

House Bill 1041

By: Representative Rogers of the 15<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,  
2 relating to prestige license plates and special plates for certain persons and vehicles; so as to  
3 provide for a special and distinctive license plate honoring the Masons; to provide that  
4 revenue derived from the sale of such license plates shall be donated to charities'  
5 foundations; to provide for issuance, renewal, fees, licensing agreements, applications,  
6 transfers, and disposition of funds relative to such license plates; to provide for related  
7 matters; to provide an effective date; to provide for contingent repeal; to repeal conflicting  
8 laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 style="text-align:center">**SECTION 1.**

11 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to  
12 prestige license plates and special plates for certain persons and vehicles, is amended by  
13 adding a new Code Section 40-2-86.9 to read as follows:

14 "40-2-86.9.

15 (a) There shall be issued beginning January 1, 2005, special license plates promoting the  
16 Masons, and the funds derived from the sale of the license plates shall be donated to  
17 charities' foundations as provided by Article III, Section IX, Paragraph VI(n) of the  
18 Constitution.

19 (b) The Masons, in cooperation with the commissioner, shall design special distinctive  
20 license plates appropriate to promote the organization. The license plates must be of the  
21 same size as general issue motor vehicle license plates and shall include an identifying  
22 number, whereby the total number of characters does not exceed six. The design of such  
23 plate shall be similar in design to the license plate issued to all other residents of the state  
24 except that the Masonic square and compass shall be placed immediately to the left of the  
25 letters and numbers on the license plate and the founding date of the Grand Lodge,  
26 'December 16, 1786', shall be placed immediately underneath the design in small lettering.

1 No two recipients shall receive identically numbered plates. The license plate shall contain  
2 the words 'Georgia Free and Accepted Mason' in blue lettering in the space where the name  
3 of the county of issuance would otherwise be placed.

4 (c) Notwithstanding the provisions of subsection (b) of this Code section, this Code section  
5 shall not be implemented until such time as the State of Georgia has, through a licensing  
6 agreement or otherwise, received such licenses or other permissions as may be required to  
7 implement this Code section. The design of the initial edition of the Masons license plates,  
8 as well as the design of subsequent editions and excepting only any part or parts of the  
9 designs owned by others and licensed to the state, shall be owned solely by the State of  
10 Georgia for its exclusive use and control, except as authorized by the commissioner. The  
11 commissioner may take such steps as may be necessary to give notice of and protect such  
12 right, including the copyright or copyrights. However, such steps shall be cumulative of  
13 the ownership and exclusive use and control established by this subsection as a matter of  
14 law, and no person shall reproduce or otherwise use such design or designs, except as  
15 authorized by the commissioner.

16 (d) Beginning in calendar year 2005, any Georgia resident who is a member of the Masons  
17 organization and who presents to the department a valid Masons membership card and who  
18 is the owner of a motor vehicle, except a vehicle registered under the International  
19 Registration Plan, upon complying with the motor vehicle laws relating to registration and  
20 licensing of motor vehicles and upon the payment of a fee of \$25.00 in addition to the  
21 regular motor vehicle registration fee, shall be issued a Masons license plate. Revalidation  
22 decals shall be issued for such license plates in the same manner as provided for general  
23 issue license plates.

24 (e) The funds derived from the sale of Masons license plates, less a \$1.00 processing fee  
25 which shall be granted to county tag offices per plate sold and less the actual manufacturing  
26 cost of the plate, shall be donated to charities' foundations as provided by Article III,  
27 Section IX, Paragraph VI(n) of the Constitution.

28 (e) An applicant who is a member of the Masons organization and who presents to the  
29 department a valid Masons membership card may request a Masons license plate any time  
30 during the applicant's registration period. If such a license plate is to replace a current  
31 valid license plate, the Masons license plate shall be issued with appropriate decals  
32 attached.

33 (f) Masons license plates shall be transferred from one vehicle to another vehicle in  
34 accordance with the provisions of Code Section 40-2-42.

35 (g) Masons license plates shall be issued within 30 days of application."

1 **SECTION 2.**

2 (a) This Act shall become effective on January 1, 2005, except as otherwise provided by  
3 subsection (b) of this section.

4 (b) If an amendment to the Constitution of the State of Georgia authorizing the donation of  
5 revenue derived from sales of Masons license plates to charities' foundations is not ratified  
6 at the general election in 2004, this Act shall not become effective and shall be repealed in  
7 its entirety on January 1, 2005.

8 **SECTION 3.**

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