$10,000 for driver license renewal notices), and a marketing strategy outlining short-term and long-term plans.<sup>1</sup>

This bill will have an insignificant, negative fiscal impact to the DHSMV that will be absorbed within existing resources.

The bill will become effective July 1, 2015.

### FULL ANALYSIS

<sup>1</sup> Letter from DHSMV on file with the Highway and Waterway Safety Subcommittee

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### **Present Situation**

##### Establishing a Voluntary Contribution Check-off

Florida Statutes 320.023 and 322.081 provides requirements that must be met by an organization seeking authorization to establish a voluntary contribution on either a motor vehicle registration or driver license application or renewal. The organization must submit all of the following to DHSMV:

- A request for the particular voluntary contribution being sought, describing the proposed voluntary contribution in general terms.
- An application fee, not to exceed \$10,000 to defray the department's cost for reviewing the application and developing the voluntary contribution check-off, if authorized. State funds may not be used to pay the application fee.
- A marketing strategy outlining short-term and long-term marketing plans for the requested voluntary contribution and a financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the voluntary contribution.

The information must be submitted to DHSMV at least 90 days before the convening of the next regular session of the Legislature.

Currently, there are 26 different voluntary contribution options on a motor vehicle registration application and 19 different voluntary contribution options on a driver license and identification card application.<sup>2</sup>

The department is authorized to discontinue the voluntary contribution if less than \$25,000 has been contributed by the end of the 5th year or less than \$25,000 is contributed during any subsequent 5-year period.

#### **Proposed Change**

##### Florida Breast Cancer Foundation

The bill amends s. 320.02 and s. 322.08, F.S., directing DHSMV to include language permitting a voluntary contribution of \$1 or more on a motor vehicle registration and driver license application listed as "End Breast Cancer." Such contributions will be distributed by the department to the Florida Breast Cancer Coalition Research Foundation, Inc., and shall be used for breast cancer research and education.

The Florida Breast Cancer Foundation organization has met all of the requirements to pursue legislation to establish a voluntary contribution on both a vehicle registration and driver license application and renewal.<sup>3</sup>

The Florida Breast Cancer Foundation was founded by 3 Miami women in 1993. Originally named The South Florida Breast Cancer Coalition, the organization began as a nonprofit, grassroots organization dedicated to ending breast cancer through advocacy, education, and research. With the introduction of the specialty End Breast Cancer license plate in 2002, a second organization was formed and named the Florida Breast Cancer Coalition Research Foundation, created to receive the funds from the sale of the plate. A few years later the official name changed to the Florida Breast Cancer Foundation.<sup>4</sup>

### B. SECTION DIRECTORY:

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<sup>2</sup> Email from DHSMV on file with Highway and Waterway Safety Subcommittee

<sup>3</sup> Letter from DHSMV on file with the Highway and Waterway Safety Subcommittee

<sup>4</sup> Florida Breast Cancer Foundation, *Together we WILL end Breast Cancer*, <http://www.floridabreastcancer.org/> (last viewed 2/5/15)

- Section 1 Amends s. 320.02, F.S., directing DHSMV to include language permitting a voluntary contribution of \$1 or more on a motor vehicle registration application and renewal listed as “End Breast Cancer.” Such contributions will be distributed by the department to the Florida Breast Cancer Coalition Research Foundation, Inc., and shall be used for breast cancer research and education.
- Section 2 Amends s. 322.08, F.S., directing DHSMV to include language permitting a voluntary contribution of \$1 or more on a driver license and identification card application and renewal listed as “End Breast Cancer.” Such contributions will be distributed by the department to the Florida Breast Cancer Coalition Research Foundation, Inc., and shall be used for breast cancer research and education.
- Section 3 Provides an effective date of July 1, 2015.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

The DHSMV will bear the estimated cost of \$55,000<sup>5</sup> to redesign and develop the new application forms. This cost is partially offset by the \$20,000 application fee paid by the Florida Breast Cancer Foundation. The department will absorb the remaining costs within existing resources.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Voluntary contributions collected will benefit the Florida Breast Cancer Coalition Research Foundation, Inc. The total amount of proceeds from contributions is unknown.

### D. FISCAL COMMENTS:

None

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

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<sup>5</sup> DHSMV bill analysis for HB 621  
STORAGE NAME: h0621e.EAC  
DATE: 4/8/2015

The bill does not require a municipality or county to expend funds or to take action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

None