

Senator Lincoln Fillmore proposes the following substitute bill:

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;
- ▶ provides for the design of the historical support special group license plate;
- ▶ 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:



26 AMENDS:

27 **9-8-207**, as renumbered and amended by Laws of Utah 1992, Chapter 241

28 **41-1a-418**, as last amended by Laws of Utah 2017, Chapters 107, 181, and 194

29 **41-1a-419**, as last amended by Laws of Utah 2009, Chapter 183

30 **41-1a-422**, as last amended by Laws of Utah 2017, Chapters 107, 194, and 383

31

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

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

34 **9-8-207. Historical society -- Donations -- Accounting.**

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

36 (b) The society may:

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

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

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

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

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

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

54 **41-1a-418. Authorized special group license plates.**

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

57 categories listed as follows:

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

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

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

61 (ii) former prisoner of war;

62 (iii) recipient of a Purple Heart;

63 (iv) disabled veteran;

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

65 (vi) recipient of a campaign or combat theater award determined by the Department of
66 Veterans' and Military Affairs;

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

69 (i) a special interest vehicle;

70 (ii) a vintage vehicle;

71 (iii) a farm truck; or

72 (iv) (A) until Subsection (1)(c)(iv)(B) or (4) applies, a vehicle powered by clean fuel as
73 defined in Section 59-13-102; or

74 (B) beginning on the effective date of rules made by the Department of Transportation
75 authorized under Subsection 41-6a-702(5)(b) and until Subsection (4) applies, a vehicle
76 powered by clean fuel that meets the standards established by the Department of Transportation
77 in rules authorized under Subsection 41-6a-702(5)(b);

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

79 (i) a current member of the Legislature;

80 (ii) a current member of the United States Congress;

81 (iii) a current member of the National Guard;

82 (iv) a licensed amateur radio operator;

83 (v) a currently employed, volunteer, or retired firefighter until June 30, 2009;

84 (vi) an emergency medical technician;

85 (vii) a current member of a search and rescue team; or

86 (viii) a current honorary consulate designated by the United States Department of
87 State; or

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

119 organization;

120 (xxiv) programs that support children with heart disease;

121 (xxv) programs that support the operation and maintenance of the Utah Law

122 Enforcement Memorial;

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

124 (xxvii) programs that promote leadership and career development through agricultural

125 education[-]; or

126 (xxviii) the Utah State Historical Society.

127 (2) (a) The division may not issue a new type of special group license plate or decal

128 unless the division receives:

129 (i) (A) a private donation for the start-up fee established under Section 63J-1-504 for

130 the production and administrative costs of providing the new special group license plates or

131 decals; or

132 (B) a legislative appropriation for the start-up fee provided under Subsection

133 (2)(a)(i)(A); and

134 (ii) beginning on January 1, 2012, and for the issuance of a support special group

135 license plate authorized in Section 41-1a-422, at least 500 completed applications for the new

136 type of support special group license plate or decal to be issued with all fees required under this

137 part for the support special group license plate or decal issuance paid by each applicant.

138 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and

139 hold applications for support special group license plates or decals authorized in Section

140 41-1a-422 on or after January 1, 2012, until it has received at least 500 applications.

141 (ii) Once a participating organization has received at least 500 applications, it shall

142 submit the applications, along with the necessary fees, to the division for the division to begin

143 working on the design and issuance of the new type of support special group license plate or

144 decal to be issued.

145 (iii) Beginning on January 1, 2012, the division may not work on the issuance or design

146 of a new support special group license plate or decal authorized in Section 41-1a-422 until the

147 applications and fees required under this Subsection (2) have been received by the division.

148 (iv) The division shall begin issuance of a new support special group license plate or

149 decal authorized in Section 41-1a-422 on or after January 1, 2012, no later than six months

150 after receiving the applications and fees required under this Subsection (2).

151 (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle
152 registration of a motor vehicle that has been issued a firefighter recognition special group
153 license plate unless the applicant is a contributor as defined in Subsection

154 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

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

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

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

162 (3) Beginning on July 1, 2011, if a support special group license plate or decal type
163 authorized in Section 41-1a-422 and issued on or after January 1, 2012, has fewer than 500
164 license plates issued each year for a three consecutive year time period that begins on July 1,
165 the division may not issue that type of support special group license plate or decal to a new
166 applicant beginning on January 1 of the following calendar year after the three consecutive year
167 time period for which that type of support special group license plate or decal has fewer than
168 500 license plates issued each year.

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

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

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

176 Section 3. Section 41-1A-419 is amended to read:

177 **41-1a-419. Plate design -- Vintage vehicle certification and registration --**

178 **Personalized special group license plates -- Rulemaking.**

179 (1) (a) The design and maximum number of numerals or characters on special group
180 license plates shall be determined by the division in accordance with the requirements under

181 Subsection (1)(b).

182 (b) ~~[Each]~~ (i) Except as provided in Subsection (1)(b)(ii), each special group license
183 plate shall display:

184 ~~[(i)]~~ (A) the word Utah;

185 ~~[(ii)]~~ (B) the name or identifying slogan of the special group;

186 ~~[(iii)]~~ (C) a symbol decal not exceeding two positions in size representing the special
187 group; and

188 ~~[(iv)]~~ (D) the combination of letters, numbers, or both uniquely identifying the
189 registered vehicle.

190 (ii) The division, in consultation with the Utah State Historical Society, shall design
191 the historical support special group license plate, which shall:

192 (A) have a black background;

193 (B) have white characters; and

194 (C) display the word Utah.

195 (2) (a) The division shall, after consultation with a representative designated by the
196 special group, specify the word or words comprising the special group name and the symbol
197 decal to be displayed upon the special group license plates.

198 (b) A special group license plate symbol decal may not be redesigned:

199 (i) unless the division receives a redesign fee established by the division under Section
200 [63J-1-504](#); and

201 (ii) more frequently than every five years.

202 (c) (i) Except as provided in Subsection (2)(c)(ii), a special group license plate symbol
203 decal may not be reordered unless the division receives a symbol decal reorder fee established
204 by the division under Section [63J-1-504](#).

205 (ii) A recognition special group license plate symbol decal for a currently employed,
206 volunteer, or retired firefighter issued in accordance with Subsection [41-1a-418](#)(1)(d)(v) that is
207 reordered on or after July 1, 2007, but on or before June 30, 2008, is exempt from the symbol
208 decal reorder fee authorized under Subsection (2)(c)(i).

209 (3) The license plates issued for horseless carriages prior to July 1, 1992, are valid
210 without renewal as long as the vehicle is owned by the registered owner and the license plates
211 may not be recalled by the division.

212 (4) A person who meets the criteria established under Sections 41-1a-418 through
213 41-1a-422 for issuance of special group license plates may make application in the same
214 manner provided in Sections 41-1a-410 and 41-1a-411 for personalized special group license
215 plates.

216 (5) The commission shall make rules in accordance with Title 63G, Chapter 3, Utah
217 Administrative Rulemaking Act, to:

218 (a) establish qualifying criteria for persons to receive, renew, or surrender special group
219 license plates; and

220 (b) establish the maximum number of numerals or characters for special group license
221 plates.

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

223 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
224 **contribution collection procedures.**

225 (1) As used in this section:

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

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

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

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

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

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

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

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

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

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

- 243 (J) the Utah Association of Public School Foundations to support public education;
- 244 (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-204 to
245 assist people who have severe housing needs;
- 246 (L) the Public Safety Honoring Heroes Restricted Account created in Section 53-1-118
247 to support the families of fallen Utah Highway Patrol troopers and other Department of Public
248 Safety employees;
- 249 (M) the Division of Parks and Recreation for distribution to organizations that provide
250 support for Zion National Park;
- 251 (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support
252 firefighter organizations;
- 253 (O) the Share the Road Bicycle Support Restricted Account created in Section
254 72-2-127 to support bicycle operation and safety awareness programs;
- 255 (P) the Cancer Research Restricted Account created in Section 26-21a-302 to support
256 cancer research programs;
- 257 (Q) Autism Awareness Restricted Account created in Section 53A-1-304 to support
258 autism awareness programs;
- 259 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account
260 created in Section 9-17-102 to support humanitarian service and educational and cultural
261 programs;
- 262 (S) Prostate Cancer Support Restricted Account created in Section 26-21a-303 for
263 programs that conduct or support prostate cancer awareness, screening, detection, or prevention
264 until September 30, 2017, and beginning on October 1, 2017, upon renewal of a prostate cancer
265 support special group license plate, to the Cancer Research Restricted Account created in
266 Section 26-21a-302 to support cancer research programs;
- 267 (T) the Choose Life Adoption Support Restricted Account created in Section
268 62A-4a-608 to support programs that promote adoption;
- 269 (U) the Martin Luther King, Jr. Civil Rights Support Restricted Account created in
270 Section 9-18-102;
- 271 (V) the National Professional Men's Basketball Team Support of Women and Children
272 Issues Restricted Account created in Section 62A-1-202;
- 273 (W) the Utah Law Enforcement Memorial Support Restricted Account created in

274 Section 53-1-120;

275 (X) the Children with Cancer Support Restricted Account created in Section
276 26-21a-304 for programs that provide assistance to children with cancer;

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

279 (Z) the Children with Heart Disease Support Restricted Account created in Section
280 26-58-102;

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

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

286 (CC) the Utah State Historical Society to further the mission and purpose of the Utah
287 State Historical Society.

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

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

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

295 (II) is a member of a trade organization for real estate licensees that has more than
296 15,000 Utah members.

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

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

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

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

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

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

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

314 (b) "Institution" means a state institution of higher education as defined under Section
315 [53B-3-102](#) or a private institution of higher education in the state accredited by a regional or
316 national accrediting agency recognized by the United States Department of Education.

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

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

- 323 (i) the name of the contributor;
- 324 (ii) the institution to which a donation was made;
- 325 (iii) the date of the donation; and
- 326 (iv) an attestation that the donation was for a scholastic scholarship.

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

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

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

335 (3) (a) An applicant for original or renewal support special group license plates under

336 this section must be a contributor to the sponsoring organization associated with the license
337 plate.

338 (b) This contribution shall be:

339 (i) unless collected by the named institution under Subsection (2), collected by the
340 division;

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

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

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

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

348 (B) the costs of replacing recognition special group license plates with new license
349 plates under Subsection [41-1a-1211](#)(13).

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

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

354 (i) snowmobile license plates; or

355 (ii) conservation license plates.

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

358 Section 5. **Effective date.**

359 This bill takes effect on October 1, 2018.