

ADOPTED

1 Senators Smith of the 52nd, Seabaugh of the 28th, Unterman of the 45th, Hamrick of the
2 30th, Stephens of the 51st and others offered the following amendment:

3 Amend HB 1253 by striking lines 1 through 5 on page 1 and inserting in their places the
4 following:

5 "To amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to
6 registration and licensing of motor vehicles, so as to provide for display of Medal of Honor
7 special license plates by surviving spouses; to provide for special license plates bearing the
8 Choose Life logo and promoting crisis pregnancy centers and nonprofit adoption agencies;
9 to provide for related matters; to repeal conflicting laws; and for other purposes."

10 By striking lines 8 through 10 of page 1 and inserting in their places the following:

11 "Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and
12 licensing of motor vehicles, is amended by striking Code Section 40-2-68, relating to special
13 license plates for Medal of Honor winners, and inserting in its place the following:"

14 By adding after line 19 of page 1 the following:

15 **"SECTION 2.**

16 Said chapter is further amended by adding a new Code Section 40-2-86.9 to read as follows:
17 '40-2-86.9.

18 (a) In order to promote crisis pregnancy centers and nonprofit adoption agencies and
19 activities directly in support thereof, there shall be issued beginning January 1, 2005,
20 special license plates bearing the Choose Life logo, subject to the conditions set forth in
21 this Code section.

22 (b) The commissioner shall design special distinctive license plates bearing the Choose
23 Life logo. The license plates shall be of the same size as general issue motor vehicle
24 license plates and shall include a unique design and identifying number, whereby the total
25 number of characters does not exceed six. No two recipients shall receive identically
26 numbered plates. The graphic on the special license plate shall be placed to the left of the
27 alphanumeric characters and shall be no larger than three inches by three inches. Such
28 design shall not provide space in which to indicate the name of the county of issuance. An
29 organization may request the assignment of the first 100 in a series of license plates upon
30 payment of an additional initial registration fee of \$25.00 for each license plate requested.

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

13 (d) Beginning in calendar year 2005, any Georgia resident who is the owner of a motor
14 vehicle, except a vehicle registered under the International Registration Plan, upon
15 complying with the motor vehicle laws relating to registration and licensing of motor
16 vehicles and upon the payment of a manufacturing fee of \$25.00 in addition to the regular
17 motor vehicle registration fee shall be issued a license plate bearing the Choose Life logo.
18 Revalidation decals shall be issued for such license plates in the same manner as provided
19 for general issue license plates.

20 (e)(1) From the additional \$25.00 fee charged for the issuance and renewal of the license
21 plates authorized under this Code section, \$2.00 shall be used by the department for
22 manufacturing and purchase costs, \$13.00 shall be paid to the general fund of the state
23 treasury, and \$10.00 shall be exclusively dedicated for the purpose of assisting crisis
24 pregnancy centers and nonprofit adoption agencies, which centers and agencies do not
25 refer women for pregnancy termination, pursuant to Article III, Section IX, Paragraph
26 VI(n) of the Constitution. Such dedicated funds shall be appropriated for such purpose
27 to the Department of Human Resources or such other public agency as may be specified
28 in the general or amended general appropriations Act. The agency or organization
29 ultimately making use of such funds shall periodically provide to the commissioner an
30 audit of the use of the funds or other evidence of use of the funds satisfactory to the
31 commissioner. Any audit performed under Chapter 6 of Title 50 shall meet this auditing
32 requirement. If an audit demonstrates that the funds are not being used for the purposes
33 set forth in this Code section or if the required audit or evidence is not provided to the
34 commissioner, then the commissioner shall so notify the House and Senate
35 Appropriations Committees. Any funds appropriated pursuant to this Code section shall
36 not lapse.

1 (2) Subject to the general appropriations process, it is the intent of the General Assembly
2 in the enactment of this Code section that the funds dedicated by this subsection be made
3 available for the ultimate use of a nonprofit organization. Subject to the general
4 appropriations process and the audit requirements of this Code section, it is contemplated
5 that such dedicated funds will be for the ultimate use of crisis pregnancy centers and
6 nonprofit adoption agencies, which centers and agencies do not refer women for
7 pregnancy termination, if the General Assembly finds that the license plate program and
8 appropriation authorized by this Code section will benefit both the state and the nonprofit
9 organization having the ultimate use of the dedicated funds.

10 (f) An applicant may request a Choose Life license plate any time during the applicant's
11 registration period. If such a license plate is to replace a current valid license plate, the
12 Choose Life license plate shall be issued with appropriate decals attached.

13 (g) No special license plate authorized pursuant to this Code section shall be issued except
14 upon the application of at least 1,000 applications. The special license plate shall have an
15 application period of two years after January 1, 2005, for payment of the manufacturing
16 fee. After such time if the minimum number of applications is not met, the department
17 shall not continue to accept the manufacturing fee, and all fees shall be refunded to
18 applicants.

19 (h) The department shall not be required to continue to manufacture the special license
20 plate if the number of active registrations falls below 500 registrations at any time during
21 the five-year period as provided in subsection (b) of Code Section 40-2-31. A current
22 registrant may continue to renew such special license plate during his or her annual
23 registration period upon payment of an additional \$25.00 annual special tag fee, which fee
24 shall be collected by the county tag agent at the time of collection of other registration fees
25 and shall be remitted to the state as provided in Code Section 40-2-34. The department
26 may continue to issue such special license plates that it has in its inventory to assist in
27 achieving the minimum number of registrations. If the special license plate falls below 500
28 active registrations at any time during the five-year period as provided in subsection (b) of
29 Code Section 40-2-31, manufacture of the license plates shall not be continued until the
30 commissioner receives 1,000 applications.

31 (i) Choose Life license plates shall be transferred from one vehicle to another vehicle in
32 accordance with the provisions of Code Section 40-2-80.

33 (j) Choose Life license plates shall be issued within 30 days of application once the
34 requirements of this Code section have been met."

35 By redesignating Section 2 as Section 3.