

1 **SPECIAL GROUP LICENSE PLATE MODIFICATIONS**

2 2016 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Luz Escamilla**

5 House Sponsor: Brad R. Wilson

7 **LONG TITLE**

8 **General Description:**

9 This bill authorizes a National Professional Men's Soccer Team Support of Building
10 Communities support special group license plate.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ creates a National Professional Men's Soccer Team Support of Building
14 Communities support special group license plate for certain organizations that
15 strengthen youth soccer, build communities, and promote environmental
16 sustainability;
- 17 ▶ requires applicants for the plate to make a \$25 annual donation to the National
18 Professional Men's Soccer Team Support of Building Communities Restricted
19 Account;
- 20 ▶ creates the National Professional Men's Soccer Team Support of Building
21 Communities Restricted Account;
- 22 ▶ requires the Department of ~~Š→ [Human Services]~~ **Heritage and Arts** ←Š to distribute
22a the funds in the National
23 Professional Men's Soccer Team Support of Building Communities Restricted
24 Account to certain organizations that strengthen youth soccer, build communities,
25 and promote environmental sustainability; and
- 26 ▶ makes technical changes.

27 **Money Appropriated in this Bill:**



28 None

29 **Other Special Clauses:**

30 This bill provides a special effective date.

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **41-1a-418**, as last amended by Laws of Utah 2014, Chapter 37

34 **41-1a-422**, as last amended by Laws of Utah 2014, Chapter 37

35 **63J-1-602.1**, as last amended by Laws of Utah 2015, Chapters 136 and 180

36 ENACTS:

37 **9-19-101**, Utah Code Annotated 1953

38 **9-19-102**, Utah Code Annotated 1953



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

41 Section 1. Section **9-19-101** is enacted to read:

42 **CHAPTER 19. NATIONAL PROFESSIONAL MEN'S SOCCER TEAM**
43 **SUPPORT OF BUILDING COMMUNITIES RESTRICTED ACCOUNT ACT**
44 **9-19-101. Title.**

45 This chapter is known as the "National Professional Men's Soccer Team Support of
46 Building Communities Restricted Account Act."

47 Section 2. Section **9-19-102** is enacted to read:

48 **9-19-102. National Professional Men's Soccer Team Support of Building**
49 **Communities Restricted Account.**

50 (1) There is created in the General Fund a restricted account known as the "National
51 Professional Men's Soccer Team Support of Building Communities Restricted Account."

52 (2) The account shall be funded by:

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

54 (b) private contributions; and

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

56 (3) Upon appropriation by the Legislature, the department shall distribute funds in the
57 account to one or more charitable organizations that:

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

59 (b) have a board that is appointed by the owners that, either on an individual or joint
60 basis, own a controlling interest in a legal entity that is a franchised member of the
61 internationally recognized national governing body for professional men's soccer in the United
62 States;

63 (c) are headquartered within the state;

64 (d) create or support programs that focus on:

65 (i) strengthening communities through youth soccer by:

66 (A) using soccer to teach life skills;

67 (B) combating gang activity through youth involvement; and

68 (C) providing youth in underserved areas with opportunities to play soccer and become
69 certified referees;

70 (ii) building communities through professional player initiatives, tournaments, and
71 community gathering areas; and

72 (iii) promoting environmental sustainability; and

73 (e) have a board of directors that disperses all funds of the organization.

74 (4) (a) An organization described in Subsection (3) may apply to the department to
75 receive a distribution in accordance with Subsection (3).

76 (b) An organization that receives a distribution from the department in accordance with
77 Subsection (3) shall expend the distribution only to:

78 (i) create or support programs that focus on issues described in Subsection (3);

79 (ii) create or sponsor programs that will benefit residents within the state; and

80 (iii) pay the costs of issuing or reordering National Professional Men's Soccer Team

81 Support of Building Communities support special group license plate decals.

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

85 (5) In accordance with Section [63J-1-602.1](#), appropriations from the account are
86 nonlapsing.

87 Section 3. Section **41-1a-418** is amended to read:

88 **41-1a-418. Authorized special group license plates.**

89 (1) The division shall only issue special group license plates in accordance with this

90 section through Section 41-1a-422 to a person who is specified under this section within the
91 categories listed as follows:

- 92 (a) disability special group license plates issued in accordance with Section 41-1a-420;
- 93 (b) honor special group license plates, as in a war hero, which plates are issued for a:
 - 94 (i) survivor of the Japanese attack on Pearl Harbor;
 - 95 (ii) former prisoner of war;
 - 96 (iii) recipient of a Purple Heart;
 - 97 (iv) disabled veteran; or
 - 98 (v) recipient of a gold star award issued by the United States Secretary of Defense;
- 99 (c) unique vehicle type special group license plates, as for historical, collectors value,

100 or other unique vehicle type, which plates are issued for:

- 101 (i) a special interest vehicle;
- 102 (ii) a vintage vehicle;
- 103 (iii) a farm truck; or
- 104 (iv) (A) until Subsection (1)(c)(iv)(B) or (4) applies, a vehicle powered by clean fuel as
105 defined in Section 59-13-102; or
106 (B) beginning on the effective date of rules made by the Department of Transportation
107 authorized under Subsection 41-6a-702(5)(b) and until Subsection (4) applies, a vehicle
108 powered by clean fuel that meets the standards established by the Department of Transportation
109 in rules authorized under Subsection 41-6a-702(5)(b);

110 (d) recognition special group license plates, which plates are issued for:

- 111 (i) a current member of the Legislature;
- 112 (ii) a current member of the United States Congress;
- 113 (iii) a current member of the National Guard;
- 114 (iv) a licensed amateur radio operator;
- 115 (v) a currently employed, volunteer, or retired firefighter until June 30, 2009;
- 116 (vi) an emergency medical technician;
- 117 (vii) a current member of a search and rescue team;
- 118 (viii) a current honorary consulate designated by the United States Department of

119 State; or

- 120 (ix) an individual that wants to recognize and honor American freedoms and values

121 through an In God We Trust license plate;

122 (e) support special group license plates, as for a contributor to an institution or cause,

123 which plates are issued for a contributor to:

124 (i) an institution's scholastic scholarship fund;

125 (ii) the Division of Wildlife Resources;

126 (iii) the Department of Veterans' and Military Affairs;

127 (iv) the Division of Parks and Recreation;

128 (v) the Department of Agriculture and Food;

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

130 (vii) the Boy Scouts of America;

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

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

133 (x) Utah public education;

134 (xi) programs that provide support to organizations that create affordable housing for

135 those in severe need through the Division of Real Estate;

136 (xii) the Department of Public Safety;

137 (xiii) programs that support Zion National Park;

138 (xiv) beginning on July 1, 2009, programs that provide support to firefighter

139 organizations;

140 (xv) programs that promote bicycle operation and safety awareness;

141 (xvi) programs that conduct or support cancer research;

142 (xvii) programs that create or support autism awareness;

143 (xviii) programs that create or support humanitarian service and educational and

144 cultural exchanges;

145 (xix) programs that conduct or support prostate cancer awareness, screening, detection,

146 or prevention;

147 (xx) programs that support and promote adoptions;

148 (xxi) programs that create or support civil rights education and awareness; ~~or~~

149 (xxii) programs that support issues affecting women and children through an

150 organization affiliated with a national professional men's basketball organization~~[-]; or~~

151 (xxiii) programs that strengthen youth soccer, build communities, and promote

152 environmental sustainability through an organization affiliated with a professional men's soccer
153 organization.

154 (2) (a) The division may not issue a new type of special group license plate unless the
155 division receives:

156 (i) (A) a private donation for the start-up fee established under Section 63J-1-504 for
157 the production and administrative costs of providing the new special group license plates; or

158 (B) a legislative appropriation for the start-up fee provided under Subsection
159 (2)(a)(i)(A); and

160 (ii) beginning on January 1, 2012, and for the issuance of a support special group
161 license plate authorized in Section 41-1a-422, at least 500 completed applications for the new
162 type of support special group license plate to be issued with all fees required under this part for
163 the support special group license plate issuance paid by each applicant.

164 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and
165 hold applications for support special group license plates authorized in Section 41-1a-422 on or
166 after January 1, 2012, until it has received at least 500 applications.

167 (ii) Once a participating organization has received at least 500 applications, it shall
168 submit the applications, along with the necessary fees, to the division for the division to begin
169 working on the design and issuance of the new type of support special group license plate to be
170 issued.

171 (iii) Beginning on January 1, 2012, the division may not work on the issuance or design
172 of a new support special group license plate authorized in Section 41-1a-422 until the
173 applications and fees required under this Subsection (2) have been received by the division.

174 (iv) The division shall begin issuance of a new support special group license plate
175 authorized in Section 41-1a-422 on or after January 1, 2012, no later than six months after
176 receiving the applications and fees required under this Subsection (2).

177 (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle
178 registration of a motor vehicle that has been issued a firefighter recognition special group
179 license plate unless the applicant is a contributor as defined in Subsection
180 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

181 (ii) A registered owner of a vehicle that has been issued a firefighter recognition
182 special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle

183 registration shall:

184 (A) be a contributor to the Firefighter Support Restricted Account as required under
185 Subsection (2)(c)(i); or

186 (B) replace the firefighter recognition special group license plate with a new license
187 plate.

188 (3) (a) Beginning on July 1, 2011, if a support special group license plate type
189 authorized in Section 41-1a-422 and issued on or after January 1, 2012, has fewer than 500
190 license plates issued each year for a three consecutive year time period that begins on July 1,
191 the division may not issue that type of support special group license plate to a new applicant
192 beginning on January 1 of the following calendar year after the three consecutive year time
193 period for which that type of support special group license plate has fewer than 500 license
194 plates issued each year.

195 (b) If the division is required to stop the issuance of a type of support special group
196 license plate authorized in Section 41-1a-422 under this Subsection (3), the division shall
197 report to the Transportation Interim Committee that the division will stop the issuance on or
198 before the November interim meeting of the year in which the commission determines to stop
199 the issuance of that type of support special group license plate.

200 (4) Beginning on July 1, 2011, the division may not issue to an applicant a unique
201 vehicle type license plate for a vehicle powered by clean fuel under Subsection (1)(c)(iv).

202 Section 4. Section 41-1a-422 is amended to read:

203 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
204 **contribution collection procedures.**

205 (1) As used in this section:

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

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

209 (B) the Department of Veterans' and Military Affairs for veterans' programs;

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

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

- 214 (E) the Division of Parks and Recreation for the benefit of snowmobile programs;
- 215 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with
216 the donation evenly divided between the two;
- 217 (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America
218 council as specified by the contributor;
- 219 (H) No More Homeless Pets in Utah for distribution to organizations or individuals
220 that provide spay and neuter programs that subsidize the sterilization of domestic animals;
- 221 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth
222 development programs;
- 223 (J) the Utah Association of Public School Foundations to support public education;
- 224 (K) the Utah Housing Opportunity Restricted Account created in Section [61-2-204](#) to
225 assist people who have severe housing needs;
- 226 (L) the Public Safety Honoring Heroes Restricted Account created in Section [53-1-118](#)
227 to support the families of fallen Utah Highway Patrol troopers and other Department of Public
228 Safety employees;
- 229 (M) the Division of Parks and Recreation for distribution to organizations that provide
230 support for Zion National Park;
- 231 (N) the Firefighter Support Restricted Account created in Section [53-7-109](#) to support
232 firefighter organizations;
- 233 (O) the Share the Road Bicycle Support Restricted Account created in Section
234 [72-2-127](#) to support bicycle operation and safety awareness programs;
- 235 (P) the Cancer Research Restricted Account created in Section [26-21a-302](#) to support
236 cancer research programs;
- 237 (Q) Autism Awareness Restricted Account created in Section [53A-1-304](#) to support
238 autism awareness programs;
- 239 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account
240 created in Section [9-17-102](#) to support humanitarian service and educational and cultural
241 programs;
- 242 (S) Prostate Cancer Support Restricted Account created in Section [26-21a-303](#) for
243 programs that conduct or support prostate cancer awareness, screening, detection, or
244 prevention;

- 245 (T) the Choose Life Adoption Support Restricted Account created in Section
- 246 [62A-4a-608](#) to support programs that promote adoption;
- 247 (U) the Martin Luther King, Jr. Civil Rights Support Restricted Account created in
- 248 Section [9-18-102](#); [or]
- 249 (V) the National Professional Men's Basketball Team Support of Women and Children
- 250 Issues Restricted Account created in Section [62A-1-202](#)[:]; or
- 251 (W) the National Professional Men's Soccer Team Support of Building Communities
- 252 Restricted Account created in Section [9-19-102](#).

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

254 has donated or in whose name at least a \$25 donation at the time of application and \$10 annual

255 donation thereafter has been made.

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

257 person who:

258 (I) has donated or in whose name at least \$30 has been donated at the time of

259 application and annually after the time of application; and

260 (II) is a member of a trade organization for real estate licensees that has more than

261 15,000 Utah members.

262 (C) For an Honoring Heroes special group license plate, "contributor" means a person

263 who has donated or in whose name at least \$35 has been donated at the time of application and

264 annually thereafter.

265 (D) For a firefighter support special group license plate, "contributor" means a person

266 who:

267 (I) has donated or in whose name at least \$15 has been donated at the time of

268 application and annually after the time of application; and

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

270 (E) For a cancer research special group license plate, "contributor" means a person who

271 has donated or in whose name at least \$35 has been donated at the time of application and

272 annually after the time of application.

273 (F) For a Martin Luther King, Jr. Civil Rights Support special group license plate,

274 "contributor" means a person who has donated or in whose name at least \$35 has been donated

275 at the time of application and annually thereafter.

276 (b) "Institution" means a state institution of higher education as defined under Section
277 [53B-3-102](#) or a private institution of higher education in the state accredited by a regional or
278 national accrediting agency recognized by the United States Department of Education.

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

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

- 285 (i) the name of the contributor;
- 286 (ii) the institution to which a donation was made;
- 287 (iii) the date of the donation; and
- 288 (iv) an attestation that the donation was for a scholastic scholarship.

289 (c) The state auditor may audit each institution to verify that the money collected by the
290 institutions from contributors is used for scholastic scholarships.

291 (d) After an applicant has been issued collegiate license plates or renewal decals, the
292 commission shall charge the institution whose plate was issued, a fee determined in accordance
293 with Section [63J-1-504](#) for management and administrative expenses incurred in issuing and
294 renewing the collegiate license plates.

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

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

300 (b) This contribution shall be:

- 301 (i) unless collected by the named institution under Subsection (2), collected by the
302 division;
- 303 (ii) considered a voluntary contribution for the funding of the activities specified under
304 this section and not a motor vehicle registration fee;
- 305 (iii) deposited into the appropriate account less actual administrative costs associated
306 with issuing the license plates; and

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

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

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

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

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

316 (i) snowmobile license plates; or

317 (ii) conservation license plates.

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

320 Section 5. Section 63J-1-602.1 is amended to read:

321 **63J-1-602.1. List of nonlapsing accounts and funds -- General authority and Title**
322 **1 through Title 30.**

323 (1) Appropriations made to the Legislature and its committees.

324 (2) The Percent-for-Art Program created in Section 9-6-404.

325 (3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in
326 Section 9-18-102.

327 (4) The National Professional Men's Soccer Team Support of Building Communities
328 Restricted Account created in Section 9-19-102.

329 [~~4~~] (5) The LeRay McAllister Critical Land Conservation Program created in Section
330 11-38-301.

331 [~~5~~] (6) An appropriation made to the Division of Wildlife Resources for the appraisal
332 and purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6.

333 [~~6~~] (7) Award money under the State Asset Forfeiture Grant Program, as provided
334 under Section 24-4-117.

335 [~~7~~] (8) Funds collected from the program fund for local health department expenses
336 incurred in responding to a local health emergency under Section 26-1-38.

337 [~~8~~] (9) Funds collected from the emergency medical services grant program, as

338 provided in Section [26-8a-207](#).

339 ~~[(9)]~~ [\(10\)](#) The Prostate Cancer Support Restricted Account created in Section
340 [26-21a-303](#).

341 ~~[(10)]~~ [\(11\)](#) State funds appropriated for matching federal funds in the Children's Health
342 Insurance Program as provided in Section [26-40-108](#).

343 ~~[(11)]~~ [\(12\)](#) The Utah Health Care Workforce Financial Assistance Program created in
344 Section [26-46-102](#).

345 ~~[(12)]~~ [\(13\)](#) The primary care grant program created in Section [26-10b-102](#).

346 ~~[(13)]~~ [\(14\)](#) The Rural Physician Loan Repayment Program created in Section
347 [26-46a-103](#).

348 Section 6. **Effective date.**

349 This bill takes effect on October 1, 2016.

Legislative Review Note
Office of Legislative Research and General Counsel