

1 **AGRICULTURAL AND LEADERSHIP EDUCATION SUPPORT**

2 **SPECIAL GROUP LICENSE PLATE**

3 2017 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Norman K Thurston**

6 Senate Sponsor: _____

7

8 **LONG TITLE**

9 **General Description:**

10 This bill authorizes a Utah Intracurricular Student Organization Support for
11 Agricultural Education and Leadership support special group license plate.

12 **Highlighted Provisions:**

13 This bill:

14 ▶ creates a Utah Intracurricular Student Organization Support for Agricultural
15 Education and Leadership support special group license plate to help support
16 Utah-based chapters of certain student organizations that promote leadership and
17 career development through agricultural education;

18 ▶ requires applicants for the plate to make a \$25 annual donation to the Utah
19 Intracurricular Student Organization Support for Agricultural Education and
20 Leadership Restricted Account;

21 ▶ creates the Utah Intracurricular Student Organization Support for Agricultural
22 Education and Leadership Restricted Account;

23 ▶ requires the Department of Agriculture and Food to distribute funds in the Utah
24 Intracurricular Student Organization Support for Agricultural Education and
25 Leadership Restricted Account to certain statewide student organizations that
26 promote leadership and career development through agricultural education; and

27 ▶ makes technical changes.



28 **Money Appropriated in this Bill:**

29 None

30 **Other Special Clauses:**

31 None

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **41-1a-418**, as last amended by Laws of Utah 2016, Chapters 46, 52, 70, 71, and 102

35 **41-1a-422**, as last amended by Laws of Utah 2016, Chapters 46, 52, 70, and 71

36 **63J-1-602.1**, as last amended by Laws of Utah 2016, Chapters 46, 70, 71, and 202

37 ENACTS:

38 **4-42-101**, Utah Code Annotated 1953

39 **4-42-102**, Utah Code Annotated 1953



41 *Be it enacted by the Legislature of the state of Utah:*

42 Section 1. Section **4-42-101** is enacted to read:

43 **CHAPTER 42. UTAH INTRACURRICULAR STUDENT ORGANIZATION**
44 **SUPPORT FOR AGRICULTURAL EDUCATION AND**
45 **LEADERSHIP RESTRICTED ACCOUNT ACT**

46 **4-42-101. Title.**

47 This chapter is known as the "Utah Intracurricular Student Organization Support for
48 Agricultural Education and Leadership Restricted Account Act."

49 Section 2. Section **4-42-102** is enacted to read:

50 **4-42-102. Utah Intracurricular Student Organization Support for Agricultural**
51 **Education and Leadership Restricted Account.**

52 (1) There is created in the General Fund a restricted account known as the "Utah
53 Intracurricular Student Organization Support for Agricultural Education and Leadership
54 Restricted Account."

55 (2) The account shall be funded by:

56 (a) contributions deposited into the account in accordance with Section **41-1a-422**;

57 (b) private contributions; and

58 (c) donations or grants from public or private entities.

59 (3) Upon appropriation by the Legislature, the department shall distribute funds in the
60 account to one or more organizations that:

61 (a) are statewide agricultural education and leadership organizations; and

62 (b) promote leadership and career development through agricultural education.

63 (4) (a) An organization described in Subsection (3) may apply to the department to
64 receive a distribution in accordance with Subsection (3).

65 (b) An organization that receives a distribution from the department in accordance with
66 Subsection (3) shall expend the distribution only to:

67 (i) create or support programs that focus on issues described in Subsection (3);

68 (ii) create or sponsor programs that will benefit residents within the state; and

69 (iii) pay the costs of issuing or reordering Utah Intracurricular Student Organization
70 Support for Agricultural Education and Leadership special group license plate decals.

71 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
72 department may make rules providing procedures for an organization to apply to the
73 department to receive a distribution under this Subsection (4).

74 (5) In accordance with Section [63J-1-602.1](#), appropriations from the account are
75 nonlapsing.

76 Section 3. Section **41-1a-418** is amended to read:

77 **41-1a-418. Authorized special group license plates.**

78 (1) The division shall only issue special group license plates in accordance with this
79 section through Section [41-1a-422](#) to a person who is specified under this section within the
80 categories listed as follows:

81 (a) disability special group license plates issued in accordance with Section [41-1a-420](#);

82 (b) honor special group license plates, as in a war hero, which plates are issued for a:

83 (i) survivor of the Japanese attack on Pearl Harbor;

84 (ii) former prisoner of war;

85 (iii) recipient of a Purple Heart;

86 (iv) disabled veteran;

87 (v) recipient of a gold star award issued by the United States Secretary of Defense; or

88 (vi) recipient of a campaign or combat theater award determined by the Department of
89 Veterans' and Military Affairs;

90 (c) unique vehicle type special group license plates, as for historical, collectors value,
91 or other unique vehicle type, which plates are issued for:

92 (i) a special interest vehicle;

93 (ii) a vintage vehicle;

94 (iii) a farm truck; or

95 (iv) (A) until Subsection (1)(c)(iv)(B) or (4) applies, a vehicle powered by clean fuel as
96 defined in Section 59-13-102; or

97 (B) beginning on the effective date of rules made by the Department of Transportation
98 authorized under Subsection 41-6a-702(5)(b) and until Subsection (4) applies, a vehicle
99 powered by clean fuel that meets the standards established by the Department of Transportation
100 in rules authorized under Subsection 41-6a-702(5)(b);

101 (d) recognition special group license plates, which plates are issued for:

102 (i) a current member of the Legislature;

103 (ii) a current member of the United States Congress;

104 (iii) a current member of the National Guard;

105 (iv) a licensed amateur radio operator;

106 (v) a currently employed, volunteer, or retired firefighter until June 30, 2009;

107 (vi) an emergency medical technician;

108 (vii) a current member of a search and rescue team; or

109 (viii) a current honorary consulate designated by the United States Department of
110 State;

111 (e) support special group license plates, as for a contributor to an institution or cause,
112 which plates are issued for a contributor to:

113 (i) an institution's scholastic scholarship fund;

114 (ii) the Division of Wildlife Resources;

115 (iii) the Department of Veterans' and Military Affairs;

116 (iv) the Division of Parks and Recreation;

117 (v) the Department of Agriculture and Food;

118 (vi) the Guardian Ad Litem Services Account and the Children's Museum of Utah;

119 (vii) the Boy Scouts of America;

120 (viii) spay and neuter programs through No More Homeless Pets in Utah;

- 121 (ix) the Boys and Girls Clubs of America;
- 122 (x) Utah public education;
- 123 (xi) programs that provide support to organizations that create affordable housing for
124 those in severe need through the Division of Real Estate;
- 125 (xii) the Department of Public Safety;
- 126 (xiii) programs that support Zion National Park;
- 127 (xiv) beginning on July 1, 2009, programs that provide support to firefighter
128 organizations;
- 129 (xv) programs that promote bicycle operation and safety awareness;
- 130 (xvi) programs that conduct or support cancer research;
- 131 (xvii) programs that create or support autism awareness;
- 132 (xviii) programs that create or support humanitarian service and educational and
133 cultural exchanges;
- 134 (xix) programs that conduct or support prostate cancer awareness, screening, detection,
135 or prevention;
- 136 (xx) programs that support and promote adoptions;
- 137 (xxi) programs that create or support civil rights education and awareness;
- 138 (xxii) programs that support issues affecting women and children through an
139 organization affiliated with a national professional men's basketball organization;
- 140 (xxiii) programs that strengthen youth soccer, build communities, and promote
141 environmental sustainability through an organization affiliated with a professional men's soccer
142 organization;
- 143 (xxiv) programs that support children with heart disease;
- 144 (xxv) programs that support the operation and maintenance of the Utah Law
145 Enforcement Memorial; [~~or~~]
- 146 (xxvi) programs that provide assistance to children with cancer[-]; or
- 147 (xxvii) programs that promote leadership and career development through agricultural
148 education.
- 149 (2) (a) The division may not issue a new type of special group license plate or decal
150 unless the division receives:
- 151 (i) (A) a private donation for the start-up fee established under Section [63J-1-504](#) for

152 the production and administrative costs of providing the new special group license plates or
153 decals; or

154 (B) a legislative appropriation for the start-up fee provided under Subsection
155 (2)(a)(i)(A); and

156 (ii) beginning on January 1, 2012, and for the issuance of a support special group
157 license plate authorized in Section 41-1a-422, at least 500 completed applications for the new
158 type of support special group license plate or decal to be issued with all fees required under this
159 part for the support special group license plate or decal issuance paid by each applicant.

160 (b) (i) Beginning on January 1, 2012, each participating organization shall collect and
161 hold applications for support special group license plates or decals authorized in Section
162 41-1a-422 on or after January 1, 2012, until it has received at least 500 applications.

163 (ii) Once a participating organization has received at least 500 applications, it shall
164 submit the applications, along with the necessary fees, to the division for the division to begin
165 working on the design and issuance of the new type of support special group license plate or
166 decal to be issued.

167 (iii) Beginning on January 1, 2012, the division may not work on the issuance or design
168 of a new support special group license plate or decal authorized in Section 41-1a-422 until the
169 applications and fees required under this Subsection (2) have been received by the division.

170 (iv) The division shall begin issuance of a new support special group license plate or
171 decal authorized in Section 41-1a-422 on or after January 1, 2012, no later than six months
172 after receiving the applications and fees required under this Subsection (2).

173 (c) (i) Beginning on July 1, 2009, the division may not renew a motor vehicle
174 registration of a motor vehicle that has been issued a firefighter recognition special group
175 license plate unless the applicant is a contributor as defined in Subsection
176 41-1a-422(1)(a)(ii)(D) to the Firefighter Support Restricted Account.

177 (ii) A registered owner of a vehicle that has been issued a firefighter recognition
178 special group license plate prior to July 1, 2009, upon renewal of the owner's motor vehicle
179 registration shall:

180 (A) be a contributor to the Firefighter Support Restricted Account as required under
181 Subsection (2)(c)(i); or

182 (B) replace the firefighter recognition special group license plate with a new license

183 plate.

184 (3) Beginning on July 1, 2011, if a support special group license plate or decal type
185 authorized in Section [41-1a-422](#) and issued on or after January 1, 2012, has fewer than 500
186 license plates issued each year for a three consecutive year time period that begins on July 1,
187 the division may not issue that type of support special group license plate or decal to a new
188 applicant beginning on January 1 of the following calendar year after the three consecutive year
189 time period for which that type of support special group license plate or decal has fewer than
190 500 license plates issued each year.

191 (4) Beginning on July 1, 2011, the division may not issue to an applicant a unique
192 vehicle type license plate for a vehicle powered by clean fuel under Subsection (1)(c)(iv).

193 Section 4. Section [41-1a-422](#) is amended to read:

194 **41-1a-422. Support special group license plates -- Contributor -- Voluntary**
195 **contribution collection procedures.**

196 (1) As used in this section:

197 (a) (i) Except as provided in Subsection (1)(a)(ii), "contributor" means a person who
198 has donated or in whose name at least \$25 has been donated to:

199 (A) a scholastic scholarship fund of a single named institution;

200 (B) the Department of Veterans' and Military Affairs for veterans' programs;

201 (C) the Division of Wildlife Resources for the Wildlife Resources Account created in
202 Section [23-14-13](#), for conservation of wildlife and the enhancement, preservation, protection,
203 access, and management of wildlife habitat;

204 (D) the Department of Agriculture and Food for the benefit of conservation districts;

205 (E) the Division of Parks and Recreation for the benefit of snowmobile programs;

206 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with
207 the donation evenly divided between the two;

208 (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America
209 council as specified by the contributor;

210 (H) No More Homeless Pets in Utah for distribution to organizations or individuals
211 that provide spay and neuter programs that subsidize the sterilization of domestic animals;

212 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth
213 development programs;

- 214 (J) the Utah Association of Public School Foundations to support public education;
- 215 (K) the Utah Housing Opportunity Restricted Account created in Section [61-2-204](#) to
216 assist people who have severe housing needs;
- 217 (L) the Public Safety Honoring Heroes Restricted Account created in Section [53-1-118](#)
218 to support the families of fallen Utah Highway Patrol troopers and other Department of Public
219 Safety employees;
- 220 (M) the Division of Parks and Recreation for distribution to organizations that provide
221 support for Zion National Park;
- 222 (N) the Firefighter Support Restricted Account created in Section [53-7-109](#) to support
223 firefighter organizations;
- 224 (O) the Share the Road Bicycle Support Restricted Account created in Section
225 [72-2-127](#) to support bicycle operation and safety awareness programs;
- 226 (P) the Cancer Research Restricted Account created in Section [26-21a-302](#) to support
227 cancer research programs;
- 228 (Q) Autism Awareness Restricted Account created in Section [53A-1-304](#) to support
229 autism awareness programs;
- 230 (R) Humanitarian Service and Educational and Cultural Exchange Restricted Account
231 created in Section [9-17-102](#) to support humanitarian service and educational and cultural
232 programs;
- 233 (S) Prostate Cancer Support Restricted Account created in Section [26-21a-303](#) for
234 programs that conduct or support prostate cancer awareness, screening, detection, or
235 prevention;
- 236 (T) the Choose Life Adoption Support Restricted Account created in Section
237 [62A-4a-608](#) to support programs that promote adoption;
- 238 (U) the Martin Luther King, Jr. Civil Rights Support Restricted Account created in
239 Section [9-18-102](#);
- 240 (V) the National Professional Men's Basketball Team Support of Women and Children
241 Issues Restricted Account created in Section [62A-1-202](#);
- 242 (W) the Utah Law Enforcement Memorial Support Restricted Account created in
243 Section [53-1-120](#);
- 244 (X) the Children with Cancer Support Restricted Account created in Section

245 [26-21a-304](#) for programs that provide assistance to children with cancer;

246 (Y) the National Professional Men's Soccer Team Support of Building Communities
247 Restricted Account created in Section [9-19-102](#); [or]

248 (Z) the Children with Heart Disease Support Restricted Account created in Section
249 [26-58-102](#)[.]; or

250 (AA) the Utah Intracurricular Student Organization Support for Agricultural Education
251 and Leadership Restricted Account created in Section [4-42-102](#).

252 (ii) (A) For a veterans' special group license plate, "contributor" means a person who
253 has donated or in whose name at least a \$25 donation at the time of application and \$10 annual
254 donation thereafter has been made.

255 (B) For a Utah Housing Opportunity special group license plate, "contributor" means a
256 person who:

257 (I) has donated or in whose name at least \$30 has been donated at the time of
258 application and annually after the time of application; and

259 (II) is a member of a trade organization for real estate licensees that has more than
260 15,000 Utah members.

261 (C) For an Honoring Heroes special group license plate, "contributor" means a person
262 who has donated or in whose name at least \$35 has been donated at the time of application and
263 annually thereafter.

264 (D) For a firefighter support special group license plate, "contributor" means a person
265 who:

266 (I) has donated or in whose name at least \$15 has been donated at the time of
267 application and annually after the time of application; and

268 (II) is a currently employed, volunteer, or retired firefighter.

269 (E) For a cancer research special group license plate, "contributor" means a person who
270 has donated or in whose name at least \$35 has been donated at the time of application and
271 annually after the time of application.

272 (F) For a Martin Luther King, Jr. Civil Rights Support special group license plate,
273 "contributor" means a person who has donated or in whose name at least \$35 has been donated
274 at the time of application and annually thereafter.

275 (G) For a Utah Law Enforcement Memorial Support special group license plate,

276 "contributor" means a person who has donated or in whose name at least \$35 has been donated
277 at the time of application and annually thereafter.

278 (b) "Institution" means a state institution of higher education as defined under Section
279 53B-3-102 or a private institution of higher education in the state accredited by a regional or
280 national accrediting agency recognized by the United States Department of Education.

281 (2) (a) An applicant for original or renewal collegiate special group license plates under
282 Subsection (1)(a)(i) must be a contributor to the institution named in the application and
283 present the original contribution verification form under Subsection (2)(b) or make a
284 contribution to the division at the time of application under Subsection (3).

285 (b) An institution with a support special group license plate shall issue to a contributor
286 a verification form designed by the commission containing:

- 287 (i) the name of the contributor;
- 288 (ii) the institution to which a donation was made;
- 289 (iii) the date of the donation; and
- 290 (iv) an attestation that the donation was for a scholastic scholarship.

291 (c) The state auditor may audit each institution to verify that the money collected by the
292 institutions from contributors is used for scholastic scholarships.

293 (d) After an applicant has been issued collegiate license plates or renewal decals, the
294 commission shall charge the institution whose plate was issued, a fee determined in accordance
295 with Section 63J-1-504 for management and administrative expenses incurred in issuing and
296 renewing the collegiate license plates.

297 (e) If the contribution is made at the time of application, the contribution shall be
298 collected, treated, and deposited as provided under Subsection (3).

299 (3) (a) An applicant for original or renewal support special group license plates under
300 this section must be a contributor to the sponsoring organization associated with the license
301 plate.

302 (b) This contribution shall be:

- 303 (i) unless collected by the named institution under Subsection (2), collected by the
304 division;
- 305 (ii) considered a voluntary contribution for the funding of the activities specified under
306 this section and not a motor vehicle registration fee;

307 (iii) deposited into the appropriate account less actual administrative costs associated
308 with issuing the license plates; and

309 (iv) for a firefighter special group license plate, deposited into the appropriate account
310 less:

311 (A) the costs of reordering firefighter special group license plate decals; and

312 (B) the costs of replacing recognition special group license plates with new license
313 plates under Subsection [41-1a-1211](#)(13).

314 (c) The donation described in Subsection (1)(a) must be made in the 12 months prior to
315 registration or renewal of registration.

316 (d) The donation described in Subsection (1)(a) shall be a one-time donation made to
317 the division when issuing original:

318 (i) snowmobile license plates; or

319 (ii) conservation license plates.

320 (4) Veterans' license plates shall display one of the symbols representing the Army,
321 Navy, Air Force, Marines, Coast Guard, or American Legion.

322 Section 5. Section **63J-1-602.1** is amended to read:

323 **63J-1-602.1. List of nonlapsing accounts and funds -- General authority and Title**
324 **1 through Title 30.**

325 (1) Appropriations made to the Legislature and its committees.

326 (2) The Utah Intracurricular Student Organization Support for Agricultural Education
327 and Leadership Restricted Account created in Section [4-42-102](#).

328 [~~2~~] (3) The Percent-for-Art Program created in Section [9-6-404](#).

329 [~~3~~] (4) The Martin Luther King, Jr. Civil Rights Support Restricted Account created
330 in Section [9-18-102](#).

331 [~~4~~] (5) The National Professional Men's Soccer Team Support of Building
332 Communities Restricted Account created in Section [9-19-102](#).

333 [~~5~~] (6) The LeRay McAllister Critical Land Conservation Program created in Section
334 [11-38-301](#).

335 [~~6~~] (7) An appropriation made to the Division of Wildlife Resources for the appraisal
336 and purchase of lands under the Pelican Management Act, as provided in Section [23-21a-6](#).

337 [~~7~~] (8) Award money under the State Asset Forfeiture Grant Program, as provided

338 under Section [24-4-117](#).

339 ~~[(8)]~~ (9) Funds collected from the program fund for local health department expenses
340 incurred in responding to a local health emergency under Section [26-1-38](#).

341 ~~[(9)]~~ (10) Funds collected from the emergency medical services grant program, as
342 provided in Section [26-8a-207](#).

343 ~~[(10)]~~ (11) The primary care grant program created in Section [26-10b-102](#).

344 ~~[(11)]~~ (12) The Prostate Cancer Support Restricted Account created in Section
345 [26-21a-303](#).

346 ~~[(12)]~~ (13) The Children with Cancer Support Restricted Account created in Section
347 [26-21a-304](#).

348 ~~[(13)]~~ (14) State funds appropriated for matching federal funds in the Children's Health
349 Insurance Program as provided in Section [26-40-108](#).

350 ~~[(14)]~~ (15) The Utah Health Care Workforce Financial Assistance Program created in
351 Section [26-46-102](#).

352 ~~[(15)]~~ (16) The Rural Physician Loan Repayment Program created in Section
353 [26-46a-103](#).

354 ~~[(16)]~~ (17) The Opiate Overdose Outreach Pilot Program created in Section [26-55-107](#).

355 ~~[(17)]~~ (18) The Children with Heart Disease Support Restricted Account created in
356 Section [26-58-102](#).

Legislative Review Note
Office of Legislative Research and General Counsel