

1 HB160  
2 146406-1  
3 By Representatives Barton, Davis, Sessions, Tuggle, McMillan,  
4 Faust, Gaston, Baker, Shiver, Bracy and Fincher  
5 RFD: Ways and Means General Fund  
6 First Read: 06-FEB-13

2  
3  
4  
5  
6  
7  
8 SYNOPSIS: Existing law prohibits the approval of  
9 distinctive license plates for out-of-state  
10 colleges or universities.

11 This bill would allow the legislative  
12 oversight committee to consider and approve an  
13 application for distinctive license plates for  
14 out-of-state colleges or universities and would  
15 provide for a portion of the money from these  
16 license plates to be distributed to the State  
17 General Fund.

18  
19 A BILL  
20 TO BE ENTITLED  
21 AN ACT  
22

23 To amend Sections 32-6-67 and 32-6-68, Code of  
24 Alabama 1975, relating to the approval of distinctive license  
25 plates; to allow the legislative oversight committee to  
26 consider and approve an application for distinctive license  
27 plates for out-of-state colleges or universities; and to

1 provide for a distribution from the license plates to the  
2 State General Fund.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Sections 32-6-67 and 32-6-68, Code of  
5 Alabama 1975, is amended to read as follows:

6 "§32-6-67.

7 "(a) There is created a legislative committee to  
8 oversee the implementation and administration of this Article  
9 2, except Subdivision 1 of Division 1. The committee shall be  
10 composed of three members of the House of Representatives and  
11 a county license plate issuing official, who shall be  
12 appointed by and serve at the pleasure of the Speaker of the  
13 House, and three members of the Senate and a county license  
14 plate issuing official, who shall be appointed by and serve at  
15 the pleasure of the Lieutenant Governor, the Director of the  
16 Alabama Criminal Justice Information Center, the Director of  
17 Public Safety, and the President of the Probate Judges  
18 Association. The Department of Revenue shall designate a  
19 representative and the Department of Corrections shall  
20 designate a representative of Alabama Correctional Industries  
21 as nonvoting and advisory members to the committee. The chair,  
22 who shall be picked by the members of the committee from the  
23 legislative members on the committee, shall have the authority  
24 to call meetings of the committee when he or she deems it  
25 necessary or as otherwise provided in this section.

26 "(b) The committee shall:

27 "(1) Meet not less than once every six months.

1           "(2) Require that a simple majority of committee  
2       voting members be in attendance for conducting whatever  
3       business requires committee action.

4           "(3) Establish guidelines for the qualification of  
5       organizations which may sponsor a new or continued issuance of  
6       a license plate category, or may benefit from that issuance.

7           "(4) Approve, disapprove, or indefinitely postpone,  
8       by a vote of two-thirds of the members present at a committee  
9       meeting, a request for a new license plate category.

10          "(c) Decisions of the committee concerning approval,  
11       disapproval, or indefinite postponement of further action on a  
12       proposed distinctive license plate shall be interpreted to be  
13       the intent of the entire body of the Legislature, and  
14       separate, specific action by the Legislature concerning a  
15       distinctive license plate proposal shall not be considered.

16          "(d) The committee shall not consider for approval  
17       applications from the following types of organizations:

18                "(1) Out-of-state colleges and universities except  
19       as provided in subsection (e).

20                "(2) Private businesses, business organizations, or  
21       commercial entities of any type.

22                "(3) Public schools K-12, junior colleges, and  
23       technical schools, exclusive of the Helping Schools Tag as  
24       established in Sections 32-6-300 and 32-6-301.

25                "(4) Groups within high schools, junior colleges,  
26       universities, and technical schools, such as band boosters,  
27       athletic boosters, and the like.

1           "(5) Unions.

2           "(6) Political organizations.

3           "(7) Religious organizations.

4           "(8) Groups that promote racial or social  
5 disharmony.

6           "(9) Public officials.

7           "(e) The committee may consider and approve an  
8 application for a distinctive license plate for quantity Class  
9 2 for an out-of-state college or university, upon submission  
10 of an application pursuant to Section 32-6-64.

11           "~~(e)~~ (f) Upon the request of the chair, the Secretary  
12 of the Senate and the Clerk of the House shall provide  
13 clerical assistance necessary for the work of the committee.

14           "~~(f)~~ (g) The committee members who are members of the  
15 Legislature shall be entitled to, and shall receive, the same  
16 daily legislative compensation, expense allowances, per diem,  
17 and other compensation which they receive while in legislative  
18 session for each weekday, Monday through Friday, during any  
19 week in which the committee actually meets. The  
20 non-legislative members of the committee shall be entitled to,  
21 and shall receive, the same per diem and expenses that are  
22 paid to state employees."

23           "§32-6-68.

24           (a) Effective January 1, 1997, each new distinctive  
25 license plate issued shall require, in addition to the  
26 standard registration fee, an additional annual fee of fifty  
27 dollars (\$50).

1 (b) The additional license plate fee as provided for  
2 in subsection (a) shall be distributed in the following  
3 manner:

4 (1) Two and one-half percent commission, provided by  
5 Section 40-12-269(a)(1).

6 (2) Manufacturing costs of one dollar and fifty  
7 cents (\$1.50) to the Department of Corrections.

8 (3) Administrative costs of one dollar (\$1) to the  
9 Department of Revenue.

10 (4) State shares of five dollars (\$5) shall be  
11 transmitted to the state Comptroller for deposit into the  
12 Penny Trust Fund as established by Amendment 512 of the  
13 Constitution of Alabama of 1901.

14 (5) The remainder of the additional fee shall be  
15 distributed to the sponsoring organization or as otherwise  
16 provided under the terms of the application approved by the  
17 legislative oversight committee; except that the remainder of  
18 the additional fee after the distributions provided in  
19 subdivisions (1) through (3) shall be distributed to the State  
20 General Fund when a distinctive license plate is for an  
21 out-of-state college or university as provided in Section  
22 36-6-67(e).

23 (c) The distribution of fees for tags which were  
24 authorized by legislative act before January 1, 1998, shall  
25 continue in effect, any other provision of law to the contrary  
26 notwithstanding."

1                   Section 2. This act shall become effective on the  
2   first day of the third month following its passage and  
3   approval by the Governor, or its otherwise becoming law.