

**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 Committee on Military and Veterans Affairs, Space, and Domestic Security

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BILL: CS/SB 1688

INTRODUCER: Military and Veterans Affairs, Space, and Domestic Security Committee and Senator Sachs

SUBJECT: Florida Veterans Foundation

DATE: January 27, 2016

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sanders</u>	<u>Ryon</u>	<u>MS</u>	<u>Fav/CS</u>
2.	_____	_____	<u>ATD</u>	_____
3.	_____	_____	<u>FP</u>	_____

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 1688 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to collect, for the Florida Veterans Foundation (foundation), a voluntary contribution of \$1 or more per applicant through the motor vehicle registration, driver license and identification card, and marine vessel registration application forms.

The bill also exempts the foundation from the statutory requirement to submit an application and application fee to the DHSMV 90 days prior to the legislative session to establish the voluntary contributions sought in the bill.

**II. Present Situation:**

The application forms for motor vehicle registration and renewal, a driver license or replacement driver license, identification card, or marine vessel registration all provide a voluntary contributions section that allows applicants the opportunity to make a donation by checking a box on the form.<sup>1</sup>

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<sup>1</sup> Sections 320.02(8), (14), and (15), F.S., provide motor vehicle registration applicants with 23 options for voluntary contributions. Section 322.08(7), F.S., provides driver license and identification card applicants with 20 options for voluntary contributions. Sections 328.72(11) and (16), F.S., provide boat registration applicants with 3 options for voluntary contributions.

The Florida Statutes specifically authorize which organizations can receive a voluntary contribution. Section 320.023, F.S. establishes the requirements for organizations seeking to establish a voluntary contribution on motor vehicle registration application forms, and s. 322.081, F.S. establishes similar requirements for driver license and identification card applications.<sup>2</sup> Both sections require:

- A request for the voluntary contribution being sought, describing the voluntary contribution in general terms;
- An application fee<sup>3</sup>, not to exceed \$10,000, to defray the DHSMV's cost for reviewing the application and developing the voluntary contribution check off, if authorized;
- A marketing strategy outlining short-term and long-term marketing plans for the contribution; and
- A financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the contributions.

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

### **The Florida Veterans Foundation**

The Florida Department of Veterans Affairs (FDVA) was authorized during the 2008 Regular Session to establish a direct-support organization in order to provide assistance, funding, and support for the department in carrying out its mission.<sup>4</sup> Incorporated in June of 2008, the Florida Veterans Foundation (foundation) carries out a number of activities that serve, support, and advocate for Florida veterans.

The foundation's main mission is to provide emergency assistance to Florida veterans and their families who, through no fault of their own, are experiencing financial difficulties that cannot be resolved by the veteran or other veteran service organizations.<sup>5</sup> Other activities of the foundation include:

- Operating and participating in Homeless Veteran Stand Downs;
- Providing guidance and information services regarding Florida veteran benefits and Federal veteran benefits;
- Printing and distributing the FDVA's Florida Veterans' Benefit Guide;
- Providing veteran employment information; and
- Overseeing projects such as the Florida Veterans' Hall of Fame<sup>6</sup> and the Florida Veterans' Walk of Honor and Memorial Garden.<sup>7</sup>

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<sup>2</sup> There are no similar application requirements in Florida Statutes to allow an organization to obtain a voluntary contribution on boat registration forms.

<sup>3</sup> State funds may not be used to pay the application fee. See s. 320.023(b), F.S..

<sup>4</sup> Ch. 2008-84, s. 1, Laws of Fla. (creating s. 292.055, F.S.)

<sup>5</sup> The Florida Veterans Foundation website, available at <http://www.floridaveteransfoundation.org/> (last visited Jan. 22, 2016).

<sup>6</sup> See section 265.003, F.S.

<sup>7</sup> See section 265.0031, F.S.

Funding for the foundation comes from donations received as a result of fundraising efforts.<sup>8</sup> The foundation previously received a portion of the revenue generated from the sale of the Florida Salutes Veterans specialty license plate, which ended 48 months after the foundation was incorporated.<sup>9</sup>

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

CS/SB 1688 authorizes the DHSMV to include language permitting a voluntary contribution of \$1 or more per applicant to the Florida Veterans Foundation (foundation) on the forms for motor vehicle registration and renewal, an original, renewal, or replacement driver license or identification card application, and marine vessel registration. Such contributions will be distributed by the DHSMV to the foundation.

The bill also exempts the foundation from the requirements in ss. 320.02 and 320.08, F.S., which would require the foundation to submit an application and application fee to the DHSMV 90 days prior to the legislative session to establish the voluntary contribution on the motor vehicle registration and driver license and identification card forms.

The bill takes effect July 1, 2016.

### **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:**

Under the bill, individuals may choose to donate to the Florida Veterans Foundation, which will benefit that organization.

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<sup>8</sup> See *supra* note 5.

<sup>9</sup> Section 320.08058(4)(b)1., F.S.

C. Government Sector Impact:

According to the DHSMV, the technology impact is estimated to be \$50,000 and the cost to redesign and develop new applications forms is \$55,040.<sup>10</sup>

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 320.02, 322.08, 328.72.

IX. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Military and Veterans Affairs, Space, and Domestic Security on January 26, 2016:**

The CS exempts the Florida Veterans Foundation from the statutory requirement to submit an application and application fee to the DHSMV 90 days prior to the start of the legislative session in order to include a voluntary contribution on the motor vehicle registration, driver license, and identification card forms.

B. Amendments:

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>10</sup> E-mail correspondence with the Department of Highway Safety and Motor Vehicles on Jan. 27, 2016 (on file with the Senate Military and Veterans Affairs, Space, and Domestic Security Committee).