

House Bill 921

By: Representatives Ralston of the 7th and Oliver of the 83rd

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated,
2 relating to prestige license plates and special plates for certain persons and vehicles, so as to
3 provide for a special license plate supporting certain pediatric cancer related programs for
4 the medically indigent; to dedicate revenue derived from the sale of such special license
5 plates to the Indigent Care Trust Fund as authorized by Article III, Section IX, Paragraph
6 VI(i) of the Constitution; to provide an effective date; to repeal conflicting laws; and for
7 other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

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

13 "40-2-86.10.

14 (a) In order to raise awareness of pediatric cancer and to raise funds to support the
15 treatment of pediatric cancer, it is appropriate that, subject to the provisions of this Code
16 section, there shall be issued beginning in 2006 special license plates to support pediatric
17 cancer related programs for the medically indigent.

18 (b) The commissioner shall prepare a special distinctive license plate of a design which
19 shall include an appropriate logo and bear the slogan 'Cure Kids Cancer.' Such special
20 license plate shall be of the same size and general design as general issue motor vehicle
21 license plates. Such plates shall include a unique identifying number not exceeding six
22 characters, provided that no two recipients receive identical plates. It shall not be a
23 requirement that a county name decal be affixed and displayed on license plates issued
24 under this Code section.

25 (c) Subject to subsection (d) of this Code section, any motor vehicle owner who is a
26 resident of Georgia, upon complying with the motor vehicle laws relating to registration

1 and licensing of motor vehicles and payment of a fee of \$25.00 in addition to the regular
2 motor vehicle registration fee, shall be issued such a special license plate upon application
3 therefor.

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

16 (e)(1) Special license plates issued under this Code section shall be renewed annually
17 with a revalidation decal as provided in Code Section 40-2-31 upon payment of an
18 additional \$25.00 annual registration fee, which fee shall be collected by the county tag
19 agent at the time of collection of other registration fees and remitted to the state as
20 provided in Code Section 40-2-34.

21 (2) License plates issued pursuant to this Code section shall be transferred between
22 vehicles as provided in Code Section 40-2-80.

23 (f)(1) The funds derived from the sale of the special license plates provided by this Code
24 section, less a \$1.00 processing fee which shall be granted to county tag offices per plate
25 sold and less the actual cost of manufacturing such plates, shall be deposited in the
26 Indigent Care Trust Fund created by Code Section 31-8-152 to fund pediatric cancer
27 screening and treatment related programs for those children who are medically indigent
28 and may have cancer. To the extent consistent with Article III, Section IX, Paragraph
29 VI(i) of the Constitution and Article 6 of Chapter 8 of Title 31, such programs may
30 include education, pediatric cancer screening, grants-in-aid to pediatric cancer victims,
31 pharmacy assistance programs for pediatric cancer victims, and other projects to
32 encourage public support for the special license plate and the activities which it funds.

33 (2) As soon as practicable after the end of each month, the commissioner shall report the
34 net amount derived from the sale of such license plates, not including actual
35 manufacturing costs, to the Office of Planning and Budget and the Department of
36 Community Health.

1 (3) The Department of Community Health shall monitor the response of such pediatric
2 cancer programs to determine their effectiveness.”

3 **SECTION 2.**

4 This Act shall become effective upon its approval by the Governor or upon its becoming law
5 without such approval.

6 **SECTION 3.**

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