

1 **CANCER SCREENING AND MORTALITY**
2 **REDUCTION SPECIAL GROUP LICENSE**
3 **PLATE**

4 2008 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Carol Spackman Moss**

7 Senate Sponsor: Patricia W. Jones

8
9 **LONG TITLE**

10 **General Description:**

11 This bill modifies the Motor Vehicles Code by creating a Cancer Screening and
12 Mortality Reduction special group license plate.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ creates the Cancer Screening and Mortality Reduction Restricted Account;
- 16 ▶ authorizes the Cancer Screening and Mortality Reduction special group license plate
17 to provide funding for the Department of Health's Breast Cancer Mortality
18 Reduction Program;
- 19 ▶ requires applicants for a plate to contribute \$35 annually to the Cancer Screening
20 and Mortality Reduction Restricted Account; and
- 21 ▶ makes technical changes.

22 **Monies Appropriated in this Bill:**

23 None

24 **Other Special Clauses:**

25 This bill takes effect on October 1, 2008.

26 This bill coordinates with H.B. 17, Cancer Screening and Mortality Reduction Program,
27 by changing terminology.



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **41-1a-418**, as last amended by Laws of Utah 2007, Chapters 173, 217, and 325

31 **41-1a-422**, as last amended by Laws of Utah 2007, Chapters 173, 179, and 325

32 ENACTS:

33 **26-21a-302**, Utah Code Annotated 1953



35 *Be it enacted by the Legislature of the state of Utah:*

36 Section 1. Section **26-21a-302** is enacted to read:

37 **26-21a-302. Cancer Screening and Mortality Reduction Restricted Account --**
38 **Creation -- Funding -- Distribution of funds.**

39 (1) There is created in the General Fund a restricted account known as the Cancer
40 Screening and Mortality Reduction Restricted Account.

41 (2) The account shall be funded by:

42 (a) contributions deposited into the Cancer Screening and Mortality Reduction
43 Restricted Account in accordance with Section 41-1a-422;

44 (b) private contributions;

45 (c) donations or grants from public or private entities; and

46 (d) interest and earnings on fund monies.

47 (3) Funds in the account are nonlapsing.

48 (4) The Legislature shall appropriate funds in the account to the department.

49 (5) The department shall use fund monies to fund subsidies for cancer screening or
50 cancer screening awareness programs through the Breast Cancer Mortality Reduction Program
51 created in Section 26-21a-301.

52 Section 2. Section **41-1a-418** is amended to read:

53 **41-1a-418. Authorized special group license plates.**

54 (1) The division shall only issue special group license plates in accordance with this
55 section through Section 41-1a-422 to a person who is specified under this section within the
56 categories listed as follows:

57 (a) disability special group license plates issued in accordance with Section 41-1a-420;

58 (b) honor special group license plates, as in a war hero, which plates are issued for a:

- 59 (i) survivor of the Japanese attack on Pearl Harbor;
- 60 (ii) former prisoner of war;
- 61 (iii) recipient of a Purple Heart;
- 62 (iv) disabled veteran; or
- 63 (v) recipient of a gold star award issued by the United States Secretary of Defense if
- 64 the recipient is the spouse, parent, or sibling of a servicemember killed;
- 65 (c) unique vehicle type special group license plates, as for historical, collectors value,
- 66 or other unique vehicle type, which plates are issued for a:
 - 67 (i) special interest vehicle;
 - 68 (ii) vintage vehicle;
 - 69 (iii) farm truck; or
 - 70 (iv) vehicle powered by clean fuel and for which a current clean special fuel certificate
 - 71 is maintained as provided in Section 59-13-304;
 - 72 (d) recognition special group license plates, as in a public official or an emergency
 - 73 service giver, which plates are issued for a:
 - 74 (i) current member of the Legislature;
 - 75 (ii) current member of the United States Congress;
 - 76 (iii) current member of the National Guard;
 - 77 (iv) licensed amateur radio operator;
 - 78 (v) currently employed, volunteer, or retired firefighter;
 - 79 (vi) emergency medical technician;
 - 80 (vii) current member of a search and rescue team; or
 - 81 (viii) current honorary consulate designated by the United States Department of State;
 - 82 and
 - 83 (e) support special group license plates, as for a contributor to an institution or cause,
 - 84 which plates are issued for a contributor to:
 - 85 (i) an institution's scholastic scholarship fund;
 - 86 (ii) the Division of Wildlife Resources;
 - 87 (iii) the Department of Veterans' Affairs;
 - 88 (iv) the Division of Parks and Recreation;
 - 89 (v) the Department of Agriculture and Food;

90 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;

91 (vii) the Boy Scouts of America;

92 (viii) spay and neuter programs through No More Homeless Pets in Utah;

93 (ix) the Boys and Girls Clubs of America;

94 (x) Utah public education; [or]

95 (xi) programs that provide support to organizations that create affordable housing for
96 those in severe need through the Division of Real Estate[-]; or

97 (xii) the Department of Health for the Breast Cancer Mortality Reduction Program.

98 (2) Beginning January 1, 2003, the division may not issue a new type of special group
99 license plate unless the division receives:

100 (a) a start-up fee established under Section 63-38-3.2 for production and administrative
101 costs for providing the new special group license plates; or

102 (b) a legislative appropriation for the start-up fee provided under Subsection (2)(a).

103 (3) (a) A sponsoring organization that qualifies for tax-exempt status under Internal
104 Revenue Code Section 501(c)(3) may request the commission to authorize a new type of
105 special group license plate for the sponsoring organization. The sponsoring organization shall:

106 (i) collect a minimum of 200 applications; and

107 (ii) pay a start-up fee established under Section 63-38-3.2 for production and
108 administrative costs for providing the new type of special group license plates.

109 (b) If the provisions of Subsection (3)(a) are met, the commission shall approve the
110 request and the division shall:

111 (i) design a license plate in accordance with Section 41-1a-419; and

112 (ii) issue the new type of special group license plates.

113 Section 3. Section **41-1a-422** is amended to read:

114 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
115 **contribution collection procedures.**

116 (1) As used in this section:

117 (a) (i) Except as provided in Subsection (1)(a)(ii), "contributor" means a person who
118 has donated or in whose name at least \$25 has been donated to:

119 (A) a scholastic scholarship fund of a single named institution;

120 (B) the Department of Veterans' Affairs for veterans' programs;

121 (C) the Division of Wildlife Resources for the Wildlife Resources Account created in
122 Section 23-14-13, for conservation of wildlife and the enhancement, preservation, protection,
123 access, and management of wildlife habitat;

124 (D) the Department of Agriculture and Food for the benefit of conservation districts;

125 (E) the Division of Parks and Recreation for the benefit of snowmobile programs;

126 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with
127 the donation evenly divided between the two;

128 (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America
129 council as specified by the contributor;

130 (H) No More Homeless Pets in Utah for distribution to organizations or individuals
131 that provide spay and neuter programs that subsidize the sterilization of domestic animals;

132 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth
133 development programs;

134 (J) the Utah Association of Public School Foundations to support public education;

135 [or]

136 (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-28 to
137 assist people who have severe housing needs[-]; or

138 (L) the Cancer Screening and Mortality Reduction Restricted Account created in
139 Section 26-21a-302 to provide funding for the Breast Cancer Mortality Reduction Program.

140 (ii) (A) For a veterans' special group license plate, "contributor" means a person who:

141 (I) has donated or in whose name at least [a] \$25 [donation] has been donated at the
142 time of application; and

143 (II) has made a \$10 annual donation thereafter [has been made].

144 (B) For a Utah Housing Opportunity special group license plate, "contributor" means a
145 person who:

146 (I) has donated or in whose name at least \$30 has been donated at the time of
147 application and annually after the time of application; and

148 (II) is a member of a trade organization for real estate licensees that has more than
149 15,000 Utah members.

150 (C) For a Cancer Screening and Mortality Reduction special group license plate,
151 "contributor" means a person who has donated or in whose name at least \$35 has been donated

152 at the time of application and annually after the time of application.

153 (b) "Institution" means a state institution of higher education as defined under Section
154 53B-3-102 or a private institution of higher education in the state accredited by a regional or
155 national accrediting agency recognized by the United States Department of Education.

156 (2) (a) An applicant for original or renewal collegiate special group license plates under
157 Subsection (1)(a)(i) must be a contributor to the institution named in the application and
158 present the original contribution verification form under Subsection (2)(b) or make a
159 contribution to the division at the time of application under Subsection (3).

160 (b) An institution with a support special group license plate shall issue to a contributor
161 a verification form designed by the commission containing:

- 162 (i) the name of the contributor;
- 163 (ii) the institution to which a donation was made;
- 164 (iii) the date of the donation; and
- 165 (iv) an attestation that the donation was for a scholastic scholarship.

166 (c) The state auditor may audit each institution to verify that the moneys collected by
167 the institutions from contributors are used for scholastic scholarships.

168 (d) After an applicant has been issued collegiate license plates or renewal decals, the
169 commission shall charge the institution whose plate was issued, a fee determined in accordance
170 with Section 63-38-3.2 for management and administrative expenses incurred in issuing and
171 renewing the collegiate license plates.

172 (e) If the contribution is made at the time of application, the contribution shall be
173 collected, treated, and deposited as provided under Subsection (3).

174 (3) (a) An applicant for original or renewal support special group license plates under
175 this section must be a contributor to the sponsoring organization associated with the license
176 plate.

177 (b) This contribution shall be:

- 178 (i) unless collected by the named institution under Subsection (2), collected by the
179 division;
- 180 (ii) considered a voluntary contribution for the funding of the activities specified under
181 this section and not a motor vehicle registration fee; and
- 182 (iii) deposited into the appropriate account less actual administrative costs associated

183 with issuing the license plates.

184 (c) The donation described in Subsection (1)(a) must be made in the 12 months prior to
185 registration or renewal of registration.

186 (d) The donation described in Subsection (1)(a) shall be a one-time donation made to
187 the division when issuing original:

188 (i) snowmobile license plates; or

189 (ii) conservation license plates.

190 (4) Veterans' license plates shall display one of the symbols representing the Army,
191 Navy, Air Force, Marines, Coast Guard, or American Legion.

192 Section 4. **Effective date.**

193 This bill takes effect on October 1, 2008.

194 Section 5. **Coordinating H.B. 307 with H.B. 17 -- Changing terminology.**

195 If this H.B. 307 and H.B. 17, Cancer Screening and Mortality Reduction Program, both
196 pass, it is the intent of the Legislature that the Office of Legislative Research and General
197 Counsel, in preparing the Utah Code database for publication, change the references in
198 Subsections 26-21a-302(5), 41-1a-418(1)(e)(xii), and 41-1a-422(1)(a)(i)(L) from "Breast
199 Cancer Mortality Reduction Program" to "Cancer Screening and Mortality Reduction
200 Program."

Legislative Review Note

as of 1-14-08 11:10 AM

Office of Legislative Research and General Counsel

**Revised
Fiscal Note**

**H.B. 307 - Cancer Screening and Mortality Reduction Special Group License
Plate**

2008 General Session
State of Utah

State Impact

Enactment of this bill will require an initial appropriation from the General Fund of \$8,200 for 500 special group license plates.

	<u>FY 2008 Approp.</u>	<u>FY 2009 Approp.</u>	<u>FY 2010 Approp.</u>	<u>FY 2008 Revenue</u>	<u>FY 2009 Revenue</u>	<u>FY 2010 Revenue</u>
General Fund, One-Time	\$0	\$8,200	\$0	\$0	\$0	\$0
Restricted Funds	\$0	\$0	\$0	\$0	\$17,500	\$17,500
Total	\$0	\$8,200	\$0	\$0	\$17,500	\$17,500

Individual, Business and/or Local Impact

Individuals may contribute to the Cancer Screening and Mortality Reduction Restricted Account by paying the \$35 special group license plate fee. Approximately 500 individuals will order these plates. There is likely no local or business impact.