

SUPPORT SPECIAL GROUP HISTORICAL LICENSE

PLATE

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: _____

LONG TITLE

General Description:

This bill creates a support special group license plate to support the mission and purpose of the Utah State Historical Society.

Highlighted Provisions:

This bill:

▶ creates a support special group license plate to support the mission and purpose of the Utah State Historical Society;

▶ requires applicants for the plate to make a \$25 annual donation to the Utah State Historical Society;

▶ requires the donations to be deposited into the General Fund as a dedicated credit to the Utah State Historical Society; and

▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

9-8-207, as renumbered and amended by Laws of Utah 1992, Chapter 241

S.B. 41



28 [41-1a-418](#), as last amended by Laws of Utah 2017, Chapters 107, 181, and 194

29 [41-1a-422](#), as last amended by Laws of Utah 2017, Chapters 107, 194, and 383



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

32 Section 1. Section **9-8-207** is amended to read:

33 **9-8-207. Historical society -- Donations -- Accounting.**

34 (1) (a) There is created the Utah State Historical Society.

35 (b) The society may:

36 (i) solicit memberships from persons interested in the work of the society and charge
37 dues for memberships commensurate with the advantages of membership and the needs of the
38 society; and

39 (ii) receive gifts, donations, bequests, devises, and endowments of money or property,
40 which shall then become the property of the state of Utah.

41 (2) (a) If the donor directs that money or property donated under Subsection (1)(b)(ii)
42 be used in a specified manner, then the division shall use it in accordance with these directions.
43 Otherwise, all donated money and the proceeds from donated property, together with the
44 charges realized from society memberships, shall be deposited in the General Fund as restricted
45 revenue of the society.

46 (b) Funds received from donations to the society under Section [41-1a-422](#) shall be
47 deposited into the General Fund as a dedicated credit to achieve the mission and purpose of the
48 society.

49 (3) The division shall keep a correct account of funds and property received, held, or
50 disbursed by the society, and shall make reports to the governor as in the case of other state
51 institutions.

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;
- 63 (v) recipient of a gold star award issued by the United States Secretary of Defense; or
- 64 (vi) recipient of a campaign or combat theater award determined by the Department of
- 65 Veterans' and Military Affairs;
- 66 (c) unique vehicle type special group license plates, as for historical, collectors value,
- 67 or other unique vehicle type, which plates are issued for:
- 68 (i) a special interest vehicle;
- 69 (ii) a vintage vehicle;
- 70 (iii) a farm truck; or
- 71 (iv) (A) until Subsection (1)(c)(iv)(B) or (4) applies, a vehicle powered by clean fuel as
- 72 defined in Section 59-13-102; or
- 73 (B) beginning on the effective date of rules made by the Department of Transportation
- 74 authorized under Subsection 41-6a-702(5)(b) and until Subsection (4) applies, a vehicle
- 75 powered by clean fuel that meets the standards established by the Department of Transportation
- 76 in rules authorized under Subsection 41-6a-702(5)(b);
- 77 (d) recognition special group license plates, which plates are issued for:
- 78 (i) a current member of the Legislature;
- 79 (ii) a current member of the United States Congress;
- 80 (iii) a current member of the National Guard;
- 81 (iv) a licensed amateur radio operator;
- 82 (v) a currently employed, volunteer, or retired firefighter until June 30, 2009;
- 83 (vi) an emergency medical technician;
- 84 (vii) a current member of a search and rescue team; or
- 85 (viii) a current honorary consulate designated by the United States Department of
- 86 State; or
- 87 (e) support special group license plates, as for a contributor to an institution or cause,
- 88 which plates are issued for a contributor to:
- 89 (i) an institution's scholastic scholarship fund;

- 90 (ii) the Division of Wildlife Resources;
- 91 (iii) the Department of Veterans' and Military Affairs;
- 92 (iv) the Division of Parks and Recreation;
- 93 (v) the Department of Agriculture and Food;
- 94 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;
- 95 (vii) the Boy Scouts of America;
- 96 (viii) spay and neuter programs through No More Homeless Pets in Utah;
- 97 (ix) the Boys and Girls Clubs of America;
- 98 (x) Utah public education;
- 99 (xi) programs that provide support to organizations that create affordable housing for
100 those in severe need through the Division of Real Estate;
- 101 (xii) the Department of Public Safety;
- 102 (xiii) programs that support Zion National Park;
- 103 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
104 organizations;
- 105 (xv) programs that promote bicycle operation and safety awareness;
- 106 (xvi) programs that conduct or support cancer research;
- 107 (xvii) programs that create or support autism awareness;
- 108 (xviii) programs that create or support humanitarian service and educational and
109 cultural exchanges;
- 110 (xix) until September 30,2017, programs that conduct or support prostate cancer
111 awareness, screening, detection, or prevention;
- 112 (xx) programs that support and promote adoptions;
- 113 (xxi) programs that create or support civil rights education and awareness;
- 114 (xxii) programs that support issues affecting women and children through an
115 organization affiliated with a national professional men's basketball organization;
- 116 (xxiii) programs that strengthen youth soccer, build communities, and promote
117 environmental sustainability through an organization affiliated with a professional men's soccer
118 organization;
- 119 (xxiv) programs that support children with heart disease;
- 120 (xxv) programs that support the operation and maintenance of the Utah Law

121 Enforcement Memorial;

122 (xxvi) programs that provide assistance to children with cancer; ~~or~~

123 (xxvii) programs that promote leadership and career development through agricultural
124 education[-]; or

125 (xxviii) the Utah State Historical Society.

126 (2) (a) The division may not issue a new type of special group license plate or decal
127 unless the division receives:

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

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

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

137 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and
138 hold applications for support special group license plates or decals authorized in Section
139 41-1a-422 on or after January 1, 2012, until it has received at least 500 applications.

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

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

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

150 (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle
151 registration of a motor vehicle that has been issued a firefighter recognition special group

152 license plate unless the applicant is a contributor as defined in Subsection
153 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

154 (ii) A registered owner of a vehicle that has been issued a firefighter recognition
155 special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle
156 registration shall:

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

159 (B) replace the firefighter recognition special group license plate with a new license
160 plate.

161 (3) Beginning on July 1, 2011, if a support special group license plate or decal type
162 authorized in Section 41-1a-422 and issued on or after January 1, 2012, has fewer than 500
163 license plates issued each year for a three consecutive year time period that begins on July 1,
164 the division may not issue that type of support special group license plate or decal to a new
165 applicant beginning on January 1 of the following calendar year after the three consecutive year
166 time period for which that type of support special group license plate or decal has fewer than
167 500 license plates issued each year.

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

170 (5) (a) Beginning on October 1, 2017, the division may not issue a new prostate cancer
171 support special group license plate.

172 (b) A registered owner of a vehicle that has been issued a prostate cancer support
173 special group license plate before October 1, 2017, may renew the owner's motor vehicle
174 registration, with the contribution allocated as described in Section 41-1a-422.

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

176 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
177 **contribution collection procedures.**

178 (1) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

197 (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-204 to
198 assist people who have severe housing needs;

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

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

204 (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support
205 firefighter organizations;

206 (O) the Share the Road Bicycle Support Restricted Account created in Section
207 72-2-127 to support bicycle operation and safety awareness programs;

208 (P) the Cancer Research Restricted Account created in Section 26-21a-302 to support
209 cancer research programs;

210 (Q) Autism Awareness Restricted Account created in Section 53A-1-304 to support
211 autism awareness programs;

212 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account
213 created in Section 9-17-102 to support humanitarian service and educational and cultural

214 programs;

215 (S) Prostate Cancer Support Restricted Account created in Section 26-21a-303 for
216 programs that conduct or support prostate cancer awareness, screening, detection, or prevention
217 until September 30, 2017, and beginning on October 1, 2017, upon renewal of a prostate cancer
218 support special group license plate, to the Cancer Research Restricted Account created in
219 Section 26-21a-302 to support cancer research programs;

220 (T) the Choose Life Adoption Support Restricted Account created in Section
221 62A-4a-608 to support programs that promote adoption;

222 (U) the Martin Luther King, Jr. Civil Rights Support Restricted Account created in
223 Section 9-18-102;

224 (V) the National Professional Men's Basketball Team Support of Women and Children
225 Issues Restricted Account created in Section 62A-1-202;

226 (W) the Utah Law Enforcement Memorial Support Restricted Account created in
227 Section 53-1-120;

228 (X) the Children with Cancer Support Restricted Account created in Section
229 26-21a-304 for programs that provide assistance to children with cancer;

230 (Y) the National Professional Men's Soccer Team Support of Building Communities
231 Restricted Account created in Section 9-19-102;

232 (Z) the Children with Heart Disease Support Restricted Account created in Section
233 26-58-102;

234 (AA) the Utah Intracurricular Student Organization Support for Agricultural Education
235 and Leadership Restricted Account created in Section 4-42-102; [or]

236 (BB) the Division of Wildlife Resources for the Support for State-Owned Shooting
237 Ranges Restricted Account created in Section 23-14-13.5, for the creation of new, and
238 operation and maintenance of existing, state-owned firearm shooting ranges[-]; or

239 (CC) the Utah State Historical Society to further the mission and purpose of the Utah
240 State Historical Society.

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

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

245 person who:

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

248 (II) is a member of a trade organization for real estate licensees that has more than
249 15,000 Utah members.

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

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

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

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

258 (E) For a cancer research special group license plate, "contributor" means a person who
259 has donated or in whose name at least \$35 has been donated at the time of application and
260 annually after the time of application.

261 (F) For a Martin Luther King, Jr. Civil Rights Support special group license plate,
262 "contributor" means a person who has donated or in whose name at least \$35 has been donated
263 at the time of application and annually thereafter.

264 (G) For a Utah Law Enforcement Memorial Support special group license plate,
265 "contributor" means a person who has donated or in whose name at least \$35 has been donated
266 at the time of application and annually thereafter.

267 (b) "Institution" means a state institution of higher education as defined under Section
268 [53B-3-102](#) or a private institution of higher education in the state accredited by a regional or
269 national accrediting agency recognized by the United States Department of Education.

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

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

- 276 (i) the name of the contributor;
- 277 (ii) the institution to which a donation was made;
- 278 (iii) the date of the donation; and
- 279 (iv) an attestation that the donation was for a scholastic scholarship.
- 280 (c) The state auditor may audit each institution to verify that the money collected by the
- 281 institutions from contributors is used for scholastic scholarships.
- 282 (d) After an applicant has been issued collegiate license plates or renewal decals, the
- 283 commission shall charge the institution whose plate was issued, a fee determined in accordance
- 284 with Section 63J-1-504 for management and administrative expenses incurred in issuing and
- 285 renewing the collegiate license plates.
- 286 (e) If the contribution is made at the time of application, the contribution shall be
- 287 collected, treated, and deposited as provided under Subsection (3).
- 288 (3) (a) An applicant for original or renewal support special group license plates under
- 289 this section must be a contributor to the sponsoring organization associated with the license
- 290 plate.
- 291 (b) This contribution shall be:
- 292 (i) unless collected by the named institution under Subsection (2), collected by the
- 293 division;
- 294 (ii) considered a voluntary contribution for the funding of the activities specified under
- 295 this section and not a motor vehicle registration fee;
- 296 (iii) deposited into the appropriate account less actual administrative costs associated
- 297 with issuing the license plates; and
- 298 (iv) for a firefighter special group license plate, deposited into the appropriate account
- 299 less:
- 300 (A) the costs of reordering firefighter special group license plate decals; and
- 301 (B) the costs of replacing recognition special group license plates with new license
- 302 plates under Subsection 41-1a-1211(13).
- 303 (c) The donation described in Subsection (1)(a) must be made in the 12 months prior to
- 304 registration or renewal of registration.
- 305 (d) The donation described in Subsection (1)(a) shall be a one-time donation made to
- 306 the division when issuing original:

- 307 (i) snowmobile license plates; or
308 (ii) conservation license plates.
309 (4) Veterans' license plates shall display one of the symbols representing the Army,
310 Navy, Air Force, Marines, Coast Guard, or American Legion.
311 Section 4. **Effective date.**
312 This bill takes effect on October 1, 2018.
-
-

Legislative Review Note
Office of Legislative Research and General Counsel