

**UTAH HIGH SCHOOL RODEO SUPPORT
SPECIAL GROUP LICENSE PLATE**

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: James R. Gowans

Senate Sponsor: _____

LONG TITLE

General Description:

This bill authorizes a Utah High School Rodeo Support special group license plate.

Highlighted Provisions:

This bill:

- ▶ creates a Utah High School Rodeo Support special group license plate for programs that create or support high school rodeo programs within the state;

- ▶ requires applicants for a new plate to make a \$25 annual donation to the Utah High School Rodeo Support Restricted Account;

- ▶ creates the Utah High School Rodeo Support Restricted Account;

- ▶ requires the Department of Agriculture to distribute funds in the Utah High School Rodeo Support Restricted Account to certain organizations that provide programs that create or support high school rodeo programs within the state; and

- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

This bill takes effect on October 1, 2010.

Utah Code Sections Affected:

AMENDS:



28 **41-1a-418**, as last amended by Laws of Utah 2009, Chapters 183, 348, and 380

29 **41-1a-422**, as last amended by Laws of Utah 2009, Chapters 183, 348, and 380

30 ENACTS:

31 **4-2-8.8**, Utah Code Annotated 1953



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

34 Section 1. Section **4-2-8.8** is enacted to read:

35 **4-2-8.8. Utah High School Rodeo Support Restricted Account.**

36 (1) There is created in the General Fund a restricted account known as the "Utah High
37 School Rodeo Support Restricted Account."

38 (2) The account shall be funded by:

39 (a) contributions deposited into the account in accordance with Section 41-1a-422;

40 (b) private contributions; and

41 (c) donations or grants from public or private entities.

42 (3) Funds in the account are nonlapsing.

43 (4) ~~H~~→ [The] Upon appropriation by the Legislature, the ←~~H~~ department shall distribute
43a funds in the account to one or more charitable
44 organizations that:

45 (a) qualify as being tax exempt under Section 501(c)(3) of the Internal Revenue Code;

46 (b) promote and support high school rodeo activities within the state;

47 (c) sponsor a statewide high school rodeo competition within the state; and

48 (d) increase and maintain the interest of high school students in rodeo clubs and
49 functions throughout the state.

50 (5) (a) An organization described in Subsection (4) may apply to the department to
51 receive a distribution in accordance with Subsection (4).

52 (b) An organization that receives a distribution from the department in accordance with
53 Subsection (4) shall expend the distribution only to:

54 (i) pay for high school rodeo programs and related services within the state;

55 (ii) provide scholarships for students and athletes participating in high school rodeo
56 programs;

57 (iii) pay the rodeo participation fees for rodeos held within the state or on a national
58 level;

59 (iv) pay the costs of supporting and administering high school rodeo programs; and

60 (v) ~~H→ [pays costs of administering and distributing the funds under this section] pay the~~
 60a costs of issuing or reordering Utah High School Rodeo Support special group license plate
 60b decals ←H .

61 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 62 department may make rules providing procedures for an organization to apply to the
 63 department to receive a distribution under Subsection (4).

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

65 **41-1a-418. Authorized special group license plates.**

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

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

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

71 (i) survivor of the Japanese attack on Pearl Harbor;

72 (ii) former prisoner of war;

73 (iii) recipient of a Purple Heart;

74 (iv) disabled veteran; or

75 (v) recipient of a gold star award issued by the United States Secretary of Defense;

76 (c) unique vehicle type special group license plates, as for historical, collectors value,
 77 or other unique vehicle type, which plates are issued for:

78 (i) a special interest vehicle;

79 (ii) a vintage vehicle;

80 (iii) a farm truck; or

81 (iv) (A) until Subsection (1)(c)(iv)(B) applies, a vehicle powered by clean fuel as
 82 defined in Section 59-13-102; or

83 (B) beginning on the effective date of rules made by the Department of Transportation
 84 authorized under Subsection 41-6a-702(5)(b), a vehicle powered by clean fuel that meets the
 85 standards established by the Department of Transportation in rules authorized under Subsection
 86 41-6a-702(5)(b);

87 (d) recognition special group license plates, as in a public official or an emergency
 88 service giver, which plates are issued for a:

89 (i) current member of the Legislature;

- 90 (ii) current member of the United States Congress;
- 91 (iii) current member of the National Guard;
- 92 (iv) licensed amateur radio operator;
- 93 (v) currently employed, volunteer, or retired firefighter until June 30, 2009;
- 94 (vi) emergency medical technician;
- 95 (vii) current member of a search and rescue team; or
- 96 (viii) current honorary consulate designated by the United States Department of State;

97 and

98 (e) support special group license plates, as for a contributor to an institution or cause,
99 which plates are issued for a contributor to:

- 100 (i) an institution's scholastic scholarship fund;
- 101 (ii) the Division of Wildlife Resources;
- 102 (iii) the Department of Veterans' Affairs;
- 103 (iv) the Division of Parks and Recreation;
- 104 (v) the Department of Agriculture and Food;
- 105 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
- 106 (vii) the Boy Scouts of America;
- 107 (viii) spay and neuter programs through No More Homeless Pets in Utah;
- 108 (ix) the Boys and Girls Clubs of America;
- 109 (x) Utah public education;
- 110 (xi) programs that provide support to organizations that create affordable housing for
111 those in severe need through the Division of Real Estate;
- 112 (xii) the Department of Public Safety;
- 113 (xiii) programs that support Zion National Park;
- 114 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
115 organizations; ~~or~~
- 116 (xv) programs that promote bicycle operation and safety awareness; or
- 117 (xvi) programs that create or support high school rodeo within the state.

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

- 120 (i) a start-up fee established under Section 63J-1-504 for production and administrative

- 121 costs for providing the new special group license plates; or
- 122 (ii) a legislative appropriation for the start-up fee provided under Subsection (2)(a)(i).
- 123 (b) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle
- 124 registration of a motor vehicle that has been issued a firefighter recognition special group
- 125 license plate unless the applicant is a contributor as defined in Subsection
- 126 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.
- 127 (ii) A registered owner of a vehicle that has been issued a firefighter recognition
- 128 special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle
- 129 registration shall:
- 130 (A) be a contributor to the Firefighter Support Restricted Account as required under
- 131 Subsection (2)(b)(ii); or
- 132 (B) replace the firefighter recognition special group license plate with a new license
- 133 plate.
- 134 (3) (a) A sponsoring organization that qualifies for tax-exempt status under Internal
- 135 Revenue Code Section 501(c)(3) may request the commission to authorize a new type of
- 136 special group license plate for the sponsoring organization. The sponsoring organization shall:
- 137 (i) collect a minimum of 200 applications; and
- 138 (ii) pay a start-up fee established under Section 63J-1-504 for production and
- 139 administrative costs for providing the new type of special group license plates.
- 140 (b) If the provisions of Subsection (3)(a) are met, the commission shall approve the
- 141 request and the division shall:
- 142 (i) design a license plate in accordance with Section 41-1a-419; and
- 143 (ii) issue the new type of special group license plates.
- 144 Section 3. Section **41-1a-422** is amended to read:
- 145 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
- 146 **contribution collection procedures.**
- 147 (1) As used in this section:
- 148 (a) (i) Except as provided in Subsection (1)(a)(ii), "contributor" means a person who
- 149 has donated or in whose name at least \$25 has been donated to:
- 150 (A) a scholastic scholarship fund of a single named institution;
- 151 (B) the Department of Veterans' Affairs for veterans' programs;

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

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

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

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

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

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

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

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

166 (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-28 to
167 assist people who have severe housing needs;

168 (L) the Public Safety Honoring Heroes Restricted Account created in Section 53-1-118
169 to support the families of fallen Utah Highway Patrol troopers and other Department of Public
170 Safety employees;

171 (M) the Division of Parks and Recreation for distribution to organizations that provide
172 support for Zion National Park;

173 (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support
174 firefighter organizations; [or]

175 (O) the Share the Road Bicycle Support Restricted Account created in Section
176 72-2-127 to support bicycle operation and safety awareness programs; or

177 (P) Utah High School Rodeo Restricted Account created in Section 4-2-8.8 to support
178 high school rodeo programs within the state.

179 (ii) (A) For a veterans' special group license plate, "contributor" means a person who
180 has donated or in whose name at least a \$25 donation at the time of application and \$10 annual
181 donation thereafter has been made.

182 (B) For a Utah Housing Opportunity special group license plate, "contributor" means a

183 person who:

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

186 (II) is a member of a trade organization for real estate licensees that has more than
187 15,000 Utah members.

188 (C) For an Honoring Heroes special group license plate, "contributor" means a person
189 who has donated or in whose name at least \$35 has been donated at the time of application and
190 annually thereafter.

191 (D) For a firefighter support special group license plate, "contributor" means a person
192 who:

193 (I) has donated or in whose name at least \$15 has been donated at the time of
194 application and annually after the time of application; and

195 (II) is a currently employed, volunteer, or retired firefighter.

196 (b) "Institution" means a state institution of higher education as defined under Section
197 53B-3-102 or a private institution of higher education in the state accredited by a regional or
198 national accrediting agency recognized by the United States Department of Education.

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

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

205 (i) the name of the contributor;

206 (ii) the institution to which a donation was made;

207 (iii) the date of the donation; and

208 (iv) an attestation that the donation was for a scholastic scholarship.

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

211 (d) After an applicant has been issued collegiate license plates or renewal decals, the
212 commission shall charge the institution whose plate was issued, a fee determined in accordance
213 with Section 63J-1-504 for management and administrative expenses incurred in issuing and

214 renewing the collegiate license plates.

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

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

220 (b) This contribution shall be:

221 (i) unless collected by the named institution under Subsection (2), collected by the
222 division;

223 (ii) considered a voluntary contribution for the funding of the activities specified under
224 this section and not a motor vehicle registration fee;

225 (iii) deposited into the appropriate account less actual administrative costs associated
226 with issuing the license plates; and

227 (iv) for a firefighter special group license plate, deposited into the appropriate account
228 less:

229 (A) the costs of reordering firefighter special group license plate decals; and

230 (B) the costs of replacing recognition special group license plates with new license
231 plates under Subsection 41-1a-1211(13).

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

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

236 (i) snowmobile license plates; or

237 (ii) conservation license plates.

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

240 **Section 4. Effective date.**

241 This bill takes effect on October 1, 2010.

Legislative Review Note
as of 2-9-10 9:34 AM

Office of Legislative Research and General Counsel

H.B. 151 - Utah High School Rodeo Support Special Group License Plate

Fiscal Note

2010 General Session

State of Utah

State Impact

If 500 individuals donate \$25 each year under the provisions of this bill, revenue to the Utah High School Rodeo Support Restricted Account could be \$12,500 annually. If 1,000 individuals participate in the program (500 per year), dedicated credits for license plate production would be \$2,000 and revenue to the Transportation Fund would be \$500 annually. Startup costs are paid from private sources.

	<u>FY 2010 Approp.</u>	<u>FY 2011 Approp.</u>	<u>FY 2012 Approp.</u>	<u>FY 2010 Revenue</u>	<u>FY 2011 Revenue</u>	<u>FY 2012 Revenue</u>
General Fund Restricted	\$0	\$0	\$0	\$0	\$12,500	\$12,500
Transportation Fund	\$0	\$0	\$0	\$0	\$500	\$500
Dedicated Credits	\$0	\$18,400	\$0	\$0	\$2,000	\$2,000
Total	\$0	\$18,400	\$0	\$0	\$15,000	\$15,000

Individual, Business and/or Local Impact

Individuals and businesses may support high school rodeo programs through donations. Local governments are unaffected.