

**HOUSE OF REPRESENTATIVES  
FINAL BILL ANALYSIS**

<b>BILL #:</b>	CS/HB 1287 (CS/SB 1388)	<b>FINAL HOUSE FLOOR ACTION:</b>	
<b>SPONSOR(S):</b>	Economic Affairs Committee; Abruzzo; and others (Transportation; Bogdanoff)	116 Y's	0 N's
<b>COMPANION BILLS:</b>	CS/CS/SB 1122; CS/CS/HB 1223; CS/SB 1388	<b>GOVERNOR'S ACTION:</b>	Pending

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**SUMMARY ANALYSIS**

CS/HB 1287 passed the House on February 23, 2012, and subsequently passed the Senate on March 9, 2012. Part of the bill also passed the House and Senate as part of CS/CS/HB 1223 on February 29, 2012, and March 9, 2012, respectively. The bill creates a \$1 voluntary contribution check-off on a motor vehicle registration (initial registration or renewal), driver's license and identification card application (initial, renewal, or replacement) for Autism Services and Supports, and Support Our Troops.

The bill has an insignificant fiscal impact.

Subject to the Governor's veto powers, the effective date of the bill is July 1, 2012.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### **Present Situation**

#### **Requests to Establish a Voluntary Check-off on a Motor Vehicle Registration, Driver's License or Identification Card Application**

Sections 320.023, F.S., and 322.081, F.S., outline the procedure an organization must follow prior to seeking legislative authorization to request the creation of a new voluntary contribution and establish a corresponding voluntary contribution check-off on a motor vehicle registration (initial registration or renewal) or driver's license or identification card application (initial, renewal, or replacement). Section 320.023, F.S., lays out the procedure for registration applications, while s. 322.081, F.S., applies to driver's licenses and identification card applications. To become eligible, the organization must submit the following<sup>1</sup> to the Florida Department of Highway Safety and Motor Vehicles (DHSMV) at least 90 days before the convening of the next regular session of the Florida Legislature:

- a request for the particular voluntary contribution being sought, describing it in general terms;
- an application fee of up to \$10,000 (state funds may not be used) to defray DHSMV's costs for reviewing the application and developing the check-off, if authorized; and
- a short and long-term marketing strategy and a financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the voluntary contributions.

DHSMV must discontinue the check-off if less than \$25,000 has been contributed by the end of the fifth year, or if less than \$25,000 is contributed during any subsequent five-year period.<sup>2</sup>

The authorized voluntary check-offs on motor vehicle registration applications and driver's licenses and identification card applications are listed in s. 320.02, F.S., and s. 322.08, F.S., respectively.

#### **Moratorium on New Voluntary Check-offs**

Chapter 2010-223, L.O.F.,<sup>3</sup> established a moratorium on new voluntary check-offs for motor vehicle registration (initial registration or renewal) and driver's license transactions (initial, renewal, or replacement). The moratorium ends on July 1, 2013. An organization is exempt from the moratorium if the organization has done the following:

- submitted a request to establish a voluntary contribution on a motor vehicle registration application or a driver's license application to DHSMV before May 1, 2010; and
- submitted a valid financial analysis, marketing strategy, and application fee before September 1, 2010; or
- filed a bill during the 2010 Legislative Session to establish a voluntary contribution and has met the requirements of s. 320.023, F.S., or s. 322.081, F.S.

According to DHSMV, Autism Services and Supports, and Support Our Troops are exempt from the moratorium.<sup>4</sup>

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<sup>1</sup> The requirements must be met separately for motor vehicle registrations and driver's licenses/identification cards.

<sup>2</sup> s. 320.023(4)(a), F.S., and s. 322.081(4)(a), F.S.

<sup>3</sup> Ch. 2010-223, L.O.F.

<sup>4</sup> See Letter from DHSMV Executive Director Julie L. Jones to the Florida House of Representatives, Transportation and Highway Safety Subcommittee, January 19, 2011. This letter is on file with the Transportation & Highway Safety Subcommittee.

## **Effect of Changes**

The bill creates a \$1 voluntary contribution check-off on a motor vehicle registration application (initial registration or renewal), driver's license and identification card application (initial, renewal, or replacement) for Autism Services and Supports, and Support Our Troops.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

The state Highway Safety Operating Trust Fund will receive \$40,000 in non-recurring revenue as a result of the bill's provisions. This amount reflects the \$10,000 application fee paid by Autism Services and Supports, and Support Our Troops, Inc., for the motor vehicle registration check-off application and for the driver's license and identification card check-off application.

#### **2. Expenditures:**

The state will spend \$40,000 from the Highway Safety Operating Trust Fund as a result of the bill's provisions. This amount reflects the programming costs associated with developing the voluntary contribution check-offs.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

#### **1. Revenues:**

Tax collector offices will be minimally impacted by collecting additional funds when an individual elects to make one or both of the voluntary contributions.

#### **2. Expenditures:**

None.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

Individuals who elect to donate to a charitable cause on a motor vehicle registration application or on a driver's license or identification card application will be required to pay an additional \$1 for each check-off they elect. It is impossible to determine how many people will elect to donate. Therefore, the aggregate impact to the private sector cannot be determined.

### **D. FISCAL COMMENTS:**

The bill provides that the application form for motor vehicle registration transactions shall include language permitting voluntary contributions to two additional charitable organizations that have met the filing requirements set forth in s. 320.023, F.S., and 322.081, F.S. The application fees for the organizations are on deposit with DHSMV to cover the costs for reviewing the application and developing the contributions. The bill provides this same authorization regarding driver's license and identification card applications.