

House Bill 405

By: Representatives Reece of the 11<sup>th</sup>, Stephens of the 164<sup>th</sup>, Yates of the 73<sup>rd</sup>, and Smith of the 13<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 4 of Title 38 of the Official Code of Georgia Annotated,  
2 relating to the Department of Veterans Service, so as to provide for a Georgia War Veterans  
3 Nursing Home Trust Fund; to provide for funds and rules related thereto; to amend Article  
4 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige  
5 license plates and special plates for certain persons and vehicles, so as to provide for special  
6 license plates promoting such program and related activities; to provide for issuance,  
7 renewal, fees, licensing agreements, applications, transfers, and disposition of funds relative  
8 to such license plates; to provide for related matters; to provide for a contingent effective  
9 date; to provide for automatic repeal under certain circumstances; to repeal conflicting laws;  
10 and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

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

13 Article 1 of Chapter 4 of Title 38 of the Official Code of Georgia Annotated, relating to the  
14 Department of Veterans Service, is amended by adding a new Code Section 38-4-13 to read  
15 as follows:

16 "38-4-13.

17 There is created the Georgia War Veterans Nursing Home Trust Fund which shall be  
18 administered by the commissioner of veterans service. The Department of Veterans  
19 Service shall utilize moneys placed in such trust fund derived from special license plate  
20 sales, any funds appropriated to the Department of Veterans Service for such purposes, and  
21 any voluntary contributions or other funds made available to the Department of Veterans  
22 Service for such purposes for the implementation, operation, and support of the Georgia  
23 War Veterans Nursing Home. The commissioner of veterans service shall establish a  
24 support program for such purposes. The commissioner of veterans service is authorized  
25 to promulgate rules to direct and administer the fund and program and to carry out this  
26 Code section."

**SECTION 2.**

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2 Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to  
3 prestige license plates and special plates for certain persons and vehicles, is amended by  
4 adding a new Code Section 40-2-86.10 to read as follows:

5 "40-2-86.10.

6 (a) In order to enhance the provision of care of the residents of the state's veterans nursing  
7 homes and activities directly in support thereof, there shall be issued beginning January 1,  
8 2007, special license plates promoting Georgia veterans.

9 (b) The Department of Veterans Service, in cooperation with the commissioner, shall  
10 design special distinctive license plates appropriate to promote Georgia veterans to support  
11 the nursing home care support program established pursuant to Code Section 38-4-13. The  
12 Georgia Veterans license plates must be of the same size as general issue motor vehicle  
13 license plates and shall include a unique design and identifying number, whereby the total  
14 number of characters does not exceed six. No two recipients shall receive identically  
15 numbered plates. Such design shall provide space in which to indicate the name of the  
16 county of issuance.

17 (c) Notwithstanding the provisions of subsection (b) of this Code section, this Code section  
18 shall not be implemented until such time as the State of Georgia has, through a licensing  
19 agreement or otherwise, received such licenses or other permissions as may be required to  
20 implement this Code section. The design of the initial edition of the Georgia Veterans  
21 license plates, as well as the design of subsequent editions and excepting only any part or  
22 parts of the designs owned by others and licensed to the state, shall be owned solely by the  
23 State of Georgia for its exclusive use and control, except as authorized by the  
24 commissioner of veterans service. The commissioner of veterans service may take such  
25 steps as may be necessary to give notice of and protect such right, including the copyright  
26 or copyrights. However, such steps shall be cumulative of the ownership and exclusive use  
27 and control established by this subsection as a matter of law, and no person shall reproduce  
28 or otherwise use such design or designs, except as authorized by the commissioner of  
29 veterans service.

30 (d) Beginning in calendar year 2007, any Georgia resident who is a veteran of the armed  
31 forces, national guard, or any reserve component of the United States and who is the owner  
32 of a motor vehicle, except a vehicle registered under the International Registration Plan,  
33 upon complying with the motor vehicle laws relating to registration and licensing of motor  
34 vehicles and upon the payment of a fee of \$25.00 in addition to the regular motor vehicle  
35 registration fee shall be issued a Georgia Veterans license plate. Revalidation decals shall  
36 be issued for Georgia Veterans plates in the same manner as provided for general issue  
37 license plates.

1 (e) The funds derived from the sale of Georgia Veterans license plates, less a \$1.00  
2 processing fee which shall be granted to county tag offices per plate sold and less the actual  
3 manufacturing cost of the plates, shall be deposited in the Georgia Veterans Nursing Home  
4 Trust Fund created by Article III, Section IX, Paragraph VI(n) of the Constitution of the  
5 State of Georgia. As soon as practicable after December 31 of each year, the commissioner  
6 shall report the net amount derived from the sale of Georgia Veterans license plates to the  
7 Department of Veterans Service.

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

11 (g) Georgia Veterans license plates shall be transferred from one vehicle to another vehicle  
12 in accordance with the provisions of Code Section 40-2-42.

13 (h) Georgia Veterans license plates shall be issued within 30 days of application."

14 **SECTION 3.**

15 This Act shall become effective on January 1, 2007; provided, however, that this Act shall  
16 only become effective on January 1, 2007, upon the ratification of a resolution at the  
17 November, 2006, state-wide general election, which resolution amends the Constitution of  
18 the State of Georgia so as to authorize the creation of the Georgia War Veterans Nursing  
19 Home Trust Fund. If such resolution is not ratified, this Act shall not become effective and  
20 shall stand repealed in its entirety on January 1, 2007, and no such motor vehicle license  
21 plates shall be issued pursuant to this Act.

22 **SECTION 4.**

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