

WITHDRAWN

1 Senators Thomas of the 2nd and Levetan of the 40th offered the following amendment:

2 Amend HB 1253 by striking lines 1 through 5 of 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 promoting
7 Girl Scouts, U.S.A; to provide for issuance, renewal, fees, licensing agreements,
8 applications, transfers, and disposition of funds relative to such license plates; to provide
9 for related matters; to provide for a contingent effective date; to provide for automatic
10 repeal under certain circumstances; to repeal conflicting laws; and for other purposes."

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

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

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

16 **"SECTION 2.**

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

18 '40-2-86.9.

19 (a) In order to promote youth organizations that promote character development and
20 leadership training and activities directly in support thereof, there shall be issued beginning
21 January 1, 2005, special license plates promoting the Girl Scouts U.S.A., subject to the
22 conditions set forth in this Code section.

23 (b) The commissioner shall design special distinctive license plates appropriate to promote
24 the Girl Scouts U.S.A. The license plates shall be of the same size as general issue motor
25 vehicle license plates and shall include a unique design and identifying number, whereby
26 the total number of characters does not exceed six. No two recipients shall receive
27 identically numbered plates. The graphic on the special license plate shall be placed to the
28 left of the alphanumeric characters and shall be no larger than three inches by three inches.
29 The Girl Scouts U.S.A. may request the assignment of the first 100 in a series of license
30 plates upon payment of an additional initial registration fee of \$25.00 for each license plate
31 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 promoting the Girl Scouts
18 U.S.A. Revalidation decals shall be issued for such license plates in the same manner as
19 provided 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 youth
24 organizations that promote character development and leadership training, pursuant to
25 Article III, Section IX, Paragraph VI(n) of the Constitution. Such dedicated funds shall
26 be appropriated for such purpose to the Department of Community Affairs or such other
27 public agency as may be specified in the general or amended general appropriations Act.
28 The agency or organization ultimately making use of such funds shall periodically
29 provide to the commissioner an audit of the use of the funds or other evidence of use of
30 the funds satisfactory to the commissioner. Any audit performed under Chapter 6 of Title
31 50 shall meet this auditing requirement. If an audit demonstrates that the funds are not
32 being used for the purposes set forth in this Code section or if the required audit or
33 evidence is not provided to the commissioner, then the commissioner shall so notify the
34 House and Senate Appropriations Committees. Any funds appropriated pursuant to this
35 Code section shall not lapse.

36 (2) Subject to the general appropriations process, it is the intent of the General Assembly
37 in the enactment of this Code section that the funds dedicated by this subsection be made

1 available for the ultimate use of a nonprofit organization. Subject to the general
2 appropriations process and the audit requirements of this Code section, it is contemplated
3 that such dedicated funds will be for the ultimate use of the Girl Scouts U.S.A., if the
4 General Assembly finds that the license plate program and appropriation authorized by
5 this Code section will benefit both the state and the nonprofit organization having the
6 ultimate use of the dedicated funds.

7 (f) An applicant may request a Girl Scouts U.S.A. license plate any time during the
8 applicant's registration period. If such a license plate is to replace a current valid license
9 plate, the Girl Scouts U.S.A. license plate shall be issued with appropriate decals attached.

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

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

28 (i) Girl Scouts U.S.A. license plates shall be transferred from one vehicle to another
29 vehicle in accordance with the provisions of Code Section 40-2-80.

30 (j) Girl Scouts U.S.A. license plates shall be issued within 30 days of application once the
31 requirements of this Code section have been met.'

32 SECTION 3.

33 Section 2 of this Act shall become effective on January 1, 2005; provided, however, that
34 Section 2 of this Act shall only become effective on January 1, 2005, upon the ratification
35 of a resolution at the November, 2004, state-wide general election, which resolution amends
36 the Constitution of the State of Georgia so as to authorize the dedication of revenue from the

1 sales of license plates to a general purpose relating to the nature of the special license plate.
2 If such resolution is not ratified, Section 2 of this Act shall not become effective and shall
3 stand repealed in its entirety on January 1, 2005, and no such motor vehicle license plates
4 shall be issued pursuant to Section 2 of this Act."

5 By redesignating Section 2 as Section 4.