

House Bill 945

By: Representative James of the 140th

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 the establishment of a dog and cat sterilization support program and educational
3 activities; to provide for funds; to provide for rules; to provide for reports; to amend Article
4 2 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration
5 and licensing of motor vehicles generally, so as to authorize the issuance of license plates
6 promoting the dog and cat sterilization support program and related educational activities of
7 the Department of Agriculture; to provide procedures for acquiring such license plates; to
8 provide for licensing agreements; to provide for the cost of such license plates; to provide
9 for the transfer of such license plates; to provide for subsequent editions; to provide for the
10 disposition of the funds derived from the sale of the special license plates; to provide for
11 effective dates and automatic repeal; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **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 sterilization support program and
19 educational activities in support thereof. The department shall utilize funds placed in the
20 special fund for support of the dog and cat sterilization support program, any funds
21 appropriated to the department for such purposes, and any voluntary contributions made
22 to the department and designated by the donor as being for the support of such program and
23 activities solely for the implementation, operation, and support of such programs and for
24 sterilization programs authorized under this chapter. The Commissioner is authorized to

1 promulgate rules to direct and administer the dog and cat sterilization support program and
2 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 receipt and
5 expenditure of all appropriated funds and all funds received from the sale of dog and cat
6 sterilization support license plates as provided by Code Section 40-2-49.2. Such report
7 shall be made not later than the last day of August each year."

8 **SECTION 2.**

9 Article 2 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
10 registration and licensing of motor vehicles generally, is amended by adding, following Code
11 Section 40-2-49.1, a new Code Section 40-2-49.2 to read as follows:

12 "40-2-49.2.

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

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

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

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

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

(f) An applicant may request a dog and cat sterilization support license plate any time during the applicant's registration period. If such a license plate is to replace a current valid license plate, the Department of Revenue shall issue the dog and cat sterilization support license plate with appropriate decals attached. When an applicant requests a dog and cat sterilization support license plate at the beginning of the registration period, the applicant shall pay the tax together with all applicable fees.

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

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

SECTION 3.

(a) This Act shall become effective on July 1, 2002, for the purpose of designing and manufacturing dog and cat sterilization support license plates and for the adoption of rules and regulations necessary to carry out this Act and shall become effective for all purposes on January 1, 2003.

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

SECTION 4.

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