

ADOPTED

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

2 Amend HB 1549 by striking lines 3 through 5 of page 1 and inserting in their places the
3 following:

4 "supporting Rotary International; to provide for special license plates promoting Girl
5 Scouts U.S.A; 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 for a contingent effective date; to provide for automatic repeal under
8 certain circumstances; to repeal conflicting laws; and for other purposes."

9 By adding after line 16 of page 3 the following:

10 **"SECTION 2.**

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

12 '40-2-86.9.

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

17 (b) The commissioner shall design special distinctive license plates appropriate to promote
18 the Girl Scouts U.S.A. The license plates shall be of the same size as general issue motor
19 vehicle license plates and shall include a unique design and identifying number, whereby
20 the total number of characters does not exceed six. No two recipients shall receive
21 identically numbered plates. The graphic on the special license plate shall be placed to the
22 left of the alphanumeric characters and shall be no larger than three inches by three inches.
23 The Girl Scouts U.S.A. may request the assignment of the first 100 in a series of license
24 plates upon payment of an additional initial registration fee of \$25.00 for each license plate
25 requested.

26 (c) Notwithstanding the provisions of subsection (b) of this Code section, this Code section
27 shall not be implemented until such time as the State of Georgia has, through a licensing
28 agreement or otherwise, received any licenses or other permissions that may be required
29 to implement this Code section. The design of the initial edition of the license plates, as
30 well as the design of subsequent editions and excepting only any part or parts of the
31 designs owned by others and licensed to the state, shall be owned solely by the State of
32 Georgia for its exclusive use and control, except as authorized by the commissioner. The
33 commissioner may take such steps as may be necessary to give notice of and protect such

1 right, including the copyright or copyrights. However, such steps shall be cumulative of
2 the ownership and exclusive use and control established by this subsection as a matter of
3 law, and no person shall reproduce or otherwise use such design or designs, except as
4 authorized by the commissioner.

5 (d) Beginning in calendar year 2005, any Georgia resident who is the owner of a motor
6 vehicle, except a vehicle registered under the International Registration Plan, upon
7 complying with the motor vehicle laws relating to registration and licensing of motor
8 vehicles and upon the payment of a manufacturing fee of \$25.00 in addition to the regular
9 motor vehicle registration fee shall be issued a license plate promoting the Girl Scouts
10 U.S.A. Revalidation decals shall be issued for such license plates in the same manner as
11 provided for general issue license plates.

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

28 (2) Subject to the general appropriations process, it is the intent of the General Assembly
29 in the enactment of this Code section that the funds dedicated by this subsection be made
30 available for the ultimate use of a nonprofit organization. Subject to the general
31 appropriations process and the audit requirements of this Code section, it is contemplated
32 that such dedicated funds will be for the ultimate use of the Girl Scouts U.S.A., if the
33 General Assembly finds that the license plate program and appropriation authorized by
34 this Code section will benefit both the state and the nonprofit organization having the
35 ultimate use of the dedicated funds.

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

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

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

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

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

26 SECTION 3.

27 Section 2 of this Act shall become effective on January 1, 2005; provided, however, that
28 Section 2 of this Act shall only become effective on January 1, 2005, upon the ratification
29 of a resolution at the November, 2004, state-wide general election, which resolution amends
30 the Constitution of the State of Georgia so as to authorize the dedication of revenue from the
31 sales of license plates to a general purpose relating to the nature of the special license plate.
32 If such resolution is not ratified, Section 2 of this Act shall not become effective and shall
33 stand repealed in its entirety on January 1, 2005, and no such motor vehicle license plates
34 shall be issued pursuant to Section 2 of this Act."

35 By redesignating Section 2 as Section 4.