

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 355 Live the Dream License Plate
SPONSOR(S): Tourism, Infrastructure & Energy Subcommittee, Bush
TIED BILLS: IDEN./SIM. **BILLS:** SB 724

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Tourism, Infrastructure & Energy Subcommittee	16 Y, 0 N, As CS	Johnson	Keating
2) Commerce Committee			

SUMMARY ANALYSIS

Current law creates the Live the Dream license plate with an annual use fee of \$25. The proceeds from the sale of the Live the Dream license plate are distributed to the Dream Foundation, Inc., with 60 percent of those funds distributed to Florida members of the Sickle Cell Disease Association of America for programs that provide research, care, and treatment for sickle cell disease and 30 percent of those funds distributed to Chapman Partnership, Inc., for programs that provide relief from poverty, hunger, and homelessness. Up to five percent of the proceeds may be used for administrative costs and marketing the plate, and up to five percent may be distributed to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr.

The bill revises the authorized uses of the proceeds from the sale of the Live the Dream license plate, such that the funds distributed to the Dream Foundation, Inc., must be used as follows:

- Up to 10 percent may be used to promote and market the license plate and for costs directly associated with the administration of the foundation.
- At least 40 percent must be distributed to the Florida members of the Sickle Cell Disease Association of America, Inc., for programs that provide research, care, and treatment for sickle cell disease.
- At least 10 percent must be used for services provided directly by the foundation, which assist inmates released from a county jail or Department of Corrections (DOC) facility in successfully reentering the community.
- At least 15 percent must be distributed as grants for programs and services that assist inmates released from a county jail or DOC facility in successfully reentering the community.
- At least 20 percent must be distributed as scholarships for Florida high school seniors who have at least one parent or legal guardian incarcerated.

Up to 5 percent may be distributed by the Department of Highway Safety and Motor Vehicles to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr.

The bill removes the Chapman Partnership from the list of recipient organizations.

The bill does not appear to have a fiscal impact to state or local governments.

The bill has an effective date of October 1, 2022.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Live the Dream License Plate

Current law creates the Live the Dream license plate with an annual use fee of \$25.¹ The word “Florida” appears at the top of the plate, and the words “Live the Dream” appear at the bottom of the plate. An image of an American flag and Dr. Martin Luther King, Jr., appears at the center of the plate.²

The proceeds from the sale of the Live the Dream license plate are distributed to the Dream Foundation, Inc., to be used in the following manner:

- Up to five percent may be used to administer, promote, and market the license plate.
- At least 60 percent is distributed equally among the sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc., for programs that provide research, care, and treatment for sickle cell disease.
- At least 30 percent is distributed to Chapman Partnership, Inc.,³ for programs that provide relief from poverty, hunger, and homelessness.
- Up to five percent may be distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) on behalf of The Dream Foundation, Inc., to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr.⁴

In 2020, 5,292 Live the Dream license plates were sold.⁵

The distribution of proceeds from the sale of the Live the Dream license plate were last amended in 2020.⁶

The Dream Foundation, Inc.

Founded in 2001 around the creation of the Live The Dream license plate, the Dream Foundation, Inc., (foundation) is a statewide 501(c)(3) organization.⁷ The Dream Foundation, Inc., is listed as an active corporation with the Department of State.⁸

Effect of the Bill

The bill revises the authorized uses of proceeds from the sale of the Live the Dream license plate. The bill provides that the annual use fees distributed to the Dream Foundation, Inc. must be used in the following manner:

¹ The \$25 annual use fee is provided for in s. 320.08056(3)(d), F.S.

² A photo of the Live the Dream license plate is available at <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/> (last visited Oct. 20, 2021).

³ Based in Miami, Chapman Partnership’s mission is to provide comprehensive programs and services in collaboration with others that empower our residents with dignity and respect to overcome homelessness, and achieve and maintain long-term self-sufficiency. <https://chapmanpartnership.org/about/> (last visited Nov. 22, 2021).

⁴ S. 320.08058(47)(b), F.S.

⁵ DHSMV, *2020 Specialty License Plate Ranking*, https://www.flhsmv.gov/pdf/specialtyplates/license_plate_rankings.pdf (last visited Nov. 22, 2021).

⁶ Ch. 2020-181, Laws of Fla.

⁷ The Dream Foundation, *About Us*, <https://www.livethedreamfoundation.org/about-us.html> (last visited Oct. 20, 2021).

⁸ Department of State,

<https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=DREAMFOUNDATION%20N010000038910&aggregateId=domnp-n01000003891-2461ac21-eb6a-411a-b759-47d16568ca4b&searchTerm=Dream%20foundation&listNameOrder=DREAMFOUNDATION%20N010000038910> (last visited Oct. 22, 2021).

- Up to 10 percent may be used to promote and market the license plate and for costs directly associated with the administration of the foundation.
- At least 40 percent must be distributed equally among the sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc., for programs that provide research, care, and treatment for sickle cell disease.
- At least 10 percent must be used for programs and services provided directly by the foundation, which assists inmates released from the custody of a county jail in this state or a Department of Corrections (DOC) facility in successfully reentering the community.
- At least 15 percent must be distributed as grants for programs and services throughout Florida which assist inmates released from a county jail in the state or a DOC facility in successfully reentering the community.
- At least 20 percent must be distributed as scholarships to Florida high school seniors who have at least parent or legal guardian incarcerated, for the purposes of attending a state university, a Florida College System institution, a career center operated by a school district, or a charter technical career center. Fiscal oversight of the scholarship program must be performed by a certified public accounting firm.

Up to five percent may continue to be distributed by the Department of Highway Safety and Motor Vehicles on behalf of the Dream Foundation, Inc., to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr. This is the same as in current law.

The bill eliminates the distribution to the Chapman Partnership, Inc.

The bill has an effective date of October 1, 2022.

B. SECTION DIRECTORY:

Section 1 Amends s. 320.08058, F.S., relating to specialty license plates.

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc., will lose one-third of the proceeds they receive from the sale of the Live the Dream license plate.

Programs which help recently released inmates successfully reenter the community will see an increase in grant revenues.

Certain high school seniors will receive scholarships associated with funds distributed from the sale of the Live the Dream license plate.

The Chapman Partnership will lose all of the revenues it currently receives from the sale of the Live the Dream license plate.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

This bill does not require or authorize rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On December 2, 2021, the Tourism, Infrastructure & Energy Subcommittee adopted one amendment to the bill and reported the bill favorably as a committee substitute. The amendment:

- Clarified that up to 10 percent of the annual use fees from the license plate may be used for administrative costs of the Dream Foundation, Inc., and to market and promote the plate.
- Clarified that for purposes of grants for programs and services that assist former inmates, such inmates include persons released from a county jail or a Department of Corrections facility.
- Clarified that the scholarships funded by proceeds from the license plate are for students who have at least one parent or guardian that is incarcerated.
- Removed references to a scholarship committee.

This analysis is drafted to the committee substitute as approved by the Tourism, Infrastructure & Energy Subcommittee.