

1 SB173
2 197856-7
3 By Senator Gudger
4 RFD: Governmental Affairs
5 First Read: 21-MAR-19

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To amend Section 32-6-67, Code of Alabama 1975, as
12 amended by Act 2018-190, 2018 Regular Session, relating to the
13 Legislative Oversight Committee and the distinctive tag
14 program; to clarify the prohibition of only private or
15 proprietary two-year colleges.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 32-6-67, Code of Alabama 1975, as
18 amended by Act 2018-190, 2018 Regular Session, is amended to
19 read as follows:

20 "§32-6-67.

21 "(a) There is created a legislative committee to
22 oversee the implementation and administration of this Article
23 2, except Subdivision 1 of Division 1. The committee shall be
24 composed of three members of the House of Representatives and
25 a county license plate issuing official, who shall be
26 appointed by and serve at the pleasure of the Speaker of the
27 House, and three members of the Senate and a county license

1 plate issuing official, who shall be appointed by and serve at
2 the pleasure of the Presiding Officer of the Senate. The
3 committee shall also be composed of the Secretary of the
4 Alabama State Law Enforcement Agency or his or her designee, a
5 probate judge who is a licensing plate official appointed by
6 the President of the Probate Judges Association, and a county
7 licensing plate official who shall be appointed by the Alabama
8 Association of Tax Administrators. The Department of Revenue
9 shall designate a representative, the Department of
10 Transportation shall designate a representative, and the
11 Department of Corrections shall designate a representative of
12 Alabama Correctional Industries as nonvoting and advisory
13 members to the committee. The chair, who shall be picked by
14 the members of the committee from the legislative members on
15 the committee, shall have the authority to call meetings of
16 the committee when he or she deems it necessary or as
17 otherwise provided in this section.

18 "(b) The committee shall:

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

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

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

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

4 "(c) Decisions of the committee concerning approval,
5 disapproval, or indefinite postponement of further action on a
6 proposed distinctive license plate shall be interpreted to be
7 the intent of the entire body of the Legislature, and
8 separate, specific action by the Legislature concerning a
9 distinctive license plate proposal shall not be considered.

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

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

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

16 "(3) Public schools K-12, ~~junior~~ and private or
17 proprietary two-year colleges, and private or proprietary
18 technical schools, exclusive of the Helping Schools Tag as
19 established in Sections 32-6-300 and 32-6-301.

20 "(4) Groups within high schools, junior colleges,
21 universities, and technical schools, such as band boosters,
22 athletic boosters, and the like.

23 "(5) Unions.

24 "(6) Political organizations.

25 "(7) Religious organizations.

26 "(8) Groups that promote racial or social
27 disharmony.

1 "(9) Public officials.

2 "(e) The committee may consider and approve an
3 application for a distinctive license plate for an
4 out-of-state college or university, upon submission of an
5 application pursuant to Section 32-6-64.

6 "(f) Upon the request of the chair, the Secretary of
7 the Senate and the Clerk of the House shall provide clerical
8 assistance necessary for the work of the committee.

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

18 Section 2. (a) The Department of Revenue shall
19 review all personalized license plates issued pursuant to
20 Chapter 6 of Title 32, Code of Alabama 1975, and Chapter 12 of
21 Title 40, Code of Alabama 1975, and shall determine whether a
22 requested license plate is issued or renewed in accordance
23 with rules adopted pursuant to Chapter 22 of Title 41, Code of
24 Alabama 1975.

25 (b) An appeal concerning the denial of the issuance
26 or renewal of a license plate shall be made with the circuit
27 court of the county where the motor vehicle is registered.

1 Section 3. 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.

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Senate

Read for the first time and referred to the Senate
committee on Governmental Affairs..... 21-MAR-19

Read for the second time and placed on the calen-
dar..... 16-APR-19

Read for the third time and passed as amended 30-APR-19

Yeas 31
Nays 0

Patrick Harris,
Secretary.