

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.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: CS/SB 676

INTRODUCER: Committee on Transportation; and Senators Baxley and Pizzo

SUBJECT: Special and Specialty License Plates

DATE: March 17, 2021

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Vickers	TR	Fav/CS
2.			ATD	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 676 creates 12 new specialty license plates, including the following:

- Florida State Parks
- Support Healthcare Heroes
- Inter Miami CF
- Toastmasters
- Gopher Tortoise
- Orlando United
- Biscayne Bay
- Margaritaville
- Protect Marine Wildlife
- Disease Prevention and Early Detection
- Honor Flight
- Ethical Ecotourism

The bill also creates one new special military plate for recipients of the Army of Occupation Award, amends three existing specialty license plates (Florida Indian River Lagoon, Wildlife Foundation of Florida and Divine Nine) and revises requirements for the issuance of certain special license plates.

According to the DHSMV, the bill will have a negative, but insignificant fiscal impact associated with programming cost. These cost can be absorbed within existing resources.

The bill has an effective date of October 1, 2021.

II. Present Situation:

Specialty License Plates

Presently, there are 120 specialty license plates available for purchase in Florida¹ and another 33 specialty license plates available for pre-sale², for a total of 153 specialty license plates.³ Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees.⁴ The annual use fees are distributed to an organization or organizations in support of a particular cause or charity signified on the plate's design and designated in statute.⁵ In order to establish a specialty license plate and after the plate is approved by law, s. 320.08053, F.S., requires the following actions within certain timelines:

- Within 60 days, the organization must submit an art design for the plate, in a medium prescribed by the DHSMV;
- Within 120 days, the DHSMV must establish a method to issue pre-sale vouchers for the specialty license plate; and
- Within 24 months after the pre-sale vouchers are established, the organization must obtain a minimum of 3,000 voucher sales, or in the case of an out-of-state college or university license plate, 4,000 voucher sales, before manufacturing of the plate may begin.

If the minimum sales requirement has not been met by the end of the 24-month pre-sale period, then the DHSMV will discontinue the plate and issuance of pre-sale vouchers. Upon discontinuation, a purchaser of a presale voucher may use the annual use fee as a credit towards any other specialty license plate or apply for a refund with the DHSMV.⁶

New specialty license plates that have been approved by law but are awaiting issuance will be issued in the order they appear in s. 320.08058, F.S., provided that they have met the presale requirement. If the next awaiting specialty license plate has not met the presale requirement, the department will proceed in the order provided in s. 320.08058, F.S., to identify the next qualified specialty license plate that has met the presale requirement.⁷

¹ A list of Florida's specialty license plates is available on the DHSMV website at <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 12, 2021).

² A list of Florida's pre-sale specialty license plates is available on the DHSMV website at <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/pre-sale-data/> (last visited January 14, 2021).

³ Creation of a specialty license plate requires an act of the Legislature.

⁴ Section 320.08056(3)(d), F.S., provides that except if specifically provided in s. 320.08056(4), the annual use fee for a specialty license plate is \$25.

⁵ Section 320.08058, F.S.

⁶ Section 320.08053(2)(b), F.S.

⁷ Section 320.08053(3)(a), F.S.

If the Legislature has approved 150 or more specialty license plates, the DHSMV may not make any new specialty license plates available for design or issuance until a sufficient number of plates are discontinued so that the number of plates being issued does not exceed 150.⁸

The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.⁹ Additionally, organizations must adhere to certain accountability requirements, including an annual audit or attestation document affirming that funds received have been spent in accordance with applicable statutes.¹⁰

DHSMV Costs Defrayed

The DHSMV is authorized to retain a sufficient portion of annual use fees collected from the sale of specialty plates to defray its costs for inventory, distribution, and other direct costs associated with the specialty license plate program. The remainder of the proceeds collected are distributed as provided by law.¹¹

Discontinuance of Specialty Plates

The DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty license plate registrations is below 1,000 plates. Collegiate plates for Florida universities are exempt from the minimum specialty license plate requirement.¹² In addition, the DHSMV is authorized to discontinue any specialty license plate if the organization no longer exists, stops providing services that are authorized to be funded from the annual use fee proceeds, or pursuant to an organizational recipient's request.¹³

However, effective July 1, 2023, the requirement increases so that the DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid registrations falls below 3,000 or in the case of an out-of-state college or university license plate, 4,000, for at least 12 consecutive months. The DHSMV must mail a warning letter to the sponsoring organization following the first month in which the total number of valid specialty plate registrations is below 3,000, or in the case of an out-of-state college or university license plate, 4,000. This does not apply to in-state collegiate license plates established under s. 320.08058(3), license plates of institutions in and entities of the State University System, specialty license plates that have statutory eligibility limitations for purchase, specialty license plates for which annual use fees are distributed by a foundation for student and teacher leadership programs and teacher recruitment and retention, or Florida Professional Sports Team license plates established under s. 320.08058(9).¹⁴

⁸ Section 320.08053(3)(b), F.S.

⁹ Section 320.08056(10)(a), F.S.

¹⁰ Section 320.08062, F.S.

¹¹ Section 320.08056(7), F.S.

¹² Section 320.08056(8)(a), F.S.

¹³ Section 320.08056(8)(b), F.S.

¹⁴ Section 320.08056(8)(a), F.S.

Existing Specialty License Plates

Florida Indian River Lagoon Specialty License Plate

Section 320.08058(10), F.S., provides that the first \$5 million in revenues collected annually from the Florida Indian River Lagoon (IRL) license plate must be transferred to the St. Johns River Water Management District. The district must account for these funds separate from all other funds received and must distribute the funds to the applicants awarded funds.

The application for award of Florida IRL license plate annual use fees is administered by the St. Johns River and South Florida Water Management Districts for IRL projects and in accordance with their contracting and purchasing policies and procedures, with the select restrictions on how the fees are to be used.¹⁵

Section 320.08058(10)(d), F.S., provides that it is the intent of the Legislature that revenues generated by the Florida IRL license plate annual use fees must not be used as replacement funds for Surface Water Improvement and Management Act funds, but must be used solely for the enhancement of the IRL area.

Fish & Wildlife Foundation of Florida Specialty License Plate

The Fish & Wildlife Foundation of Florida, Inc., a nonprofit 501(c)(3) organization, was formed on September 29, 1994, as a nonprofit organization to support the health and well-being of Florida's fish and wildlife resources and their habitats. They are the citizen-support organization of the Florida Fish and Wildlife Conservation Commission and work with a variety of other public and private organizations to achieve science-based conservation, research, education, and outdoor recreation goals. Their grant making traditionally focuses on providing outdoor education and recreational opportunities for youth, combatting invasive species like lionfish, improving management of wildlife habitats and fisheries, protecting Florida's freshwater springs, and improving public access to hunting, fishing and boating resources.¹⁶

Divine Nine Specialty License Plate

Section 320.08058(101), F.S., provides for the annual use fees from the Divine Nine license plate to be distributed as follows:

- Five percent of the proceeds shall be distributed to the United Negro College Fund, Inc., for college scholarships for Florida residents attending Florida's historically black colleges and universities.
- The remaining 95 percent of the proceeds shall be distributed to one of the participating fraternities or sororities as selected by the purchaser of the plate. Each of those organizations may use ten percent for marketing of the plate.

License plates created under s. 320.08058(101), F.S., must have their plate sales combined for the purpose of meeting the minimum license plate sales threshold and for determining the license plate limits.

¹⁵ Section 320.08058(10)(c), F.S.

¹⁶ Fish & Wildlife Foundation of Florida, *About Us*, <https://wildlifeflorida.org/our-mission/> (last visited March 12, 2021).

Military Service Special License Plates

Currently, s. 320.089, F.S., authorizes 23 special license plates available to military service members or veterans for certain types of military service. Examples of service include Veteran of the U.S. Armed Forces, World War II Veteran, and Woman Veteran. While anyone who pays the appropriate fees may purchase most specialty license plates, one must provide proof of eligibility to obtain a military special license plate.

Military special license plates are each stamped with words consistent with the type of special license plate issued. A likeness of the related campaign medal or badge appears on the plate followed by the license plate serial number.

Applicants for special license plates are required to pay the annual license tax¹⁷ with the exception of certain disabled veterans who qualify for the Pearl Harbor, Purple Heart, or Prisoner of War plate, to whom such plates are issued at no cost.¹⁸ The first \$100,000 of the revenue generated annually from the issuance of special use plates is deposited into the Grants and Donations Trust Fund under the Veterans' Nursing Homes of Florida Act. Any additional revenue is deposited into the State Homes for Veterans Trust Fund and used to construct, operate, and maintain domiciliary and nursing homes for veterans.¹⁹

Army of Occupation Medal

The Army Occupation Medal was established by War Department Circular 102, dated April 5, 1946. The medal was designed by Mr. Thomas Hudson Jones and the first medal was presented to General Eisenhower on April 2, 1947. The ribbon design uses the color black to represent Germany and the color red to represent Japan. On February 4, 1948, the Secretary of the Navy requested the Heraldic Section, Department of the Army, design a suitable Navy Occupation Service Medal. This medal was designed by Mr. Thomas Hudson Jones on March 30, 1948. The service clasp is worn on the suspension ribbon to indicate area of occupation. The Berlin Airlift Device is a miniature of a C-54 type aircraft and is worn on the suspension ribbon and service ribbon to indicate 90 days consecutive service between June 26, 1948 and September 30, 1949.²⁰

The Army Occupation Medal was awarded for 30 days consecutive service while assigned to Germany, Austria, Italy, Japan, and Korea during specific periods of time during 1945 to 1990.²¹

Emergency Medical Services Trust Fund

Funds deposited into the Emergency Medical Services Trust Fund must be used solely to improve and expand prehospital emergency medical services in the state. The Department of Health (DOH) must annually dispense funds contained in the Emergency Medical Services Trust Fund as follows:

¹⁷ The annual license tax is provided in s. 320.08, F.S.

¹⁸ Section 320.089(2)(a), F.S.

¹⁹ Section 320.089(1)(b), F.S.

²⁰ United State Army Veteran Medals, *U.S. Army Service, Campaign Medals and Foreign Awards Information*, <https://veteranmedals.army.mil/awardg&d.nsf/374fbd6468877ab385256b6600590a90/48884fdf2638ab8185256b660066c86a!OpenDocument> (last visited March 12, 2021).

²¹ *Ibid.*

- Forty-five percent of funds must be divided among the counties according to the proportion of the combined amount deposited in the trust fund from the county. These funds may not be used to match grant funds identified below. An individual board of county commissioners may distribute these funds to emergency medical services organizations and youth athletic organizations within the county, as it deems appropriate;
- Forty percent of funds must be used by the DOH for making matching grants to local agencies, municipalities, emergency medical services organizations, and youth athletic organizations for the purpose of conducting research, increasing existing levels of emergency medical services, evaluation, community education, injury-prevention programs, and training in cardiopulmonary resuscitation and other lifesaving and first aid techniques; and
- Fifteen percent of funds must be used by the DOH for capital equipment outlay, personnel, community education, evaluation, and other costs associated with the administration of ch. 401, F.S. (Medical Telecommunications and Transportation). Any funds not annually used for this purpose must be used for making additional rural grant funds available.²²

Community Organizations

Florida State Parks Foundation, Inc.

The Florida State Parks Foundation, Inc., founded in 1993, supports the Florida State Park system through programs that preserve and protect state parks, educate visitors about the value of state parks, encourage community engagement and active use of state parks, and provide financial support to supplement state funding. The foundation is a non-profit Florida corporation under s. 501(3)(c) of the Internal Revenue Code.^{23, 24}

Inter Miami CF

The Inter Miami CF Foundation Corporation²⁵ is an organization which uses the game of soccer as a catalyst for positive change in the South Florida community. They focus on education and empowerment, access and inclusion and health and wellness for kids and young adults in underserved communities. The Inter Miami CF Foundation Corporation uses the clubs reach, expertise and resources to strategically plan and execute sports-based development and direct-service community programs, initiatives and events. They invest in, enhance and support existing organizations that align with their mission while developing their own programs: all with the goal of measurable results and scalable impact.²⁶

Toastmasters International

Toastmasters began as a series of speaking clubs organized by Ralph C. Smedley during his time working for the YMCA (Young Men's Christian Association). Smedley was director of education at the YMCA and he saw a need for the men in the community to learn how to speak,

²² Section 401.113, F.S.

²³ Florida State Parks Foundation Website, <https://floridastateparksfoundation.org/About-Us1> (last visited March 2, 2021).

²⁴ Department of Highway Safety and Motor Vehicles, *2021 Agency Legislative Bill Analysis for SB 676*, (February 25, 2021).

²⁵ Florida Department of State, Division of Corporations, Sunbiz, Inter Miami CF Foundation Corp., <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName> (last visited January 14, 2021).

²⁶ Florida Department of State, Division of Corporations, Sunbiz, Inter Miami CF Foundation Corp. Articles of Incorporation, <http://search.sunbiz.org/Inquiry/CorporationSearch/documentNumber=P20000013003> (last visited January 14, 2021).

conduct meetings, plan programs and work on committees. He decided to organize a club where they could learn these skills in a social environment. He named this group the Toastmasters Club; “toastmaster” was a popular term that referred to a person who gave toasts at banquets and other occasions.²⁷

Since 1924, Toastmasters International has helped people from diverse backgrounds become more confident speakers, communicators, and leaders. Toastmasters International is a non-profit educational organization that teaches public speaking and leadership skills through a worldwide network of clubs. The organization’s membership exceeds 358,000 in 142 countries.²⁸

Toastmasters International is not listed in the Department of State Division of Corporations sunbiz.org database as a Florida business entity.

In 1965 the Ralph C. Smedley Memorial Fund was established to honor and uphold Ralph C. Smedley’s legacy and to open doors for the many millions of potential Toastmaster yet to come. Though the historic fund had humble beginnings with a local impact, the reinvigorated Smedley Fund retains its same purpose—the advancement of communication and leadership education through the research, development, and distribution of educational programs and materials.²⁹

Wildlands Conservation, Inc.

The Wildlands Conservation is a non-profit organization, created in 2003³⁰, specializing in conservation planning and policy, land management, land protection, research, education and outreach. The Wildlands Conservation works on conservation projects throughout Florida. They strive to work with landowners and others around the state to maximize conservation and minimize impacts, which can be costly to that landowner³¹. Wildlands offers gopher tortoise relocation in attempt to save tortoises from sites permitted for development. They are committed to ensuring that gopher tortoise survey and relocation work is done thoroughly and professionally as possible to protect gopher tortoises across the state³².

Mental Health Association of Central Florida, Inc.

The Mental Health Association of Central Florida³³ has been serving the mental health needs of Orange, Osceola, Seminole, Brevard, and Lake counties since 1946. Their mission is to provide

²⁷Toastmasters International. *The Toastmasters Journey*, available at <https://www.toastmasters.org/about/history> (last visited January 29, 2020).

²⁸Toastmasters International. *All About Toastmasters*, available at <https://www.toastmasters.org/about/all-about-toastmasters> (last visited January 29, 2020).

²⁹Toastmasters International. *Ralph C. Smedley Memorial Fund*, available at <https://www.toastmasters.org/about/smedley-fund> (last visited January 27, 2020).

³⁰Florida Department of State, Division of Corporations, Sunbiz, Wildlands Conservation, Inc., <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName> (last visited January 24, 2020).

³¹<http://www.wildlandsconservation.org/> (last visited January 24, 2020).

³²Gopher Tortoise Permitting and Relocating Services available at <http://www.wildlandsconservation.org/gopher-tortoise-services>. (last visited January 24, 2020).

³³Florida Department of State, Division of Corporations, Sunbiz, The Mental Health Association of Central Florida, Inc., <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName> (last visited January 29, 2020).

mental health services, support and information to the members of the Orlando and surrounding Central Florida community.³⁴

onePULSE Foundation, Inc.

The onePULSE Foundation³⁵ was established to create a sanctuary of hope following the tragic day of June 12, 2016. The foundation was created to honor the 117 victims and the countless first responders and healthcare professionals who treated them. The foundation is intended to support a memorial that opens hearts, a museum that opens minds, educational programs that open eyes and endowed scholarships that open doors. All donations are used for the construction and operation of the National memorial and museum, educational programs and 49 Legacy Scholarships.³⁶

Two Spirit Health Services, Inc.

Two Spirit Health Services³⁷ is a non- profit corporation incorporated in 2011. They provide mental health, behavioral, substance abuse, primary care, transgender health, and related services to individuals in the Lesbian, Gay, Bisexual and Transgender community who live in and around the Central Florida area.³⁸

The Miami Foundation, Inc.

The Miami Foundation, founded in 1967,³⁹ seeks to encourage philanthropy and charitable giving by developing a permanent endowment to meet current and future emerging charitable needs. Grants are made in broad program areas including education, health, human services, arts and culture, the environment, and community and economic development. In addition, field of interest and special funding initiatives have enabled significant grant making addressing the issues of abused and neglected children, immigrants and refugees, AIDS, homelessness, social justice, African-American affairs, care of animals, and heart disease.⁴⁰

SFC Charitable Foundation, Inc.

The SFC Charitable Foundation, Inc., was founded in 1994.⁴¹ The SFC Charitable Foundation, Inc., does business as the Singing for Change Foundation, which is a private foundation established in 1995 by Jimmy Buffett, as a way of saying thank you to the friends, fans, and concert-goers around the country who have loyally supported his music career.⁴²

³⁴ Mental Health Association of Central Florida. *The Mission of The Mental Health Association of Central Florida*, available at <https://www.mhacf.org/> (last visited January 28, 2020).

³⁵ Florida Department of State, Division of Corporations, Sunbiz, onePULSE Foundation, Inc., <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName> (last visited January 29, 2020).

³⁶ OnePULSE Foundation. *About Us*, available at <https://onepulsefoundation.org/onepulse-foundation/> (last visited January 28, 2020).

³⁷ Florida Department of State, Division of Corporations, Sunbiz, Two Spirit Health Services, Inc., <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName> (last visited January 29, 2020).

³⁸ Alignable. *About Us* available at <https://www.alignable.com/orlando-fl/two-spirit-health-services-inc> (last visited January 29, 2020).

³⁹ The Miami Foundation, *About the Foundation*, <https://miamifoundation.org/> (last visited March 12, 2021).

⁴⁰ Foundation Directory Online, *The Miami Foundation, Inc.*, <https://fconline.foundationcenter.org/fdo-grantmaker-profile?key=DADE001> (last visited March 12, 2021).

⁴¹ Department of State, Sunbiz.org, *Detail by Entity Name, SFC Charitable Foundation, Inc.*, Document No. N94000005329.

⁴² Singing For Change, *Home*, available at <https://www.singingforchange.org/> (last visited March 12, 2021).

Initially funded with contributions from Jimmy Buffett's 1995 summer tour, Singing for Change continues to receive one dollar from each concert ticket sold during his tours. Printed on the bottom of each ticket is the words "\$1 to SFC Charitable Foundation." Funds raised during Jimmy Buffett's concert tours are redistributed each year in the form of grants to small, grassroots organizations located primarily in communities where he performs. Singing for Change has disbursed almost \$11 million in grants in its 23-year history.⁴³

Protect Wild Dolphins Alliance, Inc.

Protect Wild Dolphins Alliance, Inc.,⁴⁴ d/b/a Protect Wild Dolphins, operates exclusively for charitable, scientific, and educational purposes, including but not limited to the support and conduct of research, scientific and educational activities for the protection and preservation of marine mammals, including, but not limited to, release to the wild programs, the rescue, rehabilitation, release and/or retirement of marine mammals as well as the establishment and operation of a safe haven for unwanted and/or surplus dolphins and other marine mammals. Protect Wild Dolphins Alliance rescues and rehabilitates stranded marine mammals in order to advance science and education in marine wildlife health and conservation and believes in the humane treatment of all sick and injured marine animals and seeks to advance the One Ocean One Health concept in order to protect ocean heritage.⁴⁵

The Women's Breast & Heart Initiative, Florida Affiliate, Inc.

The Women's Breast & Heart Initiative (WBHI), established in 2005, is a nonprofit outreach organization piloting communities toward lifesaving, preventive self-care. Through boots-on-the-ground education and screening initiatives, WBHI encourages and supports social responsibility, community organization and the good health of women. Through strategic partnerships with local colleges and universities, health care partners and professional entities, WBHI has established a network of dedicated and compassionate volunteers. Their relationships with professors and student volunteers in particular help further their goals and provide real-time examples of how the power of the individual can enact social change.⁴⁶

Honor Flight

Honor Flight's mission is to transport America's veterans to Washington, D.C., to visit the memorials dedicated to honoring those who have served and sacrificed for our country. It is a national network of independent hubs working together to further Honor Flight's mission. The network currently serves veterans from World War II, the Korean War, and the Vietnam War, as well as terminally ill veterans who served during any era.⁴⁷ Florida's Honor Flight Network hubs are non-profit corporations under s. 501(c)(3) of the Internal Revenue Code. Honor Flight Hubs

⁴³ *Id.*

⁴⁴ Department of State, Sunbiz.org, *Detail by Entity Name, Protect Wild Dolphins Alliance, Inc.*, Document No. N94000001086.

⁴⁵ Protect Wild Dolphins Alliance, *About*, <https://protectwilddolphinsalliance.com/about.html> (last visited March 12, 2021).

⁴⁶ The Women's Breast & Heart Initiative, *About Us*, <https://flbreasthealth.com/about-us/> (last visited March 12, 2021).

⁴⁷ Honor Flight, *About Us*, <https://www.honorflight.org/about-us.html> (last visited March 12, 2021).

in Florida include Collier-Lee, First Coast, Central Florida, West Central Florida, South Florida, Tallahassee, Southeast Florida, Southwest Florida, Space Coast, and The Villages.⁴⁸

Florida Society for Ethical Ecotourism

In 1998 the CREW Land and Water Trust and the Florida Department of Environmental Protection Rookery Bay National Estuarine Research Reserve received a grant from the Advisory Council of Environmental Education, within the Florida Game & Fresh Water Fish Commission, to provide an educational workshop for ecotour providers of Southwest Florida. As a result of the grant, a day-long Southwest Florida Eco/Heritage Tourism Workshop took place in downtown Ft. Myers in which 85 people participated.⁴⁹

Following the workshop, a group of volunteers from Southwest Florida communities met and formed the Society for Ethical Ecotourism in Southwest Florida. In 2011 they changed their name to the Florida Society for Ethical Ecotourism, Inc.⁵⁰ The Florida Society for Ethical Ecotourism, Inc., is registered as an active nonprofit corporation with the DOS.⁵¹

Paddle Florida, Inc.

Paddle Florida, Inc., is a nonprofit corporation⁵² organized to support canoeing and kayaking in Florida. The organization supports multi-day paddling/camping trips in each of Florida's five water management districts, showcasing the state's natural beauty and rich cultural heritage while promoting water conservation, wildlife preservation, springs restoration, and waterways protection. Paddle Florida seeks to promote Florida as an international destination for nature-based tourism.⁵³

III. Effect of Proposed Changes:

Existing Specialty License Plates (Section 2)

Florida Indian River Lagoon License Plate

The Indian River Lagoon (IRL) was nominated as an Estuary of National Significance and joined the National Estuary Program in 1990 under the sponsorship of the St. Johns and South Florida Water Management Districts and was formally established in 1991. The IRL National Estuary Program is part of a national network of twenty-eight estuary programs established under the Federal Clean Water Act and administered nationally by the United States Environmental Protection Agency. The Program's Comprehensive Conservation and Management Plan was published in 1997 and updated in 2008.⁵⁴

⁴⁸ Honor Flight, *Regional Honor Flight Hubs*, <https://www.honorflight.org/regional-honor-flight-hubs.html#florida> (last visited March 12, 2021).

⁴⁹ Florida Society for Ethical Ecotourism, *History of the "Florida Society for Ethical Ecotourism"*, <https://www.floridasee.com/docs/Florida%20SEE%20History.pdf> (last visited March 12, 2021).

⁵⁰ Id.

⁵¹ Department of State, Sunbiz.org, *Detail by Entity Name, Florida Society for Ethical Ecotourism, Inc.*, Document No. N0100000235.

⁵² Department of State, Sunbiz.org, *Detail by Entity Name, Paddle Florida, Inc.*, Document No. N1100000503.

⁵³ Paddle Florida, <http://www.paddleflorida.org/> (last visited January 31, 2020).

⁵⁴ One Lagoon, *IRLNEP*, <https://onelagoon.org/irlnep/> (last visited March 15, 2021).

The IRL Council was established in February 2015 as a special district of Florida. The IRL Council includes representatives of five counties bordering the lagoon (Volusia, Brevard, St. Lucie and Martin counties and the Indian River County Lagoon Coalition,), the St. Johns River and South Florida Water Management Districts, and the Florida Department of Environmental Protection.⁵⁵

The bill amends s. 320.08058(10), F.S., to direct the distribution of the first \$5 million collected each year to the IRL Council, who will also account for the transfer and distribution of funds, instead of the St. Johns River Water Management District, and states the Legislature supports the restoration efforts of the IRL National Estuary Program and its partners and intends for the Florida Indian River Lagoon license plate to provide a continuous funding source to support this worthwhile effort and to heighten public awareness of this economically significant resource.

The bill directs the IRL Council to administer projects in Volusia, Brevard, and Indian River Counties from funds derived from the appropriate percentage of license plate revenues, and for the South Florida Water Management District to administer projects in St. Lucie, Martin, and Palm Beach counties.

The bill provides that in Volusia County, project implementation may occur in all estuarine waters extending north to and including the Indian River Lagoon National Estuary Program's Indian River Lagoon-Halifax River planning boundary amendments that include the Tomoka Basin and in Palm Beach County, first priority must be given to projects within the Indian River Lagoon, and second priority must be given to projects within adjacent estuarine waters, including the Loxahatchee River and other tributaries to the Indian River Lagoon.

The bill provides that it is the intent of the Legislature that revenues generated by the Florida Indian River Lagoon license plate annual use fees must not be used as replacement funds for other available funding sources but must be used solely for the enhancement of the Indian River Lagoon and tributaries in the Indian River Lagoon watershed as defined by the Indian River Lagoon National Estuary Program project boundary defined in the Indian River Lagoon Comprehensive Conservation and Management Plan or as provided in this section.

Wildlife Foundation of Florida License Plate

The bill amends s. 320.08058(46), F.S., to update the name of the Florida Fish and Wildlife Conservation Commission citizen support organization to the Fish & Wildlife Foundation of Florida, Inc., and requires that 75 percent of the annual revenues from the sale of the license plate must be encumbered to fund programs and projects within the state that preserve open space and wildlife habitat, promote conservation, promote hunting and shooting sports, improve wildlife habitat, and establish open space for the perpetual use of the public. Unencumbered funds from one year may be carried over to the following year, but must be spent within 2 years of receipt or dedicated to a project within 2 years of receipt in the form of a contract, a grant award, or an approved plan by the governing board of the Fish & Wildlife Foundation of Florida, Inc.

⁵⁵ Indian River Lagoon News, *Indian River Lagoon Council*, https://indianriverlagoonnews.org/guide/index.php/Unit:Indian_River_Lagoon_Council (last visited March 15, 2021).

Divine Nine License Plate

The mission of the Association to Preserve African American Society, History and Tradition is to collect, preserve and exhibit historical artifacts and information which illustrate the meaningful role African Americans have played in the Orlando area and the State of Florida. The Association is dedicated to collecting and exhibiting memorabilia which commemorate the achievements of African Americans educators, athletes, musicians, religious, civic, and cultural leaders.⁵⁶

The bill amends s. 320.08058(101), F.S., to remove the portion of revenues distributed to the eligible organizations, and instead directs 10 percent of the proceeds must be distributed to the Association to Preserve African-American Society, History, and Tradition, Inc., solely for the marketing of the plate.

The bill also provides that to be eligible for issuance of a Divine Nine license plate representing an eligible organization, a person must be a resident of Florida who is the registered owner of a motor vehicle and who is a member of the applicable organization. The person must also present proof of membership in the organization, which may be established by:

- A card distributed by the organization indicating the person's membership in the organization; or
- A written letter on the organization's letterhead which is signed by the organization's national president or his or her designated official and which states that the person was inducted into the organization.

Proof of membership in an eligible organization is required only for initial issuance of a Divine Nine license plate. A person need not present such proof for renewal of the license plate.

In addition, a Divine Nine license plate:

- May be personalized;
- Notwithstanding any other law to the contrary, may be displayed on a privately owned passenger motor vehicle, pickup truck, boat, or pleasure motor vehicle including, but not limited to, a recreational vehicle; and
- May not be transferred between vehicle owners.

New Specialty License Plates (Sections 1 and 2)

Florida State Parks License Plate

The bill directs the DHSMV to develop the Florida State Parks specialty license plate bearing the colors and design approved by the DHSMV. The new license plates will display the word "Florida" at the top of the plate and "Explore Our State Parks" at the bottom of the plate.

The bill directs the annual use fees from the sale of the plate to be distributed to the Florida State Parks Foundation, Inc. Up to 10 percent of the fees from the sale of the plate may be used for

⁵⁶ GuideStar, *Association to Preserve African American Society, History and Tradition, Inc.*, <https://www.guidestar.org/profile/59-3205047> (last visited March 15, 2021).

marketing the plate and costs directly associated with the administration of the Florida State Parks Foundation.

Support Healthcare Heroes License Plate

The bill directs the DHMSV to develop a Support Healthcare Heroes specialty license plate bearing the colors and design approved by the DHSMV. The word “Florida” must appear at the top of the plate, and the words “Support Healthcare Heroes” must appear at the bottom of the plate.

The annual use fees from the sale of the plate must be distributed annually into the Emergency Medical Services Trust Fund within the Department of Health to provide financial support for prehospital medical services pursuant to s. 401.113, F.S.

Inter Miami CF License Plate

The bill directs the DHSMV to develop the Florida Inter Miami CF specialty license plate bearing the colors and design approved by the DHSMV. The new license plates will display the word “Florida” at the top of the plate and “Inter Miami CF” at the bottom of the plate.

The bill directs the annual use fees to be distributed to Inter Miami CF Foundation Corporation, a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, which may use a maximum of 10 percent of the proceeds to promote and market the plate. The remainder of the proceeds must be used by the Inter Miami CF Foundation Corporation to plan and execute sports-based development and direct-service community programs, initiatives, and events.

Toastmasters License Plate

The bill directs the DHSMV to develop the Florida Toastmasters International specialty license plate bearing the colors and design approved by the DHSMV. The new license plates will display the word “Florida” at the top of the plate and “www.Toastmasters.org” at the bottom of the plate.

The bill directs the annual use fees to be distributed to the Ralph C. Smedley Memorial Fund of Toastmasters International, of which:

- Twenty-five percent shall be used to develop charitable and educational programs for the indigent, homeless, visually and hearing disabled, incarcerated, and youth populations that are unable to afford or to participate in established Toastmasters programs.
 - Up to 5 percent of this distribution may be used for administrative expenses.
- Seventy-five percent shall be proportionally redistributed to the divisions of Districts 47, 48, 77, and 84 of Toastmasters International which reside in this state.
 - Up to 5 percent of this distribution may be used for marketing of the plate
- The remainder shall be used for educators, nonprofits, governmental organizations, scholarships, materials, and computers and other equipment for the purpose of implementing the charitable and educational programs for the indigent, homeless, visually and hearing disabled, incarcerated, and youth populations that are unable to afford or to participate in the established Toastmasters programs.

Gopher Tortoise License Plate

The bill directs the DHSMV to develop the Florida Gopher Tortoise specialty license plate bearing the colors and design approved by the DHSMV. The new license plates will display the word “Florida” at the top of the plate and “Protect the Gopher Tortoise” at the bottom of the plate.

The bill directs the annual use fees to be distributed to Wildlands Conservation, Inc., to fund gopher tortoise and commensal species research, education, and conservation, as well as upland habitat protection, restoration, and management in this state. Up to 15 percent of the funds received by Wildlands Conservation, Inc., may be used for marketing of the plate and costs directly associated with the administration of the gopher tortoise protection program. Wildlands Conservation, Inc., shall use and distribute the funds to eligible Florida-based scientific, conservation, and educational organizations for gopher tortoise and upland habitat research, conservation, and management.

Orlando United License Plate

The bill directs the DHSMV to develop the Florida Orlando United specialty license plate bearing the colors and design approved by the DHSMV. The new license plates will display the word “Florida” at the top of the plate and “Orlando United” at the bottom of the plate.

The bill directs the annual use fees to be distributed as follows:

- Five percent shall be distributed to the Mental Health Association of Central Florida, Inc., to be used for marketing of the license plate.
- Thirty-one percent shall be distributed to the Mental Health Association of Central Florida, Inc.
 - Of this amount, up to 5 percent may be used for administrative expenses.
 - The remainder shall be used to offer free personalized counseling to any person affected by the shooting at the Pulse nightclub in Orlando on June 12, 2016.
- Two percent shall be distributed to onePULSE Foundation, Inc., to be used for marketing of the license plate.
- Thirty-one percent shall be distributed to onePULSE Foundation, Inc.
 - Of this amount, up to 5 percent may be used for administrative expenses.
 - The remainder shall be used to support the construction and maintenance of the onePULSE Foundation Memorial.
- Thirty-one percent shall be distributed to Two Spirit Health Services, Inc.
 - Of this amount, up to 5 percent may be used for administrative expenses.
 - The remainder shall be used to offer free personalized counseling to any person affected by the shooting at the Pulse nightclub in Orlando on June 12, 2016.

Biscayne Bay License Plate

The bill directs the DHSMV to develop the Florida Biscayne Bay specialty license plate bearing the colors and design approved by the DHSMV. The new license plates will display the word “Florida” at the top of the plate and “Protect Biscayne Bay” at the bottom of the plate.

The bill directs the annual use fees to be distributed to the Miami Foundation, Inc., a Florida nonprofit corporation, to be used as follows:

- Up to 10 percent of the fees may be used for promotion and marketing of the license plate and for direct reimbursement for administrative costs, startup costs, and costs incurred in the development and approval process of the license plate. All vendors associated with administrative costs shall be selected by competitive bid.
- The remaining fees shall be used to raise awareness and support the mission and efforts of conserving Biscayne Bay. The Miami Foundation Board of Trustees must approve and is accountable for all such expenditures.

Margaritaville License Plate

The bill directs the DHSMV to develop a Margaritaville specialty license plate bearing the colors and design approved by the DHSMV. The word “Florida” must appear at the top of the plate, and the word “Margaritaville” must appear at the bottom or the side of the plate.

The bill directs the DHSMV to retain all annual use fees from the sale of the plate until all startup costs for developing and issuing the plate have been recovered. Thereafter, up to 10 percent of the annual use fee revenue may be used for administration, promotion, and marketing of the specialty license plate. All remaining proceeds shall be used by the SFC Charitable Foundation, Inc., to provide grants to nonprofit organizations in communities impacted by natural or manmade disasters for purposes of recovery, rebuilding, and future sustainability and to promote and inspire local grassroots leaders who work to improve the quality of life in those communities and other communities in this state.

Protect Marine Wildlife License Plate

The bill directs the DHSMV to develop a Protect Marine Wildlife specialty license plate bearing the colors and design approved by the DHSMV. The word “Florida” must appear at the top of the plate, and the word “Protect Marine Wildlife” must appear at the bottom of the plate.

The bill directs the DHSMV to retain all annual use fees from the sale of the plate until all startup costs for developing and issuing the plate have been recovered. Thereafter, up to 10 percent of the annual use fee revenue may be used for administration, promotion, and marketing of the specialty license plate. All remaining proceeds shall be used by the Protect Wild Dolphins Alliance, Inc., to fund its conservation, research, and educational programs that focus on the conservation of Florida’s threatened and protected marine wildlife species.

Disease Prevention & Early Detection License Plate

The bill directs the DHSMV to develop the Florida Disease Prevention & Early Detection specialty license plate bearing the colors and design approved by the DHSMV. The new license plates will display the word “Florida” at the top of the plate and “Disease Prevention & Early Detection” at the bottom of the plate.

The bill directs the annual use fees to be distributed to the Women’s Breast & Heart Initiative, Florida Affiliate, Inc., which may use a maximum of 10 percent of the proceeds to promote and market the plate. The remainder of the proceeds shall be used by The Women’s Breast & Heart

Initiative, Florida Affiliate, Inc., to provide increased education and awareness relating to early detection, 28 prevention, and screening of breast and heart issues.

Honor Flight License Plate

The bill directs the DHSMV to develop the Florida Honor Flight specialty license plate bearing the colors and design approved by the DHSMV. The new license plates will display the word “Florida” at the top of the plate and “Honor Flight” at the bottom of the plate.

The annual use fees from the sale of the plate must be distributed equally among the Honor Flight Network hubs in this state, each of which is a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, to be used as follows:

- Up to 10 percent of the fees may be used for promotion and marketing of the license plate.
- The remaining fees must be used to further the Honor Flight Network’s mission of transporting military veterans to Washington, D.C., in order to visit the memorials dedicated to honoring those who have served and sacrificed for the United States.

The bill also amends s. 320.08056, F.S., to exclude the Honor Flight license plate from the restriction that all fees and any interest earned from the fees may be expended only for use in this state.

Ethical Ecotourism License Plate

The bill directs the DHSMV to develop the Florida Ethical Ecotourism specialty license plate bearing the colors and design approved by the DHSMV. The new license plates will display the word “Florida” at the top of the plate and words approved by the DHSMV must appear at the bottom of the plate.

The bill directs the annual use fees to be distributed equally between the Florida Society for Ethical Ecotourism and Paddle Florida, Inc., each of which may use up to 10 percent of such proceeds for administrative costs and the marketing of the plate. The remaining proceeds must be used by the Florida Society for Ethical Ecotourism to provide environmental education and awareness that encourage behaviors that contribute to the sustainability of Florida’s natural ecosystems and resources and by Paddle Florida, Inc., to raise awareness about water conservation, wildlife preservation, restoration of springs, and protection of waterways in this state.

Special License Plates (Section 3)

The bill amends s. 320.0807(5), F.S., to remove the prior to January 1, 2021, service period eligibility requirement that an applicant must have served as President of the Senate or Speaker of the House of Representatives in order to be issued a license plate stamped “Senate President” and “House Speaker” followed by the number assigned by the DHSMV or chosen by the applicant if it is not already in use.

New Military Service Special License Plate (Section 4)***Army of Occupation Veterans License Plate***

The bill amends s. 320.089, F.S., to create the Army of Occupation Veterans license plate. The owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle,⁵⁷ which is not used for hire or commercial use who is a resident of this state and a current or former member of the United States military who was permanently assigned to occupation forces in specific overseas locations during the Cold War between May 9, 1945, and October 2, 1990, upon application to the DHSMV accompanied by proof of active membership or former active duty status during this period at one of these locations and payment of the license tax for the vehicle, will be issued a license plate which, in lieu of the registration license number is stamped with the words “Army of Occupation” and a likeness of the Army of Occupation Medal, followed by the registration license number of the plate. Proof that the applicant was awarded the Army of Occupation Medal will be sufficient to establish eligibility for the license plate.

The bill has an effective date of October 1, 2021.

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.

⁵⁷ As provided for in s. 320.08(9)(c) or (d), F.S.

B. Private Sector Impact:

Once the license plates goes into production, organizations receiving license plate revenue may receive additional revenues associated with the sale of the corresponding license plates.

Current law prohibits the redesign of a specialty license plate unless the inventory of the license plate has been depleted. However, the organization may purchase the remaining inventory of the specialty license plate from the DHSMV at the DHSMV's cost.⁵⁸ Should any of the organizations associated with specialty license plates that have been amended desire to redesign their plates they may be required to purchase the remaining inventory of its specialty license plates at the DHSMV's cost prior to the authorized redesign of these specialty license plates.

C. Government Sector Impact:

Programming will be required initially to allow the DHSMV to accept vouchers, but the DHSMV may not finalize a design or issue the new license plate if the 150 cap is reached prior to the license plate selling 3,000 vouchers. The amount of programming is determined by the number of plates and the number of distributions per plate. One specialty license plate with a single distribution recipient will require between 200 to 250 hours of programming. Additional distributions will generally require an additional 5 to 10 hours per distribution.⁵⁹

The DHSMV is authorized to retain revenues from the first proceeds of specialty license plate sales to defray departmental expenditures related to the specialty license plate program.⁶⁰

The first \$100,000 in general revenue generated from the sale of special license plates issued under s. 320.089, F.S., (to include the Army of Occupation Veterans license plate) is deposited into the Grants and Donations Trust Fund within the Florida Department of Veterans' Affairs, to be used for the purposes established by s. 296.38(2), F.S.⁶¹ Any additional general revenue generated from the sale of such plates is deposited into the Operations and Maintenance Trust Fund within the Department of Veterans' Affairs and used to support program operations that benefit veterans or the operation, maintenance, or construction of domiciliary and nursing homes for veterans, subject to the requirements of chapter 216, F.S., (Planning and Budgeting); to the extent that eligible individuals

⁵⁸ Section 320.08056(9), F.S.

⁵⁹ *Supra*, FN 23.

⁶⁰ Section 320.08056(7), F.S.

⁶¹ Section 296.38(2), F.S., states "the home shall be empowered to receive and accept gifts, grants, and endowments in the name of the home. All such gifts, grants, and endowments are to be used for the benefit of the home and its residents. The administrator, together with the director, shall have the authority to determine how these gifts, grants, and endowments could best benefit the home and its residents unless the benefactor requests or instructs that the gift, grant, or endowment be used for a specific purpose. The home shall deposit all moneys received pursuant to this subsection into the Grants and Donations Trust Fund. Moneys in the Grants and Donations Trust Fund shall be expended for the common benefit of the residents of the home, such as recreational equipment, improved facilities, recreational supplies, and goods and services offered or available to all residents."

choose to purchase these license plates, there may be an indeterminate, positive fiscal impact on these trust funds.

Additionally, the DHSMV states the cost to perform an audit every 3 years of each specialty license plate may result in an insignificant workload impact that can be absorbed within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 320.08056, 320.08058, 320.0807, and 320.089 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.)

CS by Committee on Transportation on March 16, 2021:

- Creates 12 new specialty license plates;
- Creates one new military plate for recipients of the Army of Occupation Award;
- Amends three existing specialty license plates; and
- Amends the requirements for the issuance of certain special license plates.

B. Amendments:

None.