

**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 Transportation

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BILL: SPB 7062

INTRODUCER: For consideration by the Transportation Committee

SUBJECT: Specialty License Plates

DATE: February 3, 2016

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

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ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Jones	Eichin		<b>Pre-meeting</b>

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**I. Summary:**

SPB 7062 directs the Department of Highway Safety and Motor Vehicles (DHSMV) to develop a number of new specialty license plates.

The bill also modifies the distribution and use of annual use fees for the “In God We Trust” specialty plate, as well as modifies the use of fees for the “Conserve Wildlife” specialty plate.

The bill takes effect October 1, 2016, if SB 1390 or similar legislation is adopted this session or an extension thereof and becomes law. SB 1390 increases the minimum pre-sale requirement for specialty license plates to be manufactured.

**II. Present Situation:**

Presently, there are over 120 specialty license plates available for purchase, and two in the pre-sale phase. 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>1</sup> The annual use fees are distributed to an organization or organizations in support of a particular cause or charity signified in the plate’s design and designated in statute.<sup>2</sup>

In order to establish a specialty license plate, the plate must first be adopted into statute. Upon becoming law:

- 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 approved specialty license plate; and
- Within 24 months after the pre-sale vouchers are established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin.

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<sup>1</sup> Section 320.08056, F.S.

<sup>2</sup> Section 320.08058, F.S.

If, at the end of the 24-month pre-sale period, the minimum sales requirement has not been met, the DHSMV will de-authorize the specialty plate, discontinue development, and discontinue issuance of the pre-sale voucher. Upon deauthorization of the plate, 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>3</sup>

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 United States Armed Forces and veterans-related specialty plates.<sup>4</sup> Additionally, the fees may not be used for the purpose of marketing to, lobbying, entertaining, or rewarding a member or employee of the Legislature.<sup>5</sup>

### **DHSMV Costs Defrayed**

The DHSMV retains sufficient annual use fees, from the sale of the specialty license 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.<sup>6</sup>

### **Discontinuance of Specialty Plates**

The DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate 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 plate registrations is below 1,000 plates. Collegiate plates are exempt from the minimum plate requirement.<sup>7</sup> Additionally, the specialty license plate must be discontinued 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.<sup>8</sup>

Organizations must adhere to certain accountability requirements, including an annual attestation document affirming that funds received have been spent in accordance with applicable statutes.<sup>9</sup>

### **Moratorium**

Currently, there is a statutory moratorium on the issuance of new specialty license plates. Except for a specialty license plate proposal which has submitted a letter of intent to the DHSMV prior to May 2, 2008, and which has submitted a survey, marketing strategy, and application fee prior to October 1, 2008, or was included in a bill filed during the 2008 Legislative Session, the DHSMV may not issue any new specialty license plates.<sup>10</sup>

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<sup>3</sup> Section 320.08053(2)(b), F.S.

<sup>4</sup> Section 320.08056(10)(a), F.S.

<sup>5</sup> Section 320.08056(11), F.S.

<sup>6</sup> Section 320.08056(7), F.S.

<sup>7</sup> Section 320.08056(8)(a), F.S.

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

<sup>9</sup> Section 320.08062, F.S.

<sup>10</sup> Section 45, ch. 2008-176, L.O.F., as amended by s. 21, ch. 2010-223 and s. 45, ch. 2014-216, L.O.F.

The moratorium ends July 1, 2016, and does not affect the plates included in this bill.

### **Florida Professional Sports Team License Plates**

Section 320.08058(9), F.S., directs the DHSMV to develop Florida Professional Sports Team license plates for Major League Baseball, National Basketball Association, National Football League, Arena Football League, National Hockey, and Major League Soccer teams domiciled in this state. Fifty-five percent of the annual use fee proceeds from these plates is distributed to the Professional Sports Development Trust Fund within the Department of Economic Opportunity to attract and support major sports events in the state. The remaining proceeds are allocated to Enterprise Florida, Inc., to:

- Promote the economic development of the sports industry;
- Distribute licensing and royalty fees to participating professional sports teams;
- Promote education programs in Florida schools that provide an awareness of the benefits of physical activity and nutrition standards;
- Recognize schools whose students demonstrate excellent physical fitness or fitness improvement;
- Institute a grant program for communities bidding on minor sporting events that create an economic impact for the state;
- Distribute funds to Florida based charities designated by Enterprise Florida and the participating professional sports teams; and
- Fulfill the sports promotion responsibilities of the Department of Economic Opportunity.

### **Organizations**

Organizations receiving money from the sale of proposed specialty plates are described below under their corresponding specialty plate.

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

### **Proposed Specialty Plates**

The bill directs the DHSMV to develop 20 new specialty license plates. All the proposed specialty plates have an annual use fee of \$25.

#### ***Sun Sea Smiles License Plate***

The Sun Sea Smiles plate annual use fees will be distributed as follows:

- 35 percent to the Florida Caribbean Charitable Foundation, Inc. Of the funds received, 5 percent is for marketing the plate. From the remaining funds:
  - 60 percent is for a college scholarship program;
  - 15 percent is to promote health and wellness among Florida residents of Caribbean descent; and
  - 25 percent is to promote awareness of Caribbean Culture within the state.
- 20 percent to the American Friends of Jamaica, Inc., for use as grants to promote social and community development among Florida residents;

- 10 percent to the Sant La Haitian Neighborhood Center, Inc., to promote social and community development;
- 10 percent to Fanm Ayisyen nan Miyami, Inc., to promote social and community development;
- 20 percent to Greater Caribbean American Cultural Coalition, Inc., to promote awareness of Caribbean culture within the state; and
- 5 percent to Little Haiti Optimist Foundation, Inc., to promote awareness of Caribbean culture and youth development within the state.

In addition, each organization receiving funds may use up to 5 percent for administrative expenses.

Florida Caribbean Charitable Foundation, Inc.<sup>11</sup>

The Florida Caribbean Charitable Foundation, Inc., a civic and social organization, is a domestic non-profit corporation located in North Miami Beach, established in 2007.

American Friends of Jamaica, Inc.<sup>12</sup>

The organization is a non-profit “dedicated to supporting Jamaican charitable organizations and social initiatives targeted at improving the lives of Jamaicans through systemic development in the areas of education, healthcare, and economic development.”

Sant La Haitian Neighborhood Center, Inc.<sup>13</sup>

The mission of the Center is to “empower, strengthen, and stabilize South Florida’s Haitian community, through access for free services and resources, to ensure its successful integration.” This is accomplished through services such as citizenship assistance, college scholarships, community outreach, employment services, community partnerships, and educational services.

Fanm Ayisyen nan Miyami, Inc.<sup>14</sup>

Fanm Ayisyen nan Miyami, Inc., also known as Haitian Women of Miami, has a mission to empower Haitian women and their families socially and politically, and facilitate their adjustments to South Florida. The organization has provided counseling, outreach, education, access to care, and advocacy services to low and moderate-income families for the past 16 years.

Greater Caribbean American Cultural Coalition, Inc.<sup>15</sup>

The Coalition is “an umbrella organization serving the Caribbean people and other members of the community, by bringing together the various Caribbean countries and islands, and their rich

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<sup>11</sup> Florida Department of State - Division of Corporations website, <http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=FLORIDACARIBBEANCHARITABLEFOUN%20N070000070260&aggregateId=domnp-n07000007026-231a2bc8-5eb0-42f9-8fa3-f6660756ccc1&searchTerm=florida%20caribbean%20charitable%20foundation&listNameOrder=FLORIDACARIBBEANCHARITABLEFOUN%20N070000070260> (last visited Jan. 29, 2016).

<sup>12</sup> See The American Friends of Jamaica website, <http://www.theamericanfriendsofjamaica.org/> (last visited Jan. 29, 2016).

<sup>13</sup> See Haitian Neighborhood Center Sant La website, <http://santla.org> (last visited Jan. 29, 2016).

<sup>14</sup> See Fanm Ayisyen Miyami website, <http://www.fanm.org/> (last visited Jan. 29, 2016).

<sup>15</sup> See Greater Caribbean American Cultural Coalition website, <http://www.gcaccoalition.com/> (last visited Jan. 29 2016).

cultural heritage.” The coalition’s mission is to enrich the cultural environment by fostering multicultural understanding through an appreciation of Caribbean cultures.

Little Haiti Optimist Foundation, Inc.<sup>16</sup>

Little Haiti Optimist Foundation, Inc., is a charitable organization located in Miami, established in 2010 to provide assistance, guidance, and programs to the youth of Little Haiti.

***Support Special Needs Kids License Plate***

Annual use fees from the sale of the plate will be distributed to the Dan Marino Foundation, Inc. 10 percent of fees are to promote and market the plate. The remaining fees are to be invested and reinvested. Interest thereon is to assist Floridians with developmental and intellectual disabilities by funding scholarships, assisting with job placement, and promoting education, independence, and awareness.

Dan Marino Foundation, Inc.<sup>17</sup>

The Foundation was established in 1992. Its mission is “empowering individuals with autism and other developmental disabilities.” The Foundation has raised over \$50 million since its inception, which has been used to perform quality-of-life research, build the Miami Children’s Hospital Dan Marino Center, and the Marino Campus.

***America the Beautiful License Plate***

Annual use fees from the sale of the plate are to be distributed to the American the Beautiful Fund. Up to 10 percent of funds may be used to offset administrative costs and to market and promote the plate. The remaining proceeds are for programs in support of military service members and their families and:

- Advancing self-sufficiency in children and families;
- Educational scholarships; and
- Land and wildlife conservation.

America the Beautiful Fund

America the Beautiful Fund is a fictitious name registered by Live Laugh Love Give, Inc.<sup>18</sup>

The mission statement of Live Laugh Love Give, Inc., is “Empowering children and families against dependency. Animal assistance, sanctuaries, and wildlife preservation. Education grants to better the world. Enhancing lives of military families.”<sup>19</sup>

<sup>16</sup> See The Little Haiti Optimist Foundation website at <http://www.littlehaitioptimist.org/> (last visited Jan. 29, 2015).

<sup>17</sup> See Dan Marino Foundation website, <http://www.danmarinofoundation.org/> (last visited Jan. 29, 2016).

<sup>18</sup> Florida Department of State – Division of Corporations website, *Fictitious Name Detail*, <http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=AMERICABEAUTIFULFUND%20P320660&aggregateId=formp-p32066-f11a1743-f19f-4e48-bcf7-52ad4b146d75&searchTerm=america%20the%20beautiful%20fund&listNameOrder=AMERICABEAUTIFULFUND%20P320660> (last visited Jan. 29, 2016).

<sup>19</sup> See Live Laugh Love website, <https://www.livelaughlove.com/give> (last visited Jan. 29, 2016).

***Team Hammy License Plate***

Annual use fees will be distributed to Team Hammy, Inc., to grant wishes to families living with ALS, provide continuing education to caretakers and physicians, and increase ALS awareness in the community. Up to 10 percent of fees may be used for administrative costs and marketing the plate.

**Team Hammy, Inc.**

Team Hammy is an organization created in the name of Hamilton Vance Paris, who was diagnosed with amyotrophic lateral sclerosis (ALS) in July of 2010. Team Hammy strives to bring awareness, education, and hope to people with ALS and their families through fundraising and participating in events.

***National Pan-Hellenic Council Sorority or Fraternity***

A National Pan-Hellenic Council plate will be developed for eight specified sororities or fraternities. Annual use fees from the sale of the plates will be used for the following:

- 5 percent for the United Negro College Fund to be used for scholarships for Florida residents attending historically black colleges and universities
- 10 percent to the specified organization to be used to market the plate; and
- 85 percent to the specified organization to promote community awareness and action through educational, economic, and cultural service activities.

The following plates annual use fees will be distributed to the organization specified:

- *Alpha Phi Alpha Fraternity, Inc.*, license plate proceeds are distributed to the Florida Federation of Alpha Chapters;
- *Omega Psi Phi Fraternity, Inc.*, license plate proceeds are distributed to the State of Florida Omega Friendship Foundation, Inc.;
- *Kappa Alpha Psi Fraternity, Inc.*, license plate proceeds are distributed to the Southern Province of Kappa Alpha Psi Fraternity, Inc.;
- *Phi Beta Sigma Fraternity, Inc.*, license plate proceeds are distributed to the TMB Charitable Foundation, Inc.;
- *Zeta Phi Beta Sorority, Inc.*, license plate proceeds are distributed to Florida Pearls, Inc.;
- *Delta Sigma Theta Sorority, Inc.*, license plate proceeds are distributed to the Delta Research and Educational Foundation;
- *Alpha Kappa Alpha Sorority, Inc.*, license plate proceeds are distributed to the Alpha Kappa Alpha Educational Advancement Foundation, Inc.; and
- *Sigma Gamma Rho Sorority, Inc.*, license plate proceeds are distributed to the Sigma Gamma Rho Sorority National Education Fund, Inc.

**United Negro College Fund (UNCF)<sup>20</sup>**

The UNCF is the nation's largest minority education organization. UNCF provides operating funds for historically black colleges and universities, scholarships and internships for students, and provides for faculty and administrative professional training.

<sup>20</sup> See United Negro College Fund website, <http://www.uncf.org/sections/WhoWeAre/index.asp> (last visited Jan. 29, 2016).

Florida Federation of Alpha Chapters<sup>21</sup>

Alpha Phi Alpha's mission statement is "develop leaders, promotes brotherhood and academic excellence, while providing service and advocacy for our communities." The Fraternity's programs and projects include community outreach mentoring initiatives.

State of Florida Omega Friendship Foundation, Inc.<sup>22</sup>

Omega Psi Phi Fraternity, Inc., was the first international fraternal organization to be founded on the campus of a historically black college. Founded in 1911 at Howard University, "Manhood, Scholarship, Perseverance and Uplift" were adopted as Cardinal Principles.

Southern Province of Kappa Alpha Psi Fraternity, Inc.<sup>23</sup>

Kappa Alpha Psi was founded on the campus of Indiana University at Bloomington, Indiana in 1911. The objectives of this fraternity are to:

- Unite men of culture, patriotism, and honor in a bond of Fraternity;
- Encourage honorable achievement in every field of human endeavor;
- Promote the spiritual, social, intellectual, and moral welfare of members;
- Assist the aims and purposes of Colleges and Universities; and
- Inspire service in the public interest.

TMB Charitable Foundation, Inc.<sup>24</sup>

According to corporate filings with the Department of State, the Foundation's principal address is in Tallahassee, Florida. The Foundation is a not-for-profit corporation "operated exclusively for charitable purposes, including, without limitation, acting as an instrument to which youth are encouraged and inspired to achieve academic success through mentoring."

The Florida Pearls, Inc.<sup>25</sup>

The Florida Pearls, Inc., is a not-for-profit corporation established to provide Florida communities with scholarships, health initiative programs, cultural and humanities program, youth programs, and feeding the hungry programs.

Delta Research and Educational Foundation<sup>26</sup>

Delta Sigma Theta Sorority established the Foundation in 1967. The Foundation's mission is to *promote research which identifies and fashions solutions to issues affecting African American women and their families, nationally and globally through funding and support of programs of the sorority and collaborative organizations.*

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<sup>21</sup> See Florida Federation of Alpha Chapters website, <http://flfederation.org/about-us/> (last visited Jan. 29, 2016).

<sup>22</sup> See Omega Friendship Foundation, Inc. website, [http://oppf.org/about\\_omega.asp](http://oppf.org/about_omega.asp) (last visited Jan. 29, 2016).

<sup>23</sup> See Southern Province Kappa Alpha Psi Fraternity, Inc. website, <http://southernprovince.org/> (last visited Jan. 29, 2016).

<sup>24</sup> See Department of State – Division of Corporations website, <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2014%5C0411%5C58641349.Tif&documentNumber=N1400003486> (last visited Jan. 29, 2016).

<sup>25</sup> See The Florida Pearls, Incorporated, brochure, available at: <http://www.zphibfl.org/Forms/Brochure-%20The%20Florida%20Pearls,%20Inc..pdf> (last visited Jan. 29, 2016).

<sup>26</sup> See Delta Sigma Theta Sorority website, *Delta Research and Education Foundation*, [http://www.deltasigmatheta.org/programs\\_delta\\_foundation.html](http://www.deltasigmatheta.org/programs_delta_foundation.html) (last visited Jan. 29, 2016).

Alpha Kappa Alpha Educational Advancement Foundation, Inc.<sup>27</sup>

The Foundation was created in 1980 by the Alpha Kappa Alpha Sorority, Inc. “The mission of the Alpha Kappa Alpha Educational Advancement Foundation is to promote lifelong learning. This is accomplished by securing charitable contributions, gifts and endowed funds to award scholarships, fellowships and grants.”

Sigma Gamma Rho Sorority National Education Fund, Inc.<sup>28</sup>

The Fund was developed by the Sigma Gamma Rho Sorority to provide scholarship aid to needy students and to conduct educational programs, workshops, symposiums, and forums to enhance the quality of life.

***Vision for Excellence License Plate***

Annual use fees will be distributed to Vision for Excellence, Inc., which will use the proceeds for direct support of programs, services, and activities provided to children who participate in the organization’s youth development programs. Up to 10 percent may be used for promotion and marketing of the plate, and up to 10 percent may be used for administrative costs directly associated with the programs.

Vision for Excellence, Inc.<sup>29</sup>

The organization was established in 2011 as a non-profit youth organization that provides social development programs and services to low-income and at-risk males, ages 9-15. The organization was designed to help Jacksonville’s youth develop assets that enable them to become healthy productive adults with a focus to give back to their community. Its programs link male youth with local law enforcement and other professional adults for relationship building, and efforts to educate, motivate, and inspire participants to stay on the right path and become successful law abiding citizens.

***Go Boating License Plate***

Annual use fees are distributed to Eckerd College to fund the Eckerd College Search and Rescue Team, which provides 24-hour assistance to the Tampa Boating community. Up to 10 percent of the proceeds may be used for promotion and marketing of the plate. Remaining funds must be used to acquire boats and other equipment or for operation expenses.

Eckerd College Search and Rescue Team<sup>30</sup>

The team was founded in 1971 and extended its rescue services to the Tampa Bay boating community in 1977. The team is a highly trained group of full-time, degree seeking, student volunteers who work closely with the U.S. Coast Guard, 911 Emergency Medical response, and other state and local agencies to answer more than 500 maritime distress calls per year. The team is the only marine rescue team in the country. The members are trained in technical rescue, boating safety, seamanship, searching, firefighting, dewatering, navigation, medical response, and evening piloting rescue vessels.

<sup>27</sup> See Alpha Kappa Alpha Educational Advancement Foundation website, <http://www.akaef.org/> (last visited Jan. 29, 2016).

<sup>28</sup> See Sigma Gamma Rho Sorority, *National Education Fund*, <http://sgrho1922.celect.org/nef> (last visited Jan. 29, 2016).

<sup>29</sup> See Vision for Excellence website, <http://www.visionforexcellence.org/> (last visited Jan. 29, 2016).

<sup>30</sup> See Eckerd College website, *Eckerd College Search and Rescue*, <https://www.eckerd.edu/waterfront/ecsar/> (last visited Jan. 29, 2016).

### ***Paddle Florida License Plates***

Annual use fees from the plate are distributed to Paddle Florida, Inc., to be used by the Florida Forever program to support activities that further outdoor recreation and natural resource protection. Up to 10 percent of proceeds may be used for administrative costs and marketing of the plate.

#### Paddle Florida, Inc.<sup>31</sup>

Paddle Florida, Inc., is a non-profit organization that supports canoeing and kayaking in Florida. The organization holds events to “expose paddlers to Florida’s natural beauty and rich cultural heritage while promoting water conservation, wildlife preservation, springs restoration, and waterways protection.” Paddle Florida also promotes Florida as an international destination for nature-based tourism, by providing trips featuring Florida’s most scenic rivers, canoe trails, and coastal environments.

### ***I Stand with Israel License Plate***

Annual use fees from the plate are distributed to I Stand with Israel, Inc., to be used for the direct support of the Israeli Youth Program to send Florida university students between the ages of 18 and 26 and program chaperones to Israel. Up to 10 percent of the proceeds may be used for marketing and promotion of the plate, and up to 10 percent may be used for administrative costs directly associated with its programs.

#### I Stand with Israel, Inc.<sup>32</sup>

According to corporate filings with the Department of State, the organization was created in 2016 for the specific purpose of managing the proceeds of the license plate sales and distribute such proceeds for the purpose stated in law.

### ***Save our Shores Florida License Plate***

Annual use fees are distributed to Adore the Shore, Inc., which may use up to 15 percent for administrative costs of the organization and up to 10 percent for promotion and marketing of the plate program. The remaining proceeds are to fund activities on the beaches of this state following natural or manmade occurrences that threaten the pristine nature of the beaches, and for any other legal purpose as allowed by the Internal Revenue Code.

#### Adore the Shore, Inc.<sup>33</sup>

According to corporate filings with the Department of State, the organization states that it is a not-for-profit corporation whose purpose is “to conduct activities that are charitable, religious, educational, scientific, literary, testing for public safety, fostering national or international amateur sports competition, or preventing cruelty to children or animals.”

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<sup>31</sup> See Paddle Florida website, <http://www.paddleflorida.org/> (last visited Jan. 29, 2016).

<sup>32</sup> See Florida Department of State – Division of Corporations website, <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2016%5C0120%5C40050014.tif&documentNumber=N1600000516> (last visited Jan. 29, 2016).

<sup>33</sup> See Florida Department of State – Division of Corporations website, <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2015%5C0212%5C69225064.Tif&documentNumber=N15000001461> (last visited Jan. 29, 2016).

***Furry Friends License Plate***

Annual use fees are distributed to Furry Friends of Florida, Inc., which may use up to 15 percent of proceeds for administrative, handling, and disbursement of expenses, and up to 10 percent for promotion, advertising, and marketing costs. The remaining proceeds are to be used for activities, programs, and projects, including, but not limited to, pet rescue, animal shelters, pet vaccinations, veterinary services, and service animals.

**Furry Friends of Florida, Inc.**<sup>34</sup>

According to corporate filings with the Department of State, the organization states that it is a not-for-profit corporation whose purpose is “to conduct activities that are charitable, religious, educational, scientific, literary, testing for public safety, fostering national or international amateur sports competition, or preventing cruelty to children or animals.”

***Orlando City Soccer Club License Plate***

The Orlando City Soccer Club is a professional Major League Soccer team based in Orlando, Florida. The team was formed in 2010, and became the league’s twenty-first franchise on November 19, 2013.<sup>35</sup>

Annual use fees are provided as specified for Florida Professional Sports Team license plates.

***Support Our Constitution***

Annual use fees are distributed to The Constitution Foundation, Inc., which may use up to 15 percent for administrative costs of the organization and 10 percent for promotion and marketing of the license plate. The remaining proceeds are used to fund activities, programs, projects, and mission of the Foundation to increase awareness and understanding of the United States Constitution in Florida’s public schools. Funds are also used to recruit and train school leaders to make presentations and provide students learning materials and a pocket constitution.

**The Constitution Foundation, Inc.**<sup>36</sup>

The Constitution Foundation, Inc., is a non-partisan educational organization founded in 2011 in Kissimmee, Florida. The foundation’s mission is to increase awareness and understanding of the United States Constitution in Florida’s schools, recruit and train leaders to make presentations in each school district, and provide to each student, at no cost, learning materials and a pocket Constitution.

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<sup>34</sup> See Florida Department of State – Division of Corporations website, <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2015%5C0213%5C69225073.Tif&documentNumber=N15000001468> (last visited Jan. 29, 2016).

<sup>35</sup> See Orlando City Soccer Club website, <http://www.orlandocitysc.com/> (last visited Jan. 29, 2016).

<sup>36</sup> See The Constitution Foundation website, <http://constitutionfoundation.org/about/> (last visited Jan. 29, 2016).

## **Existing Specialty Plates**

### ***Conserve Wildlife License Plate***

The bill modifies the use of annual fees from the sale of the Conserve Wildlife specialty plates.<sup>37</sup> The bill allows the specialty plate revenue to be used by the Fish and Wildlife Conservation Commission to provide bear-resistant residential garbage containers.

### ***In God We Trust License Plate***

The distribution and use of annual use fees of the In God We Trust specialty plate<sup>38</sup> are modified to allow a *maximum* of 10 percent of annual use fees to be used to offset marketing, administration, and promotion of the plate. The bill repeals provisions requiring the fees to be used for the children of public safety employees and U.S. military members who have died in the line of duty who are not covered by existing law. Instead, the fees will be used to address the needs of military service members and public safety employees, their spouses and dependents, in addition to uses already in statute.

## **Effective Date and Contingency Clause**

The bill takes effect October 1, 2016, if SB 1390 or similar legislation is adopted this session or an extension thereof and becomes law.

SB 1390 increases the minimum pre-sale requirement for specialty plates from 1,000 plates to 4,000. If both bills become law, all proposed specialty plates within this bill must sell 4,000 pre-sale vouchers within the 24-month pre-sale period to be manufactured.

## **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.

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<sup>37</sup> Section 320.08058(24), F.S.

<sup>38</sup> Section 320.08058(66), F.S.

**B. Private Sector Impact:**

Individuals who choose to purchase a specialty license plate created in the bill will pay a \$25 annual use fee in addition to appropriate license taxes and fees. The organization designated to receive those fees, after retention of funds by the DHSMV to defray departmental expenditures, will receive revenue from each purchase.

**C. Government Sector Impact:**

According to the DHSMV, the cost for the minimum required number of each specialty license plate to be designed and manufactured is \$11,280. In addition, the DHSMV will also have programming costs to develop all new specialty license plates. 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.<sup>39</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 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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<sup>39</sup> Section 320.08056(7), F.S.