

The House Committee on Agriculture and Consumer Affairs offers the following substitute to HB 945:

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 4 of the Official Code of Georgia Annotated, relating to animals, so as to
2 provide for a dog and cat reproductive sterilization support program and related educational
3 activities; to provide for funds, rules, and reports related thereto; to amend Article 2 of
4 Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and
5 licensing of motor vehicles generally, so as to provide for special license plates promoting
6 such program and related activities; to provide for issuance, renewal, fees, licensing
7 agreements, applications, transfers, and disposition of funds relative to such license plates;
8 to provide an effective date; to provide for contingent repeal; to repeal conflicting laws; and
9 for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

11 Title 4 of the Official Code of Georgia Annotated, relating to animals, is amended by adding
12 at the end thereof a new Chapter 15 to read as follows:
13

"CHAPTER 15

14 4-15-1.

15 (a) The Commissioner shall establish a dog and cat reproductive sterilization support
16 program and educational activities in support thereof. The department shall utilize moneys
17 placed in a special fund for such program as derived from special license plate sales, any
18 funds appropriated to the department for such purposes, and any voluntary contributions
19 or other funds made available to the department for such purposes for the implementation,
20 operation, and support of such reproductive sterilization program. The Commissioner is
21 authorized to promulgate rules to direct and administer the dog and cat reproductive
22 sterilization support program and to carry out this Code section.

23 (b) The Commissioner shall submit a report to the Senate Agriculture Committee and the
24 House Committee on Agriculture and Consumer Affairs detailing the receipts of and
25

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1 expenditures from the dog and cat reproductive sterilization support program fund. Such
2 report shall be made not later than the last day of August each year."

3 **SECTION 2.**

4 Article 2 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
5 registration and licensing of motor vehicles generally, is amended by adding, following Code
6 Section 40-2-49.2, a new Code Section 40-2-49.3 to read as follows:

7 "40-2-49.3.

8 (a) In order to promote and financially provide for dog and cat reproductive sterilization
9 support programs and educational activities directly in support thereof, there shall be issued
10 beginning January 1, 2003, special license plates promoting the dog and cat reproductive
11 sterilization support program provided for in Code Section 4-15-1.

12 (b) The Department of Agriculture, in cooperation with the commissioner, shall design
13 special distinctive license plates appropriate to promote dog and cat reproductive
14 sterilization support programs. The dog and cat reproductive sterilization support program
15 license plates must be of the same size as general issue motor vehicle license plates and
16 shall include a unique design and identifying number, whereby the total number of
17 characters does not exceed six. No two recipients shall receive identically numbered plates.
18 Such design shall provide space in which to indicate the name of the county of issuance.

19 (c) Notwithstanding the provisions of subsection (b) of this Code section, this Code section
20 shall not be implemented until such time as the State of Georgia has, through a licensing
21 agreement or otherwise, received such licenses or other permissions as may be required to
22 implement this Code section. The design of the initial edition of the dog and cat
23 reproductive sterilization support program license plates, as well as the design of
24 subsequent editions and excepting only any part or parts of the designs owned by others
25 and licensed to the state, shall be owned solely by the State of Georgia for its exclusive use
26 and control, except as authorized by the Commissioner of Agriculture. The Commissioner
27 of Agriculture may take such steps as may be necessary to give notice of and protect such
28 right, including the copyright or copyrights. However, such steps shall be cumulative of
29 the ownership and exclusive use and control established by this subsection as a matter of
30 law, and no person shall reproduce or otherwise use such design or designs, except as
31 authorized by the Commissioner of Agriculture.

32 (d) Beginning in calendar year 2003, any Georgia resident who is the owner of a motor
33 vehicle, except a vehicle registered under the International Registration Plan, upon
34 complying with the motor vehicle laws relating to registration and licensing of motor
35 vehicles and upon the payment of a fee of \$25.00 in addition to the regular motor vehicle
36 registration fee, shall be issued a dog and cat reproductive sterilization support program

1 license plate. Revalidation decals shall be issued for dog and cat reproductive sterilization
2 support program license plates in the same manner as provided for general issue license
3 plates.

4 (e) The funds derived from the sale of dog and cat reproductive sterilization support
5 program license plates, less a \$1.00 processing fee which shall be granted to county tag
6 offices per plate sold and less the actual manufacturing cost of the plates shall be deposited
7 in the special fund for support of the dog and cat reproductive sterilization support program
8 created by Article III, Section IX, Paragraph VI(m) of the Constitution of the State of
9 Georgia. As soon as practicable after December 31 of each year, the commissioner shall
10 report the net amount derived from the sale of dog and cat reproductive sterilization
11 support program license plates to the Department of Agriculture.

12 (f) An applicant may request a dog and cat reproductive sterilization support program
13 license plate any time during the applicant's registration period. If such a license plate is
14 to replace a current valid license plate, the dog and cat reproductive sterilization support
15 program license plate shall be issued with appropriate decals attached.

16 (g) Dog and cat reproductive sterilization support program license plates shall be
17 transferred from one vehicle to another vehicle in accordance with the provisions of Code
18 Section 40-2-42.

19 (h) Dog and cat reproductive sterilization support program license plates shall be issued
20 within 30 days of application."

21 SECTION 3.

22 (a) This Act shall become effective on January 1, 2003, except as otherwise provided by
23 subsection (b) of this section.

24 (b) If an amendment to the Constitution of the State of Georgia authorizing the creation of
25 a special fund for support of the dog and cat reproductive sterilization support program is not
26 ratified at the general election in 2002, this Act shall be repealed in its entirety on January
27 1, 2003, and no such motor vehicle license plates shall be issued pursuant to this Act.

28 SECTION 4.

29 All laws and parts of laws in conflict with this Act are repealed.