

**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 Appropriations Subcommittee on Transportation, Tourism, and Economic Development

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BILL: SB 676

INTRODUCER: Senator Benacquisto

SUBJECT: Voluntary Contributions to End Breast Cancer

DATE: March 5, 2015

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Jones</u>	<u>Eichin</u>	<u>TR</u>	<u>Favorable</u>
2.	<u>Gusky</u>	<u>Miller</u>	<u>ATD</u>	<u>Pre-meeting</u>
3.	<u>                    </u>	<u>                    </u>	<u>FP</u>	<u>                    </u>

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**I. Summary:**

SB 676 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to collect a voluntary contribution of \$1 or more per applicant through motor vehicle registration, driver license, and identification card forms for the Florida Breast Cancer Coalition Research Foundation, Inc.

The cost to redesign and develop the new application forms is \$55,040, which will be partially offset by the FBCF's \$20,000 application fees. The DHSMV will absorb the remaining \$35,040 in expenditures.

The bill provides an effective date of July 1, 2015.

**II. Present Situation:**

**Voluntary Contributions**

The voluntary contributions process provides the opportunity for citizens to make a donation by checking a box on a form when registering a vehicle or renewing a registration, as well as applying for a new or replacement driver license or identification card.<sup>1</sup>

An organization that desires to receive a voluntary contribution must be specifically authorized by Florida Statutes. Section 320.023, F.S., establishes 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. Both sections require the following:

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<sup>1</sup> Sections 320.02(8), (14), and (15) and 328.72(11) and (16), F.S., provide motor vehicle registration applicants with 26 options for voluntary contributions. Section 322.08(7), F.S., provides driver license applicants with 19 options for voluntary contributions.

- A request for the voluntary contribution being sought, describing the voluntary contribution in general terms;
- An application fee<sup>2</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.

### **Florida Breast Cancer Foundation (FBCF)**

The FBCF is a not-for-profit statewide organization dedicated to ending breast cancer through advocacy, education, and research.<sup>3</sup> The FBCF is best known for their role in the passage of the "Mary Brogan Breast and Cervical Cancer Treatment Act" and the "End Breast Cancer" specialty license plate that funds research and education throughout Florida.<sup>4</sup> The FBCF created the Florida Breast Cancer Coalition Research Foundation, Inc. to receive funds from the "End Breast Cancer" specialty plate, which received annual use fees from approximately 19,000 specialty plates in 2014.<sup>5 6</sup>

The DHSMV has reviewed the FBCF's submitted application requirements<sup>7</sup>, and has approved the FBCF to pursue legislation to create a voluntary contribution check-off on motor vehicle registration and driver license renewal notices.<sup>8</sup>

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

The bill authorizes the DHSMV to include language permitting a voluntary contribution of \$1 or more per applicant to "End Breast Cancer" on motor vehicle registration and registration renewal forms and forms for original, renewal, or replacement driver licenses or identification cards. Such contributions will be distributed by DHSMV to the Florida Breast Cancer Coalition Research Foundation, Inc., to be used for breast cancer research and education.

The bill takes effect July 1, 2015.

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<sup>2</sup> State funds may not be used to pay the application fee.

<sup>3</sup> Florida Breast Cancer Foundation, *About Us*, <http://www.floridabreastcancer.org> (last visited Feb. 26, 2015).

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> Department of Highway Safety and Motor Vehicles, **2014 Specialty License Plate Rankings**, <http://www.flhsmv.gov/specialtytags/tagssales.pdf> (last visited Feb. 26, 2015).

<sup>7</sup> In accordance with ss. 320.023 and 322.081, F.S.

<sup>8</sup> Letter from Terry L. Rhodes, Executive Director, Department of Highway Safety and Motor Vehicles (Jan. 12, 2015) (on file with the Senate Committee on Transportation).

**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 SB 676, individuals may choose to donate to the Florida Breast Cancer Coalition Research Foundation, Inc., which will benefit that organization.

## C. Government Sector Impact:

The cost to redesign and develop the new application forms is \$55,040, which will be partially offset by the FBCF's \$20,000 application fee. The DHSMV will absorb the remaining \$35,040 in expenditures.<sup>9</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 and 322.08.

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<sup>9</sup> Department of Highway Safety and Motor Vehicles, *Senate Bill 676 Analysis* (Feb. 13, 2015) (on file with the Senate Committee on Transportation).

**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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