

**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 Infrastructure and Security

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BILL: SB 252

INTRODUCER: Senator Flores

SUBJECT: Motor Vehicle Registration Applications

DATE: February 12, 2019

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Miller	IS	<b>Pre-meeting</b>
2.			ATD	
3.			AP	

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**I. Summary:**

SB 252 authorizes the Department of Highway Safety and Motor Vehicles (HSMV) to collect, for the Live Like Bella Childhood Cancer Foundation, a voluntary contribution of \$1 or more per applicant through the motor vehicle registration application form.

The bill has an insignificant fiscal impact.

**II. Present Situation:**

**Motor Vehicle Registration Voluntary Contributions**

The application form for motor vehicle registration provides a voluntary contributions section that allows applicants the opportunity to make a donation by checking a box on the form.<sup>1</sup>

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. It requires:

- A request for the particular voluntary contribution being sought, describing the proposed voluntary contribution in general terms;
- An application fee<sup>2</sup>, not to exceed \$10,000 to defray the department's cost for reviewing the application and developing the voluntary contribution checkoff, if authorized;
- 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.

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<sup>1</sup> Sections 320.02(16), F.S., provide motor vehicle registration applicants with 21 options for voluntary contributions.

<sup>2</sup> State funds may not be used to pay the application fee. See s. 320.023(b), F.S.

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

Section 320.023, F.S., also establishes a threshold for discontinuation of the voluntary contribution and oversight for organizations approved for a voluntary contribution on motor vehicle registration application forms. It requires:

- The HSMV include any voluntary contributions approved by the Legislature on the motor vehicle application form;
- The HSMV must 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.
- That any voluntary contribution, or any interest earned from those contributions may not be used for commercial or for-profit activities or for general or administrative expenses;
- That an organization submit their audit's to the HSMV for review to determine if any voluntary contribution, or any interest earned from those contributions were used for commercial or for-profit activities or for general or administrative expenses;
- The HSMV is provided the authority to examine all records pertaining to the use of funds from the voluntary contributions authorized; and
- All organizations that operate under the Solicitation of Contributions Act, as provided in Chapter 496, F.S., must do so before funds may be distributed.

### **Live Like Bella Childhood Cancer Foundation**

The Live Like Bella Childhood Cancer Foundation was founded in 2013<sup>3</sup> to promote and increase community awareness of childhood cancers and disease and the need for research and development of medical treatments for children through the dissemination of information to the general public; to use funds to support such activities; and to make grants, loans or other distributions.<sup>4</sup> The Live Like Bella Childhood Cancer Foundation is named after Bella Rodriguez-Torres, who passed away at the age of 10 from pediatric cancer. Their mission is to help children with cancer maintain a love for life. As of September 2017 the Live Like Bella Childhood Cancer Foundation has served families in 44 states and 11 countries, having surpassed \$4 million in donations. To date, donations have been used for on-going research, memorial support, compassionate use, and in-treatment support.<sup>5</sup>

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<sup>3</sup> Florida Department of State, Division of Corporations, Sunbiz, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName> (last visited February 10, 2019).

<sup>4</sup> Florida Department of State, Division of Corporations, Live Like Bella, Inc.'s Application by Foreign Not For Profit Corporation For Authorization to Conduct Its Affairs in Florida, <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2013%5C1008%5C00217040.Tif&documentNumber=F1300004224> (last visited February 10, 2019).

<sup>5</sup> Live Like Bella Childhood Cancer Foundation, About Us, <http://livelikebella.org/aboutus.html> (last visited February 10, 2019).

## Pediatric Cancer Research

According to the National Cancer Institute, cancer remains the leading cause of death from disease among children. The most common types of cancer diagnosed in children ages 0 to 14 years, are:

- Leukemia;
- Brain and other central nervous system (CNS) tumors; and
- Lymphoma.<sup>6</sup>

Pediatric cancer death rates have declined by 65 percent from 1970 to 2016;<sup>7</sup> however, even when long-term survival is achieved, many survivors of childhood cancer may experience long-term adverse effects from the disease or its treatment. Research is needed to develop treatments for childhood cancer that are more effective and safe for children.<sup>8</sup>

Pediatric cancer is relatively uncommon, representing less than one percent of all new cases of cancer diagnosed in the United States each year. This presents a major challenge in conducting pediatric cancer research, as clinical trials are increasingly restricted to smaller numbers of patients who are defined by the molecular characteristics of their tumors, rather than where the tumors originated in the body, collaboration among children's cancer centers and a strong national clinical research program will continue to be essential to ensure that trials enroll sufficient numbers of participants to produce meaningful results.<sup>9</sup>

Securing adequate funding to support pediatric cancer research and clinical trials is a challenge. In 2017, pediatric cancer research awarded by the National Institutes of Health totaled approximately \$220 million,<sup>10</sup> which represented only 2.5 percent of the total funding allocated for research.<sup>11</sup> Florida received a fraction of the total amount awarded for pediatric cancer research with only \$10,256,609 awarded to Florida-based institutions in 2017.<sup>12</sup>

### III. Effect of Proposed Changes:

SB 252 authorizes the HSMV to include language permitting a voluntary contribution of \$1 or more per application to the Live Like Bella Childhood Cancer Foundation on the form for motor vehicle registration. Such contributions will be distributed by the HSMV to the Live Like Bella Childhood Cancer Foundation.

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<sup>6</sup> National Cancer Institute, Childhood Cancers, <https://www.cancer.gov/types/childhood-cancers> (last visited February 10, 2019).

<sup>7</sup> Id.

<sup>8</sup> National Cancer Institute, Childhood Cancers Research, <https://www.cancer.gov/research/areas/childhood> (last visited February 10, 2019).

<sup>9</sup> Id.

<sup>10</sup> National Institutes of Health, National Cancer Institute, <https://fundedresearch.cancer.gov/nciportfolio/search/SearchForm> (last visited February 10, 2019).

<sup>11</sup> National Institutes of Health, National Cancer Institute, <https://fundedresearch.cancer.gov/nciportfolio/search/funded?action=full&fy=PUB2017&type=sic> (last visited February 10, 2019).

<sup>12</sup> Id.

The bill notwithstanding s. 320.023, F.S., which in part covers the; process to establish a voluntary contribution, process to discontinue a voluntary contribution; requirement that contributions not be used for commercial or for-profit activities or administration; and audit requirements for the use of contributions.

**IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The HSMV estimates that approximately 660 programming hours, or the equivalent of \$36,480 in FTE and contracted resources, will be required to implement the bill.<sup>13</sup>

**VI. Technical Deficiencies:**

None.

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<sup>13</sup> Email from Kevin Jacobs, Deputy Legislative Affairs Director, Department of Highway Safety and Motor Vehicles, Requested info related to voluntary contributions, (February 12, 2019).

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends section 320.02 of the Florida Statutes.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

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

None.

**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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