

## HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

**BILL #:** CS/CS/HB 403 Specialty License Plates

**SPONSOR(S):** Infrastructure Strategies Committee, Transportation & Modals Subcommittee, Chaney and others

**TIED BILLS:** IDEN./SIM. **BILLS:** CS/CS/SB 434

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**FINAL HOUSE FLOOR ACTION:** 108 Y's

6 N's

**GOVERNOR'S ACTION:** Approved

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### SUMMARY ANALYSIS

CS/CS/HB 403 passed the House on February 22, 2024, as amended, and subsequently passed the Senate on March 4, 2024. The bill includes portions of HB 105, CS/HB 121, HB 407, HB 645, HB 733, CS/HB 911, and CS/HB 1671.

Currently, there are 113 specialty license plates available for sale and an additional 30 in presale. Specialty license plates are available to the owner or lessee of any motor vehicle who is willing to pay an annual use fee, in addition to the required license tax and fees. The collected fees are distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) to statutorily-designated organizations in support of a particular cause or charity.

The bill:

- Exempts Florida collegiate license plates from the presale voucher requirement and the annual discontinuation process for specialty license plates;
- Allows discontinued collegiate license plates to be reauthorized by DHSMV;
- Revises the distribution of proceeds from the Live the Dream License Plate;
- Replaces the phrase "In God We Trust" with "Protect the Eagle" on the bottom of the American Eagle License Plate design;
- Expands eligibility for issuance of the Divine Nine license plates; and
- Renames the Give Kids The World License Plate to establish the Universal Orlando Resort License Plate.

The bill also creates the following new specialty license plates with an annual use fee of \$25:

- Margaritaville
- Clearwater Marine Aquarium
- General Aviation
- The Villages: May All Your Dreams Come True
- Cure Diabetes
- Recycle Florida
- Boating Capital of the World
- Project Addiction: Reversing the Stigma
- United Service Organizations (USO)

The bill will have an indeterminate fiscal impact on the state, local governments, and the private sector.

The bill was approved by the Governor on June 27, 2024, ch. 2024-270, L.O.F., and will become effective on October 1, 2024.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### **Background: Specialty License Plates Generally**

Currently, there are 113 specialty license plates available for sale and an additional 30 in presale.<sup>1</sup> Specialty license plates are available to the owner or lessee of any motor vehicle who is willing to pay an annual use fee, in addition to the required license tax and fees.<sup>2</sup> The annual use fees range from \$15 to \$25,<sup>3</sup> and are distributed directly to the sponsoring organization or other entity as designated in statute.<sup>4</sup>

In order to establish a specialty license plate, an organization must first receive approval by law. Once this approval has been granted, the organization has 60 days to submit the proposed art design for the specialty license plate to the Department of Highway Safety and Motor Vehicles (DHSMV).<sup>5</sup> Within 120 days of the specialty license plate becoming law, DHSMV must establish a method to issue presale vouchers for the specialty license plate. The applicant for a specialty license plate pays a \$5 processing fee<sup>6</sup>, a \$2.50 service charge, a \$.50 branch fee<sup>7</sup>, and the annual use fee.<sup>8</sup> All other applicable fees are paid at the time of issuance of the specialty license plate.<sup>9</sup>

After the presale vouchers are established, the organization has 24 months to obtain a minimum of 3,000 voucher sales before manufacturing of the plate can begin.<sup>10</sup> If the minimum sales requirement has not been met by the end of the 24-month presale period, the specialty license plate is deauthorized, and DHSMV must discontinue the development of the plate and issuance of the presale vouchers. Upon deauthorization of the license plate or if the plate has met the presale requirement but has not been issued, a purchaser of the license plate voucher may use the annual use fee paid as a credit towards any other specialty license plate or may apply for a refund.<sup>11</sup>

New specialty license plates that have been approved by law but are awaiting issuance will be issued in the order they appear in s. 320.08058, F.S., provided that they have met all statutory requirements, including the presale requirement. If the next listed specialty license plate has not met the presale requirement, DHSMV will proceed in the order provided in s. 320.08058, F.S., to identify the next qualified specialty license plate that has met the presale requirement. DHSMV must cycle through the list in statutory order.<sup>12</sup>

The number of specialty license plates issued cannot exceed 135. If the Legislature approves more than 135 specialty license plates, DHSMV cannot issue any new specialty license plates until a sufficient number of plates are discontinued in order to not exceed the limit.<sup>13</sup>

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<sup>1</sup> Email from Jonas Marquez, Director of Legislative Affairs, Department of Highway Safety and Motor Vehicles, Specialty License Plates Questions (Feb. 9, 2024).

<sup>2</sup> S. 320.08056(2)(a), F.S.

<sup>3</sup> Section 320.08056(3)(d), F.S., states that the annual use fee for any specialty license plate is \$25, except if otherwise specified in s. 320.08056(4), F.S.

<sup>4</sup> S. 320.08058, F.S.

<sup>5</sup> S. 320.08053(1), F.S.

<sup>6</sup> The processing fee is prescribed in s. 320.08056, F.S.

<sup>7</sup> The service charge and branch fee are prescribed in s. 320.04, F.S.

<sup>8</sup> The annual use fee is prescribed in s. 320.08056, F.S.

<sup>9</sup> S. 320.08053(2)(a), F.S.

<sup>10</sup> Chapter 2022-189, Laws of Fla., extended the presale requirement by an additional 24 months for an approved specialty license plate organization that, as of June 15, 2022, was in the presale period but had not recorded at least 3,000 voucher sales.

<sup>11</sup> S. 320.08053(2)(b), F.S.

<sup>12</sup> S. 320.08053(3)(a), F.S.

<sup>13</sup> S. 320.08053(3)(b), F.S.

DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty license plate registrants falls below 3,000 plates for 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 3,000. For out-of-state college or university plates, this number is 4,000.<sup>14</sup> This requirement does not apply to in-state collegiate license plates established under s. 320.08058(3), F.S., license plates of institutions in and entities of the State University System, specialty license plates that have statutory eligibility limitations for purchase, specialty license plates for which annual use fees are distributed by a foundation for student and teacher leadership programs and teacher recruitment and retention, or Florida professional sports team license plates established under s. 320.08058(9), F.S.<sup>15</sup>

DHSMV may discontinue the issuance of a specialty license plate and distribute associated annual use fee proceeds if the organization no longer exists, stops providing services that are authorized to be funded from the annual use fee proceeds, or pursuant to an organizational recipient's request.<sup>16</sup>

On January 1 of each year, DHSMV must discontinue the specialty license plate with the fewest number of plates in circulation, including specialty license plates exempt from the sales requirement. A warning letter is mailed to the organizations in the lowest ten percent of valid, active specialty license plate registrations as of December 1 of each year.<sup>17</sup>

The annual use fees collected by an organization and any interest earned from those fees may not be used for commercial or for-profit activities or for general or administrative expenses, unless authorized by s. 320.08058, F.S.<sup>18</sup> Further, the annual use fees and interest earned from those fees may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, an employee of a governmental agency that is responsible for the sale and distribution of specialty license plates, or any elected member or employee of the Legislature.<sup>19</sup>

Annual use fees collected by an organization and any interest earned from those fees may be expended only in Florida, unless the annual use fees are derived from the sale of United States Armed Forces or veterans-related specialty license plates.<sup>20</sup> Additionally, organizations receiving annual use fees must submit an annual audit or attestation document to DHSMV that proceeds were used in compliance with the applicable specialty license plate statutes.<sup>21</sup>

## Collegiate License Plates

### Current Situation

Each state and independent university in Florida has the ability to develop a collegiate license plate if authorized by an act of the Legislature. The specialty license plate fees collected must be used by the respective foundation for academic enhancement, including scholarships and private fundraising activities, in a plan approved by the Board of Governors of the State University System.<sup>22</sup> Currently, there are 41 specialty collegiate license plates in circulation.<sup>23</sup>

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<sup>14</sup> S. 320.08056(8)(a), F.S.

<sup>15</sup> *Id.*

<sup>16</sup> S. 320.08056(8)(b), F.S.

<sup>17</sup> S. 320.08056(8)(f), F.S.

<sup>18</sup> S. 320.08056(10)(a), F.S.

<sup>19</sup> S. 320.08056(11), F.S.

<sup>20</sup> S. 320.08056 (10)(a), F.S.

<sup>21</sup> S. 320.08062, F.S. Annual use fees may be used to pay for the cost of this required audit or report. See s. 320.08056(10)(a), F.S.

<sup>22</sup> S. 320.08058(3), F.S.

<sup>23</sup> Email from Jonas Marquez, *supra* note 1.

## Effect of the Bill

The bill:

- Exempts a collegiate license plate from being discontinued based on having the fewest number of plates in circulation.
- Exempts collegiate license plates from presale voucher requirements.
- Allows a previously discontinued collegiate license plate to be reauthorized by DHSMV if the university resubmits the collegiate license plate for authorization.

## **Live the Dream License Plate**

### Current Situation

In 2004, DHSMV was authorized to create the Live the Dream specialty license plate. The proceeds for the Live the Dream specialty license plate are currently distributed to the Dream Foundation, Inc., which is required to distribute the funds in the following manner:

- Up to 5 percent for administration and marketing (retained by the Dream Foundation, Inc.);
- At least 25 percent to various sickle cell-focused organizations;
- At least 22 percent to Chapman Partnership Inc., for social services programs;
- At least 20 percent in scholarship funding for students with an incarcerated parent/guardian;
- At least 15 percent to unnamed programs to assist former inmates reentering the community; and
- At least 8 percent to the Dream Foundation, Inc., to assist inmates reentering the community.<sup>24</sup>

Five percent of the proceeds are distributed by DHSMV to the Martin Luther King Center for Nonviolent Social Change as a royalty for the use of the image of Dr. Martin Luther King.<sup>25</sup>

On December 13, 2023, DHSMV issued a report which indicated that revenues associated with the Live The Dream specialty license plate were being withheld as a result of unresolved audit findings.<sup>26</sup> The report noted that the board of directors of the Dream Foundation, Inc., was non-operational, and, as of September 2023, the Dream Foundation, Inc., was listed as inactive with the Florida Division of Corporations.<sup>27</sup> As of December 6, 2023, DHSMV was withholding \$179,843, and there were 5,585 active Live The Dream specialty license plates.<sup>28</sup>

### Effect of the Bill

The bill revises the distribution of the proceeds for the Live the Dream specialty license plate by providing that all remaining annual proceeds, after the distribution of up to 5 percent to the Martin Luther King, Jr. Center for Nonviolent Social Change, will be deposited into the Operating Trust Fund within the Department of State instead of the Dream Foundation, Inc. Such funds must be used to support the Historic Cemeteries Program established in s. 267.21, F.S. The funds must be used to

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<sup>24</sup> S. 320.08058(47), F.S.

<sup>25</sup> *Id.*

<sup>26</sup> DHSMV, *Withheld Specialty License Plate Fund (Dec. 13, 2023)*, p. 2.

<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

research, identify, and record abandoned African-American cemeteries and provide grants to eligible entities.<sup>29</sup>

## **American Eagle License Plate**

### Current Situation

Florida law currently authorizes the development of an American Eagle License Plate.<sup>30</sup> The specialty plate is required to:

- Bear the colors and design approved by DHSMV; and
- Have the word “Florida” appear at the top of the plate and the words “In God We Trust” appear at the bottom of the plate.<sup>31</sup>

The annual use fees from the sale of the plate must be distributed to the American Eagle Foundation for deposit in the foundation’s national endowment fund. Up to 10 percent of the funds received may be used for administrative costs and marketing of the plate. The remainder of the proceeds may be used by the American Eagle Foundation to fund public education programs, rescue and care programs, and other conservation efforts in Florida that benefit bald eagles.<sup>32</sup>

The plate has sold 145 presale vouchers and must sell an additional 2,855 presale vouchers in order to be placed in production.<sup>33</sup>

### Effect of the Bill

The bill replaces the phrase “In God We Trust” with “Protect the Eagle” on the bottom of the American Eagle license plate design.

## **Divine Nine License Plate**

### Current Situation

In 2020, DHSMV was authorized to create the Divine Nine specialty license plates.<sup>34</sup> The Divine Nine specialty license plates consist of plates authorized for the nine-member organizations of the National Pan-Hellenic Council.<sup>35</sup> The nine member organizations are:

- Alpha Phi Alpha Fraternity;
- Alpha Kappa Alpha Sorority;
- Kappa Alpha Psi Fraternity;
- Omega Psi Phi Fraternity;
- Delta Sigma Theta Sorority;
- Phi Beta Sigma Fraternity;
- Zeta Phi Beta Sorority;
- Sigma Gamma Rho Sorority; and
- Iota Phi Theta Fraternity.

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<sup>29</sup> Section 267.21(2), F.S., provides that eligible entities include research institutions, colleges and universities, and qualified nonprofit organizations, for the purpose of conducting genealogical and historical research necessary to identify and contact the relatives and descendants of persons buried in abandoned African-American cemeteries; and local governments and qualified nonprofit organizations, for the purposes of repairing, restoring, and maintaining abandoned African-American cemeteries.

<sup>30</sup> S. 320.08058(95), F.S.

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> This data is as of January 29, 2024, which is the most recently available data on DHSMV’s website. DHSMV, *SPECIALTY LICENSE PLATES: Pre-Sale Data*, <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/pre-sale-data/> (last visited Mar. 4, 2024).

<sup>34</sup> Ch. 2020-181, Laws of Fla., creating s. 320.08058(101), F.S.

<sup>35</sup> The National Pan-Hellenic Council’s purpose is to foster cooperative actions of its members in dealing with matters of mutual concern and to promote the well-being of its fraternities and sororities. See National Pan-Hellenic Council, *About the NPHC*, <https://www.nphchq.com/about> (last visited Mar. 4, 2023).

Each organization's plate has a unique logo, graphic, or colors, as well as distribution specific to the individual organization.<sup>36</sup> However, plate sales are combined as one Divine Nine specialty license plate for the purpose of meeting the minimum license plate sales threshold and for determining the license plate limit.<sup>37</sup>

The plate has a \$25 annual use fee. The revenue generated through the sale of the plate is distributed to following recipient organizations: the United Negro College Fund, Inc., for college scholarships for Florida residents attending Florida's historically black colleges and universities; the Association to Preserve African American Society, History and Tradition, Inc.; and to the Divine Nine organizations as aforementioned to promote community awareness and action through educational, economic, and cultural service activities within the state.<sup>38</sup>

To be eligible for issuance of a Divine Nine specialty license plate, a person must be a Florida resident, be the registered owner of a motor vehicle, and be a member of the applicable organization.<sup>39</sup>

#### Effect of the Bill

The bill expands eligibility for issuance of the Divine Nine specialty license plates. The bill extends eligibility for such plates to an organization member's immediate relative and to motor vehicle lessees.

The bill defines "immediate relative" as a spouse, domestic partner, or child of a member. Proof of relationship will be established by providing a marriage license, domestic partnership agreement, birth certificate, or record of adoption. Motor vehicle lessees will be required to provide a lease agreement and the vehicle identification number for the motor vehicle that is being leased.

### **Universal Orlando Resort License Plate**

#### Current Situation

##### *Give Kids the World License Plate*

Florida law currently authorizes the development of a Give Kids The World license plate.<sup>40</sup> The specialty plate is required to:

- Bear the colors and design approved by DHSMV; and
- Have the word "Florida" appear at the top of the plate and the words "Give Kids The World" appear at the bottom of the plate.<sup>41</sup>

The annual use fees from the sale of the plate must be distributed to Give Kids The World, Inc., a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code. Up to 10 percent of the proceeds may be used for the promotion and marketing of the plate. The remainder of the proceeds may be used by Give Kids The World, Inc., to support their mission of providing week-long, cost-free vacations to children with critical illnesses and their families.<sup>42</sup>

The plate has sold 116 presale vouchers and must sell an additional 2,884 presale vouchers in order to be placed in production.<sup>43</sup>

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<sup>36</sup> S. 320.08058(101)(a) and (b), F.S.

<sup>37</sup> S. 320.08058(101), F.S.

<sup>38</sup> S. 320.08058(101)(b), F.S.

<sup>39</sup> S. 320.08058(101)(c), F.S.

<sup>40</sup> S. 320.08058(107), F.S.

<sup>41</sup> *Id.*

<sup>42</sup> *Id.*

<sup>43</sup> This data is as of January 29, 2024, which is the most recently available data on DHSMV's website. DHSMV, *SPECIALTY LICENSE PLATES: Pre-Sale Data*, <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/pre-sale-data/> (last visited Mar. 4, 2024).

## *Give Kids The World and Universal Orlando Resort Partnership*

Give Kids The World provides week-long, cost-free vacations to children with critical illnesses and their families. Since 1990, Universal Orlando Resort has assisted Give Kids The World, Inc. by:

- Providing free tickets, guest assistance passes, souvenirs, and costume characters;
- Creating and funding the Give Kids the World's Dinosaur-themed and fully interactive miniature golf course; and
- Providing their employees as volunteers.<sup>44</sup>

### Effect of the Bill

The bill renames the Give Kids The World license plate in order to establish the Universal Orlando Resort license plate and revises the design of such plate to replace the words "Give Kids The World" with the words "Universal Orlando Resort" at the bottom of the plate.

## **Margaritaville License Plate**

### Current Situation

SFC Charitable Foundation, Inc, also known as Singing for Change, was founded by Jimmy Buffett in 1995 and is a Florida not-for-profit corporation registered with the Florida Department of State (DOS).<sup>45</sup> According to the organization's website, Singing for Change supports small nonprofits by providing such entities with grants that aim to create positive social change within communities and help individuals become more self-sufficient. The organization focuses on low-income communities or people living in poverty.<sup>46</sup>

### Effect of the Bill

The bill creates the Margaritaville license plate, with an annual use fee of \$25.<sup>47</sup> The plate must bear DHSMV-approved colors and designs, with "Florida" appearing at the top of the plate and "Margaritaville" appearing at the bottom of the plate.

The annual use fees from the sale of the plate must be distributed to the SFC Charitable Foundation, Inc, also known as Singing for Change, which may use up to 10 percent of such fees for administrative costs and marketing of the plate. The balance of the fees must be used by SFC Charitable Foundation, Inc., and must be distributed with the approval of, and accountability to, the board of directors of the SFC Charitable Foundation, Inc., to:

- Provide grants to nonprofit organizations in communities impacted by natural and manmade disasters for recovery, rebuilding, and future sustainability; and
- Promote and inspire grassroots leadership that will work to improve the quality of life in those communities and others in this state.

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<sup>44</sup> Give Kids The World Village, *Universal Orlando Resort*, <https://www.gktw.org/help/bio/universal.php> (last visited Mar. 4, 2024).

<sup>45</sup> SFC Charitable Foundation, Inc., Articles of Incorporation, <https://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C1407%5C0118%5CAR014708.tif&documentNumber=N9400005329> (last visited Mar. 4, 2024).

<sup>46</sup> Singing For Change, Mission Statement, <https://www.singingforchange.org/mission-statement> (last visited Mar. 4, 2024).

<sup>47</sup> S. 320.08056(3)(d), F.S.

## Clearwater Marine Aquarium License Plate

### Current Situation

The Clearwater Marine Aquarium, Inc., a 501(c)(3) nonprofit corporation, is dedicated to marine mammal research and environmental conservation; marine life rescue, rehabilitation, and release; animal care; and environmental education.<sup>48</sup>

The aquarium is located in Clearwater, Florida and, according to the DOS, the Clearwater Aquarium, Inc., is an active Florida not-for-profit corporation that has been active since March 23, 1972.<sup>49</sup>

### Effect of the Bill

The bill creates the Clearwater Marine Aquarium license plate, with an annual use fee of \$25.<sup>50</sup> The plate must bear DHSMV-approved colors and designs, with “Florida” appearing at the top of the plate and “Clearwater Marine Aquarium” appearing at the bottom of the plate.

The annual use fees from the sale of the plate must be distributed to the Clearwater Marine Aquarium, Inc. Up to 10 percent of the fees from the sale of the plate may be used for the administration, promotion, and marketing of the plate. The aquarium must use the remainder of the fees to fund its efforts to rescue, rehabilitate, and release marine life; provide environmental education; conduct research; and promote conservation strategies.

## General Aviation License Plate

### Current Situation

The Aerospace Center for Excellence, a 501(c)(3) nonprofit corporation, is dedicated to providing the next generation with experiences and opportunities in aviation to help those pursuing a career in a Science, Technology, Engineering and Mathematics (STEM) field. The center offers a range of year-round educational programs for all ages, including summer camps and field trip opportunities.<sup>51</sup> The center also provides annual scholarships for students to pursue a private pilot certificate, advanced rating, industry certification, or college degree.<sup>52</sup>

The center is located in Polk County at the Lakeland Linder International Airport; and, according to the DOS, the Aerospace Center for Excellence is an active Florida not-for-profit corporation that has been active since November 1, 2000.<sup>53</sup>

### Effect of the Bill

The bill creates the General Aviation license plate, with an annual use fee of \$25.<sup>54</sup> The plate must bear DHSMV-approved colors and designs, with “Florida” appearing at the top of the plate and “Support General Aviation” appearing at the bottom of the plate.

The annual use fees from the sale of the plate must be distributed to the Aerospace Center for Excellence located in Lakeland, Florida. The Aerospace Center for Excellence may use up to 10 percent of such fees for administrative costs and marketing of the plate. The balance of the fees may be used by the Aerospace Center for Excellence to fund scholarships for students in this state who are pursuing careers in the field of aviation.

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<sup>48</sup> Clearwater Marine Aquarium, *What We Do*, <https://mission.cmaquarium.org/what-we-do/> (last visited Mar. 4, 2024).

<sup>49</sup> Clearwater Marine Aquarium, Inc., Articles of Incorporation, <https://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2014%5C0716%5C62340728.Tif&documentNumber=722979> (last visited Mar. 4, 2024).

<sup>50</sup> S. 320.08056(3)(d), F.S.

<sup>51</sup> Aerospace Center for Excellence, *About*, <https://aceedu.org/about/> (last visited Mar. 4, 2024).

<sup>52</sup> Aerospace Center for Excellence, *Scholarships*, <https://aceedu.org/scholarships/> (last visited Mar. 4, 2024).

<sup>53</sup> Aerospace Center for Excellence, Inc., Articles of Incorporation, <https://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2000%5C1103%5C70447177.tif&documentNumber=N00000007283> (last visited Mar. 4, 2024).

<sup>54</sup> S. 320.08056(3)(d), F.S.



## The Villages: May All Your Dreams Come True License Plate

### Current Situation

The Villages Charter School, Inc., is a Florida not-for-profit corporation registered with the DOS.<sup>55</sup> The Villages Charter School, Inc., has a contract with the Sumter County School Board and is dedicated to nurturing productive citizens and life-long learners through an integrated, relevant curriculum tailored to the individual needs of its students.<sup>56</sup> The Village Charter School offers K-12 curriculum at its six attendance centers.<sup>57</sup>

### Effect of the Bill

The bill creates The Villages: May All Your Dreams Come True license plate, with an annual use fee of \$25.<sup>58</sup> The plate must bear DHSMV-approved colors and designs, with “Florida” appearing at the top of the plate and “The Villages: May All Your Dreams Come True” appearing at the bottom of the plate.

The annual use fees from the sale of the plate must be distributed to The Villages Charter School, Inc. Up to 10 percent of the fees may be used for administrative costs and marketing of the plate. The remaining funds must be distributed with the approval of, and accountability to, the board of directors of The Villages Charter School, Inc., and must be used to provide support to The Villages Charter School as it provides K-12 education.

## Cure Diabetes License Plate

### Current Situation

*The Diabetes Research Institute Foundation, Inc.*

The Diabetes Research Institute Foundation, Inc., is a Florida not-for-profit corporation registered with the DOS<sup>59</sup> with a mission to provide the funding necessary to cure diabetes through research.<sup>60</sup> The Diabetes Research Institute is a designated Center of Excellence at the University of Miami Miller School of Medicine, providing informative education and training programs for many types of health care professionals and industry representatives.<sup>61</sup>

*JDRF International Incorporated*

JDRF International Incorporated is an international, non-profit organization registered with the DOS.<sup>62</sup> The foundation has a northern and southern Florida chapter. The local chapters serve as the hub of

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<sup>55</sup> The Villages Charter School, Inc., Articles of Incorporation, <https://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C1999%5C0908%5CH9022104.TIF&documentNumber=N99000005259> (last visited Mar. 4, 2024).

<sup>56</sup> The Villages Charter School, *Charter School in the Workplace*, <https://www.tvcs.org/centralOffice/charterInTheWorkplace/charterInTheWorkplace.asp> (last visited Mar. 4, 2024).

<sup>57</sup> The Villages Charter School, *Central Office*, <https://www.tvcs.org/centralOffice/centraloffice.asp> (last visited Mar. 4, 2024).

<sup>58</sup> S. 320.08056(3)(d), F.S.

<sup>59</sup> The Diabetes Research Institute Foundation, Inc., Articles of Incorporation, <https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=DIABETESRESEARCHINSTITUTEFOUND%207298461&aggregateId=domnp-729846-215a7797-ce70-42a0-821f-1c4bdfb16616&searchTerm=The%20Diabetes%20Research%20Institute%20Foundation&listNameOrder=DIABETESRESEARCHINSTITUTEFOUND%207298461> (last visited Mar. 4, 2024).

<sup>60</sup> Diabetes Research Institute Foundation, *About Us*, <https://diabetesresearch.org/about-dri-foundation/> (last visited Mar. 4, 2024).

<sup>61</sup> Diabetes Research Institute, *About Us*, <https://diabetesresearch.org/about-dri/> (last visited Mar. 4, 2024).

<sup>62</sup> JDRF International Incorporated, Articles of Incorporation, <https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=JDRFINTERNATIONALINCORPORATED%207298461&aggregateId=domnp-729846-215a7797-ce70-42a0-821f-1c4bdfb16616&searchTerm=JDRFINTERNATIONALINCORPORATED%207298461> (last visited Mar. 4, 2024).

foundation information and events held in the area.<sup>63</sup> JDRF International Incorporated is dedicated to raising funds to support and promote Type 1 diabetes research.<sup>64</sup>

### *The University of Florida (UF) Foundation, Inc.*

The UF Foundation, Inc., is a Florida not-for-profit registered with the DOS.<sup>65</sup> The UF Foundation, Inc., supports the UF Diabetes Institute, which was founded in 2015 and serves as the umbrella organization for diabetes research, treatment, and education coordinated at UF and UF Health. Researchers and physicians affiliated with the UF Diabetes Institute are working to prevent, diagnose, and treat diabetes in a wide array of areas, including immunology, genetics, endocrinology, metabolism, pediatrics, and social sciences.<sup>66</sup>

### Effect of the Bill

The bill creates the Cure Diabetes license plate, with an annual use fee of \$25.<sup>67</sup> The plate must bear DHSMV-approved colors and designs, with “Florida” appearing at the top of the plate and “Cure Diabetes” appearing at the bottom of the plate.

The annual use fees from the sale of the plate must be distributed equally to the following organizations:

- The Diabetes Research Foundation, which supports the Diabetes Research Institute at the University of Miami Miller School of Medicine;
- The JDRF International Incorporated, which supports the JDRF Northern Florida Chapter; and
- The UF Foundation, Inc., which supports the UF Diabetes Institute.

Each organization may use up to 10 percent of the proceeds received by the organization to promote and market the plate. All remaining proceeds must be used for the purpose of funding research to cure Type 1 diabetes.

## **Recycle Florida License Plate**

### Current Situation

Recycle Florida Today Foundation is a Florida not-for-profit corporation registered with the DOS.<sup>68</sup> The organization’s statement of purpose is “to serve and support the professional development and related educational objectives of source reduction and waste prevention, reuse, recycling, composting and

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<sup>63</sup> JDRF, *Northern Florida Chapter*, <https://www.jdrf.org/northernflorida/> (last visited Mar. 4, 2024). See also JDRF, *Southern Florida Chapter*, <https://www.jdrf.org/southernflorida/> (last visited Mar. 4, 2024).

<sup>64</sup> JDRF, *About JDRF*, [https://www.jdrf.org/about/?\\_ga=2.216079830.1597347397.1666008274-1688791745.1661161232](https://www.jdrf.org/about/?_ga=2.216079830.1597347397.1666008274-1688791745.1661161232) (last visited Mar. 4, 2024).

<sup>65</sup> University of Florida Foundation, Inc., Articles of Incorporation, <https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=UNIVERSITYFLORIDAFUNDATIONSUNBIZ%207066761&aggregateId=domnp-706676-0326352e-c135-4f57-9430-b6f7499776e3&searchTerm=The%20University%20of%20Florida%20Foundation%2C%20Inc&listNameOrder=UNIVERSITYFLORIDAFUNDATIONSUNBIZ%207066760> (last visited Mar. 4, 2024).

<sup>66</sup> University of Florida Diabetes Institute, *About the UF Diabetes Institute*, <https://diabetes.ufl.edu/about-us/> (last visited Mar. 4, 2024).

<sup>67</sup> S. 320.08056(3)(d), F.S.

<sup>68</sup> DOS, *Division of Corporations*, <https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=RECYCLEFLORIDATODAY%20N415170&aggregateId=domnp-n41517-79e1bdd2-b6c8-4a69-8d51-ae28e316089b&searchTerm=Recycle%20florida%20today%2C%20Inc&listNameOrder=RECYCLEFLORIDATODAY%20N415170> (last visited Mar. 4, 2024).

<sup>67</sup> S. 320.08056(3)(d), F.S.

<sup>68</sup> DOS, *Division of Corporations*, <https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=RECYCLEFLORIDATODAY%20N415170&aggregateId=domnp-n41517-79e1bdd2-b6c8-4a69-8d51-ae28e316089b&searchTerm=Recycle%20florida%20today%2C%20Inc&listNameOrder=RECYCLEFLORIDATODAY%20N415170> (last visited Mar. 4, 2024).

<sup>67</sup> S. 320.08056(3)(d), F.S.

<sup>68</sup> DOS, *Division of Corporations*, <https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=RECYCLEFLORIDATODAY%20N415170&aggregateId=domnp-n41517-79e1bdd2-b6c8-4a69-8d51-ae28e316089b&searchTerm=Recycle%20florida%20today%2C%20Inc&listNameOrder=RECYCLEFLORIDATODAY%20N415170> (last visited Mar. 4, 2024).

sustainability professionals through education, grants, research, and certifications.”<sup>69</sup> The organization was founded in 1990 and consists of a network of approximately 200 members from governments, businesses, institutions, and organizations focused on sustainable source and waste prevention and legislative advocacy for those engaged in the business of recycling.<sup>70</sup>

#### Effect of the Bill

The bill authorizes the Recycle Florida specialty license plate with an annual use fee of \$25.<sup>71</sup> The plate must bear DHSMV-approved colors and designs, with “Florida” appearing at the top of the plate and “Recycle Florida” appearing at the bottom of the plate. The annual use fees from the sale of the plate must be distributed to the Recycle Florida Today Foundation, Inc.

Recycle Florida Today Foundation, Inc., may use up to 10 percent of such fees for administrative costs and marketing of the plate. The balance of the annual use fees must be used to:

- Increase public awareness about the importance of recycling, resource conservation, and environmental stewardship;
- Promote robust, comprehensive, and sustainable recycling programs; and
- Support the professional development of persons employed in fields relating to recycling, conservation, and sustainability.

### **Boating Capital of the World License Plate**

#### Current Situation

Captain Sandy Yawn, Inc., also known as Captain Sandy’s Charities, is a Florida not-for-profit registered with the DOS.<sup>72</sup> The organization focuses on promoting awareness and funding of maritime employment opportunities, environmental education, behavioral health assistance, and developmental disability services.<sup>73</sup> The organization was founded in 2019 by Captain Sandy Yawn, a renowned superyacht captain with over 30 years of international maritime experience.<sup>74</sup>

#### Effect of the Bill

The bill authorizes the Boating Capital of the World specialty license plate with an annual use fee of \$25.<sup>75</sup> The plate must bear DHSMV-approved colors and designs, with “Florida” appearing at the top of the plate and “Boating Capital of the World” appearing at the bottom of the plate. The annual use fees from the sale of the plate must be distributed to Captain Sandy Yawn, Inc.

Captain Sandy Yawn, Inc., may use up to 10 percent of such fees for administrative costs and marketing of the plate. The balance of the annual use fees must be used to:

- Increase public awareness of employment opportunities in the maritime industry;
- Fund maritime workforce instruction and training;
- Promote professional development and job placement in all sectors of maritime employment; and
- Support the advancement of education of trainees in the maritime industry, both at sea and on land.

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<sup>69</sup> *Id.*

<sup>70</sup> Recycle Florida Today, *Our History*, <https://recyclefloridatoday.org/our-history/#:~:text=Founded%20in%201990%2C%20four%20women,formed%20Recycle%20Florida%20Today%2C%20Inc.> (last visited Mar. 4, 2024).

<sup>71</sup> S. 320.08056(3)(d), F.S.

<sup>72</sup> DOS, Division of Corporations, Articles of Incorporation, <https://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2019%5C0626%5C00195476.Tif&documentNumber=N19000006425> (last visited Mar. 4, 2024).

<sup>73</sup> Captain Sandy Yawn, *Donate to Captain Sandy’s Charities*, <https://captainsandyawn.com/charities/> (last visited Mar. 4, 2024).

<sup>74</sup> Captain Sandy Yawn, *About Captain Sandy Yawn*, <https://captainsandyawn.com/about/> (last visited Mar. 4, 2024).

<sup>75</sup> S. 320.08056(3)(d), F.S.

## Project Addiction: Reversing the Stigma License Plate

### Current Situation

Project Addiction: Reversing the Stigma, Inc., is a Florida not-for-profit corporation registered with the DOS.<sup>76</sup> According to the organization's website, Project Addiction: Reversing the Stigma, Inc., spreads awareness of the opioid overdose epidemic<sup>77</sup> and finds proactive ways to honor family members lost to substance use disorder (SUD) and mental illness. The mission of Project Addiction: Reversing the Stigma, Inc., is to empower the lives of those with SUD and mental illness through education, awareness, and support.<sup>78</sup>

### Effect of the Bill

The bill creates the Project Addiction: Reversing the Stigma License plate, with an annual use fee of \$25.<sup>79</sup> The plate must bear DHSMV-approved colors and designs, with "Florida" appearing at the top of the plate and "Overdose Awareness" appearing at the bottom of the plate.

The annual use fees from the sale of the plate must be distributed to Project Addiction: Reversing the Stigma, Inc. Up to 10 percent of such fees may be used for the promotion and marketing costs of the license plate. The remaining funds must be distributed with the approval of and accountability to the board of directors of Project Addiction: Reversing the Stigma, Inc., and must be used to promote and support awareness of and education about substance use disorder and mental illness.

## United Service Organizations (USO) License Plate

### Current Situation

United Service Organizations, Inc., is a foreign, non-profit organization registered with the DOS.<sup>80</sup> United Service Organizations, Inc., has ten locations in Florida<sup>81</sup> and serves men and women in the United States military and their families through its programs and services. Such programs include, but are not limited to, USO Reading Program<sup>82</sup> and USO Coffee Connections.<sup>83</sup> The overall focus of its programs is to keep service members connected to the people, places, and things they love.<sup>84</sup>

### Effect of the Bill

The bill creates the United Service Organizations (USO) license plate, with an annual use fee of \$25.<sup>85</sup> The plate must bear DHSMV-approved colors and designs, with "Florida" appearing at the top of the plate and the acronym "USO" appearing at the bottom of the plate.

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<sup>76</sup> Project Addiction: Reversing the Stigma, Inc., Articles of Incorporation, <https://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2021%5C1006%5C70462037.tif&documentNumber=N21000011775> (last visited Mar. 4, 2024).

<sup>77</sup> From 1999 to 2021, nearly 645,000 people in the United States died from an overdose involving any opioid, including prescription and illicit opioids. Centers for Disease Control and Prevention, *Understanding the Opioid Overdose Epidemic*, <https://www.cdc.gov/opioids/basics/epidemic.html> (last visited Mar. 4, 2024).

<sup>78</sup> Project Addiction: Reversing the Stigma, *About Us*, <https://reversingthestigma.com/> (last visited Mar. 4, 2024).

<sup>79</sup> S. 320.08056(3)(d), F.S.

<sup>80</sup> USO, Inc., *Authorization to Conduct Affairs in Florida*,

<https://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2006%5C1130%5C50247405.Tif&documentNumber=F06000007371> (last visited Mar. 4, 2024).

<sup>81</sup> USO Florida, *Volunteer*, <https://florida.uso.org/support/volunteer> (last visited Mar. 4, 2024).

<sup>82</sup> The USO helps service members read to their children from around the world. USO, *USO Reading Program*, <https://www.uso.org/programs/uso-reading-program> (last visited Mar. 4, 2024).

<sup>83</sup> The USO has supported military spouses for many years and, in 2016, launched a worldwide initiative focusing on programs to strengthen and empower military spouses by connecting them to others in their communities, simply over a cup of coffee. USO, *USO Coffee Connections*, <https://www.uso.org/programs/uso-coffee-connections> (last visited Mar. 4, 2024).

<sup>84</sup> USO, *Programs*, <https://www.uso.org/programs> (last visited Mar. 4, 2024).

<sup>85</sup> S. 320.08056(3)(d), F.S.

The annual use fees from the sale of the plate must be distributed to United Service Organizations, Inc., which may use up to 10 percent of the fees for administrative costs and marketing of the plate. The United Service Organizations, Inc., must distribute the remainder of the fees equally among its ten locations in Florida to be used to promote its mission of supporting members of the United States Armed Forces and their families through its various programs, services, and events.

### **Production of Specialty License Plates**

The new specialty license plates will be added to DHSMV's presale voucher process, but the plates will only be placed into production once each plate meets the 3,000 minimum sales threshold<sup>86</sup> and if the 135 plate cap has not been reached.<sup>87</sup>

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

To the extent that sales continue for the Live the Dream License Plate, the Historical Resources Operating Trust Fund within the DOS will see an increase of revenues for the purpose of supporting the Historic Cemeteries Program.

#### **2. Expenditures:**

DSHVM will need to update its procedures, forms, and website to incorporate the new license plates and the changes to the collegiate, Live the Dream, American Eagle, Divine Nine, and Give Kids The World specialty license plates. Additionally, programming will be required for DHSMV to accept presale vouchers for the new specialty license plates. According to DHSMV, a specialty license plate with one distribution will require approximately 216 hours of programming. This programming can be done using existing resources.<sup>88</sup>

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

#### **1. Revenues:**

The bill may have a positive impact on local governments who are eligible to receive funds under the Historic Cemeteries Program, to the extent that they receive any of the proceeds from the sale of the Live the Dream license plate.

#### **2. Expenditures:**

None.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

Once a specialty license plate goes into production, organizations authorized for a distribution from the proceeds of the sale of the respective license plate will benefit. Therefore, the following organizations may see an increase in revenues:

- Various in-state colleges and universities
- Eligible grant entities under the Historic Cemeteries Program
- The American Eagle Foundation

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<sup>86</sup> S. 320.08053(2)(b), F.S.

<sup>87</sup> S. 320.08053(3)(b), F.S.

<sup>88</sup> DHSMV, Agency Analysis of 2024 House Bill 403, p. 5-6. (Nov. 13, 2023).

- Nine Member Organizations of the National Pan-Hellenic Council (Divine Nine)
- United Negro College Fund, Inc.
- Association to Preserve African American Society, History, and Tradition, Inc.
- Give Kids The World, Inc.
- SFC Charitable Foundation, Inc.
- Clearwater Marine Aquarium, Inc.
- Aerospace Center for Excellence
- The Villages Charter School, Inc.
- The Diabetes Research Institute Foundation, Inc.
- JDRF International Incorporated
- The UF Foundation, Inc.
- Recycle Florida Today Foundation, Inc.
- Captain Sandy Yawn, Inc.
- Project Addiction: Reversing the Stigma, Inc.
- United Service Organizations, Inc.

D. FISCAL COMMENTS:

None.