

**ADOPTED**

1 SENATE AMENDMENT TO HB 1253:

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

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

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

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

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

14 **"SECTION 2.**

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

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

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

30 (c) Notwithstanding the provisions of subsection (b) of this Code section, this Code section  
31 shall not be implemented until such time as the State of Georgia has, through a licensing  
32 agreement or otherwise, received any licenses or other permissions that may be required

1 to implement this Code section. The design of the initial edition of the license plates, as  
2 well as the design of subsequent editions and excepting only any part or parts of the  
3 designs owned by others and licensed to the state, shall be owned solely by the State of  
4 Georgia for its exclusive use and control, except as authorized by the commissioner. The  
5 commissioner may take such steps as may be necessary to give notice of and protect such  
6 right, including the copyright or copyrights. However, such steps shall be cumulative of  
7 the ownership and exclusive use and control established by this subsection as a matter of  
8 law, and no person shall reproduce or otherwise use such design or designs, except as  
9 authorized by the commissioner.

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

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

32 (2) Subject to the general appropriations process, it is the intent of the General Assembly  
33 in the enactment of this Code section that the funds dedicated by this subsection be made  
34 available for the ultimate use of a nonprofit organization. Subject to the general  
35 appropriations process and the audit requirements of this Code section, it is contemplated  
36 that such dedicated funds will be for the ultimate use of crisis pregnancy centers and  
37 nonprofit adoption agencies, which centers and agencies do not refer women for

1 pregnancy termination, if the General Assembly finds that the license plate program and  
2 appropriation authorized by this Code section will benefit both the state and the nonprofit  
3 organization having the ultimate use of the dedicated funds.

4 (f) An applicant may request a Adopt A Child license plate any time during the applicant's  
5 registration period. If such a license plate is to replace a current valid license plate, the  
6 Adopt A Child license plate shall be issued with appropriate decals attached.

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

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

25 (i) Adopt A Child license plates shall be transferred from one vehicle to another vehicle  
26 in accordance with the provisions of Code Section 40-2-80.

27 (j) Adopt A Child license plates shall be issued within 30 days of application once the  
28 requirements of this Code section have been met."

29 By redesignating Section 2 as Section 3.