

**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 Fiscal Policy

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BILL: CS/CS/SB 434

INTRODUCER: Fiscal Policy Committee; Transportation Committee; and Senator Harrell

SUBJECT: Specialty License Plates

DATE: February 19, 2024

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Shutes</u>	<u>Vickers</u>	<u>TR</u>	<b>Fav/CS</b>
2.	<u>Wells</u>	<u>Jarrett</u>	<u>ATD</u>	<b>Favorable</b>
3.	<u>Shutes</u>	<u>Yeatman</u>	<u>FP</u>	<b>Fav/CS</b>

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

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/CS/SB 434 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to create the following new specialty license plates:

- Margaritaville
- General Aviation
- Clearwater Marine Aquarium
- United Service Organizations (USO)
- Recycle Florida
- Boating Capital of the World
- Cure Diabetes
- Project Addiction: Reversing the Stigma
- The Villages: May All Your Dreams Come True

The bill also revises certain requirements relating to several existing specialty license plates, including collegiate plates, the Live The Dream plate, the Divine Nine plates, and the Give Kids The World plate.

The bill will have a negative, but insignificant, fiscal impact to DHSMV associated with programming and implementation costs.

The bill takes effect October 1, 2024.

## II. Present Situation:

### Specialty License Plates

As of December 2023, there are 144 specialty license plates authorized by the Legislature. Of these plates, 109 are available for immediate purchase and 31 are in the presale process.<sup>1</sup> 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.<sup>2</sup> The annual use fees are distributed to organizations in support of a particular cause or charity signified on the plate's design and designated in statute.<sup>3</sup>

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 presale vouchers for the specialty license plate; and
- Within 24 months after the presale vouchers are established, the organization must obtain a minimum of 3,000 voucher sales before manufacturing of the plate may begin.<sup>4</sup>

If the minimum sales requirement has not been met by the end of the 24-month presale period, then the DHSMV will discontinue the plate and issuance of presale 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.<sup>5</sup>

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 presale requirements have been met. If the next listed specialty license plate has not met the presale requirement, the DHSMV 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.<sup>6</sup>

If the Legislature has approved 135 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 135.<sup>7</sup>

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<sup>1</sup> DHSMV Presentation to the Senate Transportation Committee, *Specialty License Plates* (January 24, 2023), slideshow available at [https://www.flsenate.gov/Committees/Show/TR/MeetingPacket/5615/10046\\_MeetingPacket\\_5615\\_3.pdf](https://www.flsenate.gov/Committees/Show/TR/MeetingPacket/5615/10046_MeetingPacket_5615_3.pdf) (last visited October 10, 2023).

<sup>2</sup> 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.

<sup>3</sup> Section 320.08058, F.S.

<sup>4</sup> Chapter 2022-189, Laws of Fla., extended the presale requirement by an additional 24 months for an approved specialty license plate organization that, as of June 15, 2022, is in the presale period but had not recorded at least 3,000 voucher sales.

<sup>5</sup> Section 320.08053(2)(b), F.S.

<sup>6</sup> Section 320.08053(3)(a), F.S.

<sup>7</sup> Section 320.08053(3)(b), F.S.

### **Use of Specialty License Plate Fees**

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.<sup>8</sup> 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.<sup>9</sup>

The annual use fees collected by an organization and the interest earned from those fees may not be used for commercial or for-profit activities, or general or administrative expenses, unless authorized by s. 320.08058, F.S.<sup>10</sup> Additionally, the annual use fees and interest earned from those fees may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, any employee of a governmental agency that is responsible for the sale and distribution of specialty license plates, or any elected member or employee of the Legislature.<sup>11</sup>

### **Discontinuance of Specialty Plates**

Prior to June 30, 2023, the DHSMV was required to 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 was mailed to the sponsoring organization following the first month in which the total number of valid specialty license plate registrations fell below 1,000 plates. Collegiate plates for Florida universities were exempt from the minimum specialty license plate requirement.<sup>12</sup> In addition, the DHSMV was authorized to discontinue any specialty license plate if the organization ceased to exist, stopped providing services that are funded from the annual use fee proceeds, or pursuant to an organizational recipient's request.<sup>13</sup>

However, effective July 1, 2023, the requirement increased 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), F.S., 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), F.S.<sup>14</sup>

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<sup>8</sup> Section 320.08056(10)(a), F.S.

<sup>9</sup> Section 320.08062, F.S.; Such fees may be used to pay for the cost of this required audit or report. See s. 320.08056(10)(a), F.S.

<sup>10</sup> Section 320.08056(10)(a), F.S.

<sup>11</sup> Section 320.08056(11), F.S.

<sup>12</sup> Section 320.08056(8)(a), F.S.

<sup>13</sup> Section 320.08056(8)(b), F.S.

<sup>14</sup> Chapter 2020-181, s. 7, Laws of Fla.

## Collegiate Specialty License Plates

Each state and independent university in Florida has the ability to develop a collegiate license plate if authorized by an act of the Legislature. The specialty license plate fees collected must be used by the respective foundation for academic enhancement, including scholarships and private fundraising activities, in a plan approved by the Board of Governors of the State University System.<sup>15</sup> Currently, there are 41 specialty collegiate license plates in circulation.<sup>16</sup>

## Live The Dream Specialty License Plate

In 2004, the DHSMV was authorized to create the Live The Dream specialty license plate. The proceeds for the Live The Dream specialty license plate are currently distributed to the Dream Foundation, Inc., which is required to distribute the funds in the following manner:

- 5 percent for administration and marketing (retained by the Dream Foundation, Inc.);
- 25 percent to various sickle cell-focused organizations;
- 22 percent to Chapman Partnership Inc., for social services programs;
- 20 percent in scholarship funding for students with an incarcerated parent/guardian;
- 15 percent to unnamed programs to assist former inmates reentering the community; and
- 8 percent to the Dream Foundation, Inc., to assist inmates reentering the community.<sup>17</sup>

Five percent of the proceeds are distributed by DHSMV to the MLK Center for Nonviolent Social Change as a royalty for the use of the image of Dr. Martin Luther King.<sup>18</sup>

On December 13, 2023, DHSMV issued a report pursuant to s. 320.08062(2)(d), F.S., which indicated that revenues associated with the Live The Dream specialty license plate were being withheld as a result of unresolved audit findings.<sup>19</sup> The report noted that the board of directors of the Dream Foundation, Inc., was non-operational, and, as of September 2023, the Dream Foundation, Inc., was listed as inactive with the Florida Division of Corporations.<sup>20</sup> As of December 6, 2023, DHSMV was withholding \$179,843 and there were 5,585 active Live The Dream specialty license plates.<sup>21</sup>

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<sup>15</sup> Section 320.08058(3), F.S.

<sup>16</sup> DHSMV, *Supra* note 1.

<sup>17</sup> Section 320.08058(47), F.S.

<sup>18</sup> *Id.*

<sup>19</sup> DHSMV, *Withheld Specialty License Plate Fund*, Audit Report, December 13, 2023, at p2.

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

### **Divine Nine Specialty License Plates**

In 2020, the DHSMV was authorized to create the Divine Nine specialty license plates.<sup>22</sup> The Divine Nine specialty license plates consist of plates authorized for the nine member organizations of the National Pan-Hellenic Council.<sup>23</sup> The nine member organizations include:

- Alpha Phi Alpha Fraternity;
- Alpha Kappa Alpha Sorority;
- Kappa Alpha Psi Fraternity;
- Omega Psi Phi Fraternity;
- Delta Sigma Theta Sorority;
- Phi Beta Sigma Fraternity;
- Zeta Phi Beta Sorority;
- Sigma Gamma Rho Sorority; and
- Iota Phi Theta Fraternity.

Each organization's plate has a unique logo, graphic, or colors, as well as distribution specific to the individual organization.<sup>24</sup> However, plate sales are combined as one Divine Nine specialty license plate for the purpose of meeting the minimum license plate sales threshold and for determining the license plate limit.<sup>25</sup>

The plate has a \$25 annual use fee. The revenue generated through the sale of the plate is distributed to following recipient organizations: the United Negro College Fund, Inc., for college scholarships for Florida residents attending Florida's historically black colleges and universities; the Association to Preserve African American Society, History and Tradition, Inc.; and to additional organizations as specified to promote community awareness and action through educational, economic, and cultural service activities within the state.<sup>26</sup>

To be eligible for issuance of a Divine Nine specialty license plate, a person must be a Florida resident, the registered owner of a motor vehicle, and a member of the applicable organization.<sup>27</sup>

### **Give Kids The World Specialty License Plate**

Florida law currently authorizes the development of a Give Kids The World license plate.<sup>28</sup> The specialty plate is required to:

- Bear the colors and design approved by DHSMV; and
- Have the word "Florida" appear at the top of the plate and the words "Give Kids The World" appear at the bottom of the plate.<sup>29</sup>

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<sup>22</sup> Chapter 2020-181, Laws of Fla., creating s. 320.08058(101), F.S.

<sup>23</sup> The National Pan-Hellenic Council's purpose is to foster cooperative actions of its members in dealing with matters of mutual concern and to promote the well-being of its fraternities and sororities. See National Pan-Hellenic Council, *About the NPHC*, <https://www.nphcq.com/about> (last visited December 20, 2023).

<sup>24</sup> Section 320.08058(101)(a) and (b), F.S.

<sup>25</sup> Section 320.08058(101), F.S.

<sup>26</sup> Section 320.08058(101)(b), F.S.

<sup>27</sup> Section 320.08058(101)(c), F.S.

<sup>28</sup> Section 320.08058(107), F.S.

<sup>29</sup> *Id.*

The annual use fees from the sale of the plate must be distributed to Give Kids The World, Inc., a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code. Up to 10 percent of the proceeds may be used for the promotion and marketing of the plate. The remainder of the proceeds may be used by Give Kids The World, Inc., to support their mission of providing week-long, cost-free vacations to children with critical illnesses and their families.<sup>30</sup>

The plate has sold 116 presale vouchers and must sell an additional 2,884 presale vouchers in order to be placed in production.<sup>31</sup>

## **Organizations Sponsoring Proposed New Specialty License Plates**

### ***Singing for Change (Margaritaville)***

Singing for Change was founded by Jimmy Buffett in 1995 and is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>32</sup> The organization’s statement of purpose is “inspire personal growth, community integration and the enhanced awareness that collectively, people can bring about positive change.”<sup>33</sup>

According to the organization’s website, Singing for Change supports small nonprofits that help individuals become more self-sufficient and create positive change in their communities. The organization focuses on low income communities or people living in poverty.<sup>34</sup>

### ***Aerospace Center for Excellence (General Aviation)***

Aerospace Center for Excellence is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>35</sup> The organization’s statement of purpose is “to engage, educate and accelerate the next generation of aerospace professionals.”<sup>36</sup>

The organization was founded in 2014, and consists of staff members focused on education, scholarships and events to achieve their vision of “building a brighter future through aviation.” The Aerospace Center for Excellence hosts summer camps and student outreach programs that are presented by the staff to over 30,000 students annually. The organization provides educational support to the aerospace industry to include pilot, maintenance technicians and college scholarships.<sup>37</sup>

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<sup>30</sup> *Id.*

<sup>31</sup> This data is as of January 29, 2024, which is the most recently available data on the DHSMV website. FLHSMV, *SPECIALTY LICENSE PLATES: Pre-Sale Data*, <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/pre-sale-data/> (last visited Feb. 8, 2024).

<sup>32</sup> Florida Department of State: Division of Corporations, *SFC Charitable Foundation, INC.*, Sunbiz.org, Document number N94000005329 (December 8, 2023).

<sup>33</sup> *Id.*

<sup>34</sup> Singing for Change, *About Us*, [About Us | Singing For Change](#) (last visited December 8, 2023).

<sup>35</sup> Florida Department of State: Division of Corporations, *Aerospace Center for Excellence, Inc.*, Sunbiz.org, Document number N00000007283 (October 10, 2023).

<sup>36</sup> *Id.*

<sup>37</sup> Aerospace for Excellence, *About*, [About - Aerospace Center For Excellence \(aceedu.org\)](#) (last visited October 10, 2023).

### ***Clearwater Marine Aquarium***

Clearwater Marine Aquarium, Inc. is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>38</sup> The organization’s website includes the following mission statement: “We believe in preserving our environment while inspiring the human spirit through leadership in the rescue, rehabilitation, and release of marine life; environment education; research; and conservation.”<sup>39</sup>

The organization was founded in 1972 by a group of volunteers who were passionate about marine life and wanted to help educate the community of Clearwater.<sup>40</sup>

### ***United Service Organizations (USO)***

USO Florida, Inc. is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>41</sup> The organization’s website includes the following mission statement: “The USO strengthens America’s military service members by keeping them connected to family, home and country, throughout their service to the nation.”<sup>42</sup>

USO was created in 1941 and has been the nation’s leading organization to serve the members of military and their families, throughout their time in uniform.<sup>43</sup> Today the USO operates in over 250 locations around the world providing programs and services to deployed military service members and their families. These programs and services include:<sup>44</sup>

- Providing centers with free internet access or free calling cards to deployed service members in combat zones so they can reach out to their families;
- Delivering care packages to deployed service members;
- Organizing trademark USO entertainment tours for service members;
- Providing support to injured service members; and
- Providing support to the families of fallen service members.

### ***Recycle Florida Today Foundation, Inc. (Recycle Florida)***

Recycle Florida Today Foundation, Inc., was founded in 2022 and is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>45</sup> The organization’s mission is

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<sup>38</sup> Florida Department of State: Division of Corporations, *Clearwater Marine Aquarium, Inc.* Sunbiz.org, Document number 722979 (October 27, 2023).

<sup>39</sup> *Id.*

<sup>40</sup> Clearwater Marine Aquarium, *50 Years of Marine Conservation*, [50 Years of Marine Conservation - Clearwater Marine Aquarium \(cmaqarium.org\)](https://www.cmaqarium.org) (last visited October 27, 2023).

<sup>41</sup> Florida Department of State: Division of Corporations, *United Service Organizations, Inc.* Sunbiz.org, Document number F02000006193 (December 8, 2023).

<sup>42</sup> *Id.*

<sup>43</sup> United Service Organizations, *About Us*, [The Organization · United Service Organizations \(uso.org\)](https://www.uso.org) (last visited December 8, 2023).

<sup>44</sup> See USO, *Frequently Asked Questions - What programs and services does the USO offer?*, <https://www.uso.org/faq> (last visited January 11, 2024).

<sup>45</sup> Florida Department of State: Division of Corporations, *Recycle Florida Today Foundation, Inc.*, Sunbiz.org, Document number N22000012565 (December 20, 2023).

“provide value to our membership by promoting resource conservation and environmental stewardship”<sup>46</sup>.

The organization’s vision is to inform the public, law-making bodies, and the business community of the economic significance and importance of waste prevention and source reduction and to demonstrate the high professional standards of those involved in the business of recycling. The organization believes that this is accomplished through sponsorship of education meetings, research, and publication of articles, reports, statistics, and other material.<sup>47</sup>

### ***Captain Sandy Yawn, Inc. (Boating Capital of the World)***

Captain Sandy Yawn, Inc., was founded by Captain Sandy Yawn in 2019 and is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>48</sup> Captain Sandy Yawn, Inc., supports Captain Sandy’s Charities, which “promote awareness, funding, and structure of four foundational pillars based on Captain Sandy’s direct experience, her desire to give back, and in recognition of those critical people, places, and institutions that helped her along the way.”<sup>49</sup>

The organization focuses on maritime employment opportunities, environmental education, behavioral health assistance, and developmental disability services.<sup>50</sup>

### ***Diabetes Research Organizations (Cure Diabetes)***

#### *The Diabetes Research Institute Foundation*

The Diabetes Research Institute Foundation is a Florida not for profit corporation with a mission to provide the funding necessary to cure diabetes through research. The Diabetes Research Institute is a “designated Center of Excellence at the University of Miami Miller School of Medicine, providing informative education and training programs for many types of health care professionals and industry representatives.”<sup>51</sup>

#### *JDRF International Incorporated*

The JDRF International Incorporated (JDRF) is an international, non-profit organization dedicated to raising funds to support and promote diabetes research. JDRF “is the leading global organization funding Type 1 Diabetes (T1D) research,” with a mission of “improving lives today

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<sup>46</sup> *Id.*

<sup>47</sup> Recycle Florida Today Foundation, Inc., *Home*, [Recycle Florida Today, Inc. – Recycle Today for a Sustainable Tomorrow](#) (last visited December 20, 2023).

<sup>48</sup> Florida Department of State: Division of Corporations, *Captain Sandy Yawn, Inc.*, Sunbiz.org, Document number N19000006425 (December 20, 2023).

<sup>49</sup> *Id.*

<sup>50</sup> Captain Sandy Yawn, *Charities*, [Donate to Captain Sandy’s Charities – Captain Sandy Yawn](#) (last visited December 20, 2023).

<sup>51</sup> Diabetes Research Institute Foundation, *About Us*, <https://diabetesresearch.org/about-DRI/> (last visited December 20, 2023).

and tomorrow by accelerating life-changing breakthroughs to cure, prevent and treat T1D and its complications.”<sup>52</sup>

The Foundation has a Northern and Southern Florida Chapter. The local chapters serve as the hub of Foundation information and events held in the area.<sup>53</sup>

*The University of Florida Foundation, Inc.*

The University of Florida (UF) Foundation, Inc., which supports the UF Diabetes Institute was founded in 2015 and serves as the umbrella organization for diabetes research, treatment, and education coordinated at UF and UF Health. “Researchers and physicians affiliated with the Diabetes Institute are working to prevent, diagnose, and treat diabetes in a wide array of areas, including immunology, genetics, endocrinology, metabolism, pediatrics and social sciences.”<sup>54</sup> The UF Diabetes Institute is the primary coordinating center for the JDRF Network for Pancreatic Organ Donors with Diseases.

***Project Addiction: Reversing the Stigma***

Project Addiction: Reversing the Stigma, Inc., was founded in 2021 and is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>55</sup> The organization’s mission statement is: “Empowering the lives of those with Substance Use Disorder (SUD) and Mental Illness through Education, Awareness, and Support.”<sup>56</sup>

The organization was founded to spread awareness of the opioid epidemic and find proactive ways to honor family members lost to Substance Use Disorder and mental illness.<sup>57</sup>

***The Villages: The Villages Charter School, Inc.***

The Villages Charter School, Inc., was founded in 2000 and is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>58</sup> The Villages Charter School, Inc. has a contract with the Sumter County School Board and is dedicated to nurturing productive citizens and life-long learners through an integrated, relevant curriculum tailored to the

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<sup>52</sup> Juvenile Diabetes Research Foundation, *About Us*, [https://www.jdrf.org/about/?\\_ga=2.216079830.1597347397.1666008274-1688791745.1661161232](https://www.jdrf.org/about/?_ga=2.216079830.1597347397.1666008274-1688791745.1661161232) (last visited December 20, 2023).

<sup>53</sup> See JDRF Northern Florida Chapter, <https://www.jdrf.org/northernflorida/> and JDRF Southern Florida Chapter, <https://www.jdrf.org/southernflorida/> (last visited December 20, 2023).

<sup>54</sup> University of Florida Diabetes Institute, *About the UF Diabetes Institute*, <https://diabetes.ufl.edu/about-us/> (last visited December 20, 2023).

<sup>55</sup> Florida Department of State: Division of Corporations, *Project Addiction: Reversing the Stigma, Inc.*, Sunbiz.org, Document number N2100011775 (December 20, 2023).

<sup>56</sup> *Id.*

<sup>57</sup> Project Addiction: Reversing the Stigma, *About Mission Statement*, [About | Reversing The Stigma](#) (last visited December 20, 2023).

<sup>58</sup> Florida Department of State: Division of Corporations, *The Villages Charter School, Inc.*, Sunbiz.org, Document number N99000005259 (February 15, 2024).

individual needs of its students.<sup>59</sup> The Village Charter School offers K-12 curriculum at its six attendance centers.<sup>60</sup>

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

The bill creates nine new specialty license plates and revises certain requirements relating to four existing specialty license plates.

#### **Margaritaville Specialty License Plate**

The bill directs DHSMV to create a new specialty license plate for “Margaritaville.” Proceeds from the sale of the plate will be distributed to SFC Charitable Foundation, Inc. The organization may use up to 10 percent of the proceeds to promote and market the plate. The remaining funds shall be used to provide grants to nonprofit organizations in communities impacted by natural or manmade disasters for recovery, rebuilding, and future sustainability in those communities. Additionally, funds may be used to promote and inspire local grassroots leadership that will work to improve the quality of life in those communities and the state. The plate must bear the colors and design approved by the department, with the word “Florida” at the top of the plate and the words “Margaritaville” at the bottom of the plate.

#### **General Aviation Specialty License Plate**

The bill directs DHSMV to create a new specialty license plate for “General Aviation.” Proceeds from the sale of the plate will be distributed to Aerospace Center for Excellence, Inc. The organization may use up to 10 percent of proceeds to promote and market the plate. The remaining funds must be used to fund scholarships for students in the state of Florida who are pursuing careers in the field of aviation. The plate must bear the colors and design approved by the department, with the word “Florida” at the top of the plate and the words “Support General Aviation” at the bottom of the plate.

#### **Clearwater Marine Aquarium Specialty License Plate**

The bill directs DHSMV to create a new specialty license plate for “Clearwater Marine Aquarium.” Proceeds from the sale of the plate will be distributed to Clearwater Marine Aquarium, Inc. The organization may use up to 10 percent of the fees for the administration, promotion, and marketing of the plate. The remaining fees must be used by the Clearwater Marine Aquarium, Inc., to fund its efforts to rescue, rehabilitate, and release marine life; provide environmental education; conduct research; and promote conservation strategies.

#### **United Service Organizations (USO) Specialty License Plate**

The bill directs DHSMV to create a new specialty license plate for “United Service Organizations (USO).” Proceeds from the sale of the plate will be distributed to USO Florida,

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<sup>59</sup> The Villages Charter School, *Charter School in the Workplace*, <https://www.tvcs.org/centralOffice/charterInTheWorkplace/charterInTheWorkplace.asp> (last visited Feb. 8, 2024).

<sup>60</sup> The Villages Charter School, *Central Office*, <https://www.tvcs.org/centralOffice/centraloffice.asp> (last visited Feb. 8, 2024).

Inc. The organization may use up to 10 percent of the fees for the administration, promotion, and marketing of the plate. The remaining fees must be used by the USO Florida, Inc., to support members of the United States Armed forces and their families through their various programs, services, and events. The plate must bear the colors and design approved by the department, with the word “Florida” at the top of the plate and the words “USO” at the bottom of the plate.

### **Recycle Florida Specialty License Plate**

The bill directs DHSMV to create a new specialty license plate for “Recycle Florida.” Annual use fees shall be used to distributed to the Recycle Florida Today Foundation, Inc., to increase public awareness about the importance of recycling, resource conservation, and environmental stewardship; to promote robust, comprehensive, and sustainable recycling programs; and to support the professional development of persons employed in the fields including, but not limited to, recycling, conservation, and sustainability. The plate must bear the colors and design approved by the department, with the word “Florida” at the top of the plate and the words “Recycle Florida” at the bottom of the plate.

### **Boating Capital of the World Specialty License Plate**

The bill directs DHSMV to create a new specialty license plate for “Boating Capital of the World.” Annual use fees shall be distributed to Captain Sandy Yawn, Inc., to be used to increase public awareness of employment opportunities in the maritime industry; to fund maritime workforce instruction and training; to promote professional development and job placement in all sectors of employment; and to support advancement of education for trainees in the maritime industry, both at sea and on land. The plate must bear the colors and design approved by the department, with the word “Florida” at the top of the plate and the words “Boating Capital of the World” at the bottom of the plate.

### **Cure Diabetes Specialty License Plate**

The bill directs DHSMV to create a new specialty license plate for “Cure Diabetes.” The annual use fee for the plate will be distributed equally to the following organizations to fund research to cure Type 1 diabetes:

- The Diabetes Research Institute Foundation;
- The JDRF International Incorporated; and
- The University of Florida Foundation, Inc., which supports the University of Florida Diabetes Institute.

Each organization is authorized to use up to ten percent of proceeds from sales of the plate to market and promote the plate. The plate must bear the colors and design approved by the department, with the word “Florida” at the top of the plate and the words “Cure Diabetes” at the bottom of the plate.

### **Project Addiction: Reversing the Stigma Specialty License Plate**

The bill directs DHSMV to create a new specialty license plate for “Project Addiction: Reversing the Stigma.” Proceeds from the sale of the plate will be distributed to Project Addiction:

Reversing the Stigma, Inc. The organization may use up to 10 percent of proceeds to promote and market the plate. The remaining funds shall be used to fund the Project Addiction: Reversing the Stigma organization to promote and support awareness of and education about substance use disorder and mental illness. The plate must bear the colors and design approved by the department, with the word “Florida” at the top of the plate and the words “Project Addiction: Reversing the Stigma” at the bottom of the plate.

### **The Villages: May All Your Dreams Come True Specialty License Plate**

The bill directs DHSMV to create a new specialty license plate for “The Villages: May All Your Dreams Come True.” Proceeds from the sale of the plate will be distributed to The Villages Charter School, Inc. The organization may use up to 10 percent of proceeds to promote and market the plate. The remaining funds must distributed with the approval of, and accountability to, a board of directors of The Villages Charter School, Inc., and must be used to provide support to The Villages Charter School, as it provides K-12 education. The plate must bear the colors and design approved by the department, with the word “Florida” at the top of the plate and the words “The Villages: Mat All Your Dreams Come True” at the bottom of the plate.

### **Collegiate License Plates**

The bill amends ss. 320.08056, and 320.08058, F.S., to exempt a collegiate license plate from being discontinued based on having the fewest number of plates in circulation and to exempt such plates from presale voucher requirements. The bill also allows a previously discontinued collegiate plate to be reauthorized by DHSMV if the university resubmits the collegiate license plate for authorization.

### **Live The Dream Specialty License Plate**

The bill amends s. 320.08058(47), F.S., to revise the distribution of proceeds for the Live The Dream specialty license plate from the inactive Live the Dream Foundation, Inc., to the Operating Trust Fund within the Department of State and stipulates these funds must be used to support the Historic Cemeteries Program established in s. 267.21, F.S. Specifically, the funds must be used to research, identify, and record abandoned African-American cemeteries and provide grants to eligible entities.

### **Divine Nine Specialty License Plates**

The bill amends s. 320.0858(101), F.S., to expand eligibility for issuance of the Divine Nine specialty license plates. The bill provides eligibility for such plates to an organization member’s immediate relative and to motor vehicle lessees (currently limited to vehicle owners).

The bill defines “immediate relative” as a spouse, domestic partner, or child of a member. Proof of relationship will be established by providing a marriage license, domestic partnership agreement, birth certificate, or record of adoption. Motor vehicle lessees will be required to provide a lease agreement and the vehicle identification number for the motor vehicle that is being leased.

**Give Kids The World Specialty License Plate**

The bill amends s. 320.08058(107), F.S., to rename the existing “Give Kids The World” specialty license plate as the “Universal Orlando Resort” specialty license plate. The bill revises the design of the plate to replace the words “Give Kids The World” with the words “Universal Orlando Resort” at the bottom of the plate. The proceeds from the sale of the plate will continue to be distributed to Give Kids The World, Inc.

The bill takes effect October 1, 2024.

**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 Identified.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

If the specialty license plates are produced, the organizations authorized to receive a distribution from the proceeds of the sale of the plates will benefit.

**C. Government Sector Impact:**

The DSHMV will need to update its procedures, forms, and website to incorporate the new license plates and the changes to the collegiate, Live The Dream, and Give Kids The World license plates. Additionally, programming will be required for DHSMV to accept

presale vouchers for the new specialty license plates. The DHSMV estimates programming and implementation of each new plate will cost \$7,680.<sup>61</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 320.08056 and 320.08058.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS/CS by Fiscal Policy on February 15, 2024:**

The committee substitute creates the following new specialty license plates:

- General Aviation
- Clearwater Marine Aquarium
- United Services Organization (USO)
- Recycle Florida
- Boating Capital of the World
- Cure Diabetes
- Project Addiction: Reversing the Stigma
- The Villages: May All Your Dreams Come True

The committee substitute revises certain requirements relating to the following existing specialty license plates:

- Collegiate Plates
- Live The Dream
- Give Kids The World
- Divine Nine

**CS by Transportation on January 10, 2024:**

The committee substitute removes obsolete language and limits the permissible amount for administrative costs and marketing to 10 percent of annual use fees from the sale of the plate.

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<sup>61</sup> DHSMV, *2024 Legislative Bill Analysis: SB 434* (November 13, 2023) at p. 6.

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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