

The Senate Finance and Public Utilities Committee offered 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 amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
9 relating to prestige license plates and special plates for certain persons and vehicles, so as to
10 change the minimum number of applications which are necessary for the issuance of special
11 license plates; to provide an effective date; to provide for contingent repeal; to repeal
12 conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

14 Title 4 of the Official Code of Georgia Annotated, relating to animals, is amended by adding
15 at the end thereof a new Chapter 15 to read as follows:
16

"CHAPTER 15

17 4-15-1.

18 (a) The Commissioner shall establish a dog and cat reproductive sterilization support
19 program and educational activities in support thereof. The department shall utilize moneys
20 placed in a special fund for such program as derived from special license plate sales, any
21 funds appropriated to the department for such purposes, and any voluntary contributions
22 or other funds made available to the department for such purposes for the implementation,
23 operation, and support of such reproductive sterilization program. The Commissioner is
24

1 authorized to promulgate rules to direct and administer the dog and cat reproductive
2 sterilization support program and to carry out this Code section.

3 (b) The Commissioner shall submit a report to the Senate Agriculture Committee and the
4 House Committee on Agriculture and Consumer Affairs detailing the receipts of and
5 expenditures from the dog and cat reproductive sterilization support program fund. Such
6 report shall be made not later than the last day of August each year."

7 SECTION 2.

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

11 "40-2-49.3.

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

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

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

1 (d) Beginning in calendar year 2003, any Georgia resident who is the owner of a motor
 2 vehicle, except a vehicle registered under the International Registration Plan, upon
 3 complying with the motor vehicle laws relating to registration and licensing of motor
 4 vehicles and upon the payment of a fee of \$25.00 in addition to the regular motor vehicle
 5 registration fee, shall be issued a dog and cat reproductive sterilization support program
 6 license plate. Revalidation decals shall be issued for dog and cat reproductive sterilization
 7 support program license plates in the same manner as provided for general issue license
 8 plates.

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

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

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

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

26 SECTION 3.

27 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
 28 prestige license plates and special plates for certain persons and vehicles, is amended by
 29 striking subsection (b) of Code Section 40-2-60.1, relating to the administrative process for
 30 issuance of additional special license plates, and inserting in its place the following:

31 "(b) The commissioner is authorized to adopt rules and regulations for the issuance of
 32 special license plates for groups of individuals and vehicles. Such rules and regulations
 33 shall provide that no such special license plate shall be issued except upon the application
 34 of at least ~~500~~ 1,000 persons. The rules and regulations shall provide for the manner of
 35 such applications. The rules and regulations shall provide that upon receipt of the
 36 requisite number of applications, a special license plate may be issued as provided in this

1 Code section. The rules and regulations may provide for exceptions whereby a special
2 plate will not be issued if the issuance of the plate would adversely affect public safety.
3 The rules and regulations shall provide for the design and manufacture of such special
4 license plates and shall provide that such plates shall be readily recognizable as Georgia
5 license plates through the adoption of a standard design containing a smaller space for the
6 insertion of an appropriate logo or graphic identifying the special nature of the license
7 plate. Subject to the foregoing provisions of this subsection, the design of each special
8 license plate shall be in the discretion of the commissioner."

9 **SECTION 4.**

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

12 (b) If an amendment to the Constitution of the State of Georgia authorizing the creation of
13 a special fund for support of the dog and cat reproductive sterilization support program is not
14 ratified at the general election in 2002, Sections 1 and 2 of this Act shall be repealed in their
15 entirety on January 1, 2003, and no such motor vehicle license plates as contemplated in
16 Sections 1 and 2 of this Act shall be issued pursuant to this Act.

17 **SECTION 5.**

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