

HB314 INTRODUCED



1 HB314
2 XCPWZ77-1
3 By Representatives Travis, Lovvorn, Standridge, Bolton,
4 McCampbell, Gray, Kirkland
5 RFD: Public Safety and Homeland Security
6 First Read: 07-Mar-24



SYNOPSIS:

Under existing law, volunteer firefighters are eligible to receive a firefighter distinctive license plate.

This bill would expand eligibility for the firefighter distinctive license plate to include fire chaplains.

Section 111.05 of the Constitution of Alabama of 2022, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of local funds from becoming effective with regard to a local governmental entity without enactment by a 2/3 vote unless: it comes within one of a number of specified exceptions; it is approved by the affected entity; or the Legislature appropriates funds, or provides a local source of revenue, to the entity for the purpose.

The purpose or effect of this bill would be to require a new or increased expenditure of local funds within the meaning of the section. However, the bill does not require approval of a local governmental entity or enactment by a 2/3 vote to become effective because it comes within one of the specified exceptions contained in the section.



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A BILL

TO BE ENTITLED

AN ACT

Relating to motor vehicle registrations and license plates; to amend Section 32-6-271, Code of Alabama 1975, to expand eligibility for the firefighter distinctive license plate to include fire chaplains; and in connection therewith would have as its purpose or effect the requirement of a new or increased expenditure of local funds within the meaning of Section 111.05 of the Constitution of Alabama of 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 32-6-271, Code of Alabama 1975, is amended to read as follows:

"§32-6-271

(a) (1) A firefighter, upon application and subject to this division, may be issued a distinctive ~~motor vehicle~~ license plate as identification as a firefighter. In addition to the proper numbers, words, and insignias used on the standard license plate issued for motor vehicles, the firefighter distinctive license plates ~~issued to firefighters~~ shall bear a red Maltese cross emblem on each side to the left and right of the regular tag numbers. The words "Fire Fighter" should be centered at the bottom of the license plate.

(2)a. A fire chaplain, who is a member of the Alabama Fellowship of Fire Chaplains, upon application and subject to this division, may be issued one firefighter distinctive



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license plate.

b. Proof of service as a fire chaplain shall be verified by an affidavit signed by the President of the Alabama Fellowship of Fire Chaplains attesting that the applicant is a member in good standing of that organization and eligible to receive the firefighter distinctive license plate. An individual who is no longer a member in good standing of the Alabama Fellowship of Fire Chaplains is ineligible to receive the firefighter distinctive license plate.

(b) In addition to any other fees provided for by law, an annual additional fee of one dollar (\$1.00) is added to the cost of the firefighter distinctive license plate provided for in this division, effective January 1, 2022. The annual additional fee collected pursuant to this section shall be distributed by each licensing official to the ~~state~~ Comptroller, ~~the state Comptroller~~ who shall distribute the net proceeds monthly as follows:

(1) Fifty cents (\$.50) shall be deposited into a fund managed by the Alabama Joint Fire Council and shall be used for the purpose of expanding and maintaining the Alabama Firefighter Memorial located in Tuscaloosa.

(2) Fifty cents (\$.50) shall be distributed to the Alabama Joint Fire Council to be used for expenses associated with the Firefighter Peer Support Program.

(3) Fees collected for firefighter distinctive license plates issued to fire chaplains shall be distributed to the Alabama Fellowship of Fire Chaplains.



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(c) The funds generated by this fee shall be subject to audit from either the Department of Examiners of Public Accounts or an independent certified public accountant once every three calendar years effective January 1, 2022.

(d) The firefighter distinctive license plates issued under this section shall be used only upon and for personally owned, private passenger vehicles, to include station wagons and pick-up trucks, registered in the name of the applicant and, when issued to the applicant, shall be used upon the vehicle for which it is issued in lieu of the standard license plate normally issued for the vehicle.

(e) Any individual who is proven to have falsely obtained or falsely certified an individual to obtain a firefighter distinctive license plate issued under this section shall be guilty of a Class C misdemeanor and, upon conviction, shall be punished according to law.

(f) The Department of Revenue may adopt any rules necessary to administer this section."

Section 2. Although this bill would have as its purpose or effect the requirement of a new or increased expenditure of local funds, the bill is excluded from further requirements and application under Section 111.05 of the Constitution of Alabama of 2022, because the bill defines a new crime or amends the definition of an existing crime.

Section 3. This act shall become effective on January 1, 2025.