

Tourism, Infrastructure & Energy Subcommittee

Thursday, December 2, 2021
9:00 am – 10:30 am
Reed Hall (102 HOB)

Meeting Packet

Chris Sprowls
Speaker

Brad Drake
Chair

The Florida House of Representatives

Commerce Committee

Tourism, Infrastructure & Energy Subcommittee

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Meeting Agenda

Thursday, December 2, 2021
9:00 AM – 10:30 AM
Reed Hall (102 HOB)

I. Call to Order

II. Roll Call

III. Welcome and Opening Remarks

IV. Consideration of the following bill(s):

HB 37 Transportation Facility Designations by Skidmore

HB 67 Specialty License Plates by Rizo

HB 141 Motorcycle Specialty License Plates by Salzman

HB 143 Motorcycle Specialty License Plate Taxes and Fees/Blue Angels by Salzman

HB 147 Transportation Facility Designations by Tuck

HB 213 Specialty License Plates by Morales

HB 269 Natural Gas and Public Utility Petitions for Rate Relief by Byrd

HB 355 Live the Dream License Plate by Bush

V. Closing Remarks

VI. Adjournment

303 House Office Building, 402 South Monroe Street, Tallahassee, FL 32399-1300
(850) 717-4870

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 37 Transportation Facility Designations
SPONSOR(S): Skidmore
TIED BILLS: **IDEN./SIM. BILLS:** SB 160

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Tourism, Infrastructure & Energy Subcommittee		Walsh	Keating
2) Infrastructure & Tourism Appropriations Subcommittee			
3) Commerce Committee			

SUMMARY ANALYSIS

Under current law, the Legislature may designate a transportation facility, such as a bridge, interchange, or portion of a road, for honorary or memorial purposes or to distinguish a particular facility. Legislative designations do not change the official names of the facilities. The Department of Transportation (DOT) erects markers for each designation, but may not do so until the appropriate city or county commission passes a resolution in support of the designation.

The bill honors two fallen law enforcement officers by designating the "Deputy Sheriff Donta Manuel and Deputy Sheriff Jonathan Wallace Highway." Under the bill, DOT must erect suitable markers for the road designation.

The bill will have an insignificant negative fiscal impact to the State Transportation Trust Fund associated with erecting suitable markers for the road designation. The cost can be absorbed within DOT's existing resources.

The bill provides and effective date of July 1, 2022.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Transportation Facility Designations
Under current law, the Legislature may designate a transportation facility, such as a bridge, interchange, or portion of a road, for honorary or memorial purposes or to distinguish a particular facility. Legislative designations do not change the official names of the designated facilities, and do not require local governments or private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings to account for the designations.[1]

Current law sets standards for the naming of state buildings and other facilities. The law provides that except as specifically provided by law, state buildings, roads, bridges, parks, recreational complexes, and other similar facilities may not be named for a living person.[2]

Road Markers
The Department of Transportation (DOT) must place a marker at each terminus or intersection of a designated road, bridge, or other transportation facility and erect other markers it deems appropriate for the facility.[3] Road markers may not be erected until the appropriate city or county commission passes a resolution in support of a particular designation. Additionally, if a designated facility extends through multiple cities or counties, a resolution must be passed by each affected local government before the road markers can be erected by DOT.[4]

Deputies Donta Manuel and Jonathan Wallace
On November 28, 2007, while attempting to remove stop sticks that were deployed as part of an effort to slow a stolen vehicle, Deputy Donta Manuel and Deputy Jonathan Wallace were struck and killed by a patrol car pursuing the stolen vehicle.[5] Deputy Manuel was 33 years old and had served with the Palm Beach County Sheriff's Office for 13 years.[6] Deputy Wallace was 23 years old and had served with the Palm Beach County Sheriff's Office for 1 year and 6 months.[7]

Effect of the Bill

The bill designates that portion of S.R. 715, also known as Bacom Point Road, between W. Morgan Road and S.W. 14th Street in Palm Beach County as "Deputy Sheriff Donta Manuel and Deputy Sheriff Jonathan Wallace Highway." The bill requires DOT to erect suitable markers for this designation.

B. SECTION DIRECTORY:

Section 1: Designates "Deputy Sheriff Donta Manuel and Deputy Sheriff Jonathan Wallace Highway."

Section 2: Provides an effective date of July 1, 2022.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

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[1] S. 334.071(1), F.S.
[2] S. 267.062(1), F.S.
[3] S. 334.071(2), F.S.
[4] S. 334.071(3), F.S.
[5] Officer Down Memorial Page, *Deputy Sheriff Donta J. Manuel*, https://www.odmp.org/officer/19071-deputy-sheriff-donta-j-manuel (last visited Nov. 22, 2021).
[6] *Id.*
[7] Officer Down Memorial Page, *Deputy Sheriff Jonathan D. Wallace*, https://www.odmp.org/officer/19072-deputy-sheriff-jonathan-d-wallace (last visited Nov. 22, 2021).

1. Revenues:

   None.

2. Expenditures:

   DOT estimates a cost of $1,040 for the appropriate markers, which provides for two signs at $520 per sign.[8] Therefore, the bill has an estimated negative fiscal impact of $1,040 to the State Transportation Trust Fund. This cost can be absorbed within existing DOT resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None.

2. Expenditures:

   None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

   Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

   None.

B. RULE-MAKING AUTHORITY:

The bill does not require or authorize rulemaking

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

Not applicable.

[8] E-mail from Amanda Marsh, Legislative Programs Office, Department of Transportation, RE:FDOT Memorial Roadway Designation Sign Estimate (Sept. 15, 2021).

A bill to be entitled

An act relating to transportation facility designations; providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Deputy Sheriff Donta Manuel and Deputy Sheriff Jonathan Wallace Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of S.R. 715/Bacom Point Road between W. Morgan Road and S.W. 14th Street in Palm Beach County is designated as "Deputy Sheriff Donta Manuel and Deputy Sheriff Jonathan Wallace Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Deputy Sheriff Donta Manuel and Deputy Sheriff Jonathan Wallace Highway as described in subsection (1).

Section 2. This act shall take effect July 1, 2022.

CODING: Words stricken are deletions; words underlined are additions.

HB 67

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 67 Specialty License Plates
SPONSOR(S): Rizo
TIED BILLS: **IDEN./SIM. BILLS:** SB 166

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Tourism, Infrastructure & Energy Subcommittee		Johnson	Keating
2) Commerce Committee			

SUMMARY ANALYSIS

Currently, 123 specialty license plates are available to any owner or lessee of a motor vehicle who is willing to pay the additional annual use fee for such plate. The collected fees are distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) to statutorily designated organizations in support of a particular cause or charity.

The bill creates the Inter Miami CF specialty license plate with an annual use fee of $25. The plate must bear DHSMV-approved colors and designs with “Florida” appearing at the top of the plate and “Inter Miami CF” appearing at the bottom of the plate. The annual use fees are distributed to the Inter Miami CF Foundation Corporation.

The bill will have a negative, but insignificant, fiscal impact to state expenditures associated with DHSMV’s programming costs for the specialty license plate.

The bill has an effective date of October 1, 2022.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are 159 legislatively authorized specialty license plates, with 123 available for sale and an additional 36 in presale.[1] Specialty license plates are available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically $25 annually.[2] Current law provides that if the Legislature[3] has approved 150 or more specialty license plates, the Department of Highway Safety and Motor Vehicles (DHMSV) may not issue any new specialty license plates until a sufficient number of plates are discontinued[4] so that the number of plates being issued does not exceed 150.[5]

Establishment of Specialty License Plates

If a specialty license plate requested by an organization is approved by law, the organization submits its proposed art design to DHSMV as soon as practicable, but no later than 60 days after the act approving the plate becomes a law.[6]

Within 120 days after the act approving the specialty license plate becomes law, DHSMV must establish a method to issue a voucher allowing for the presale of the plate. A $5 processing fee,[7] a service charge and branch fee,[8] and an annual use fee for the specialty license plate are charged for the voucher. All other applicable fees are charged at the time the license plate is issued.[9]

Within 24 months after establishing a presale specialty license plate voucher, a minimum of 3,000 voucher sales of the plate must be recorded with DHSMV[10] before the license plate may be manufactured. If the minimum sales requirement is not met at the conclusion of the 24-month presale period, the specialty license plate is deauthorized and DHSMV discontinues the plate's development and the issuance of presale vouchers. Upon deauthorization of the license plate or if the plate has met the presale requirement but has not been issued, a purchaser of the license plate voucher may use the annual use fee paid as a credit towards any other specialty license plate or may apply for a refund.[11]

New specialty license plates that have been approved by law, but are awaiting issuance, will be issued in the order they appear in s. 320.08058, F.S.,[12] if all statutory requirements, including the presale requirement, have been met. If the next awaiting specialty license plate has not met its presale requirement, DHSMV proceeds in the order provided in s. 320.08058, F.S., to identify the next qualified specialty license plate that has met the presale requirement. DHSMV must cycle through the list in statutory order.[13]

If the Legislature has approved 150 or more specialty license plates, DHSMV may not issue any new specialty license plates until a sufficient number of plates are discontinued so that the number of plates

[1] Department of Highway Safety and Motor Vehicles (DHSMV), Agency Analysis of 2022 House Bill 67, p.2 (Oct. 15, 2021)
[2] Section 320.08056(3)(d), F.S., provides that, except if specifically provided in s. 320.08056(4), F.S., the annual use fee for a specialty license plate is $25.
[3] Creation of a specialty license plate requires an act of the Legislature.
[4] Specialty license plates may be discontinued pursuant to s. 320.08056(8), F.S.
[5] S. 320.08053(3)(b), F.S.
[6] S. 320.08053(1), F.S.
[7] The processing fee is prescribed in s. 320.08056, F.S.
[8] Service charges and branch fees are prescribed in s. 320.04, F.S.
[9] S. 320.08053(2)(a), F.S.
[10] In the case of an out-of-state college or university license plate, the license plate must register 4,000 voucher sales.
[11] S. 320.08053(2)(b), F.S.
[12] S. 320.08058, F.S., creates each specialty license plate.
[13] S. 320.08053(3)(a), F.S.

being issued is no more than 150. The 150 plate limit applies to all specialty license plates, including those above the minimum sales threshold and those exempt from the minimum sales threshold.[14]

Specialty License Plate Issuance and Fees

DHSMV is responsible for developing authorized specialty license plates.[15] DHSMV must issue a specialty license plate to the owner or lessee of any motor vehicle, except a vehicle registered under the International Registration Plan, a commercial truck required to display two license plates, or a truck tractor, upon request and payment of the appropriate license tax and fees.[16] Specific specialty license plates are authorized for dealer and fleet vehicles.[17] A specialty license plate for motorcycles is created separately in s. 320.08068, F.S.

Each request for a specialty license plate must be made annually to DHSMV or its authorized agent[18] accompanied by the following tax and fees: the vehicle's required license tax,[19] a processing fee of $5,[20] a license plate fee,[21] and a license plate annual use fee as required for the specialty license plate.[22]

Florida Professional Sports Team Specialty License Plates

Current law establishes the Florida Professional Sports Team license plate for Major League Baseball, National Basketball Association, National Football League, Arena Football League, National Hockey League, and Major League Soccer teams that are domiciled in Florida. However, any Florida Professional Sports Team license plate created or established after January 1, 1997, must be specifically authorized by the Legislature. These license plates must bear DHSMV-approved colors and design and must include the official league or team logo, or both. The word "Florida" must appear at the top of the plate.[23]

The annual use fees from the sale of these plates are distributed as follows:

- Fifty-five percent of the proceeds are deposited into the Professional Sports Development Trust Fund within the Department of Economic Opportunity (DEO) to be used solely to attract and support major sports events in Florida.[24]
- The remaining proceeds are allocated to Enterprise Florida, Inc., and must be deposited into the Professional Sports Development Trust Fund within DEO. These funds must be used by Enterprise Florida, Inc., to:
    - Promote the economic development of the sports industry;
    - Distribute licensing and royalty fees to participating professional sports teams;
    - Promote education programs in Florida schools that provide an awareness of the benefits of physical activity and nutrition standards;
    - Partner with the Department of Education and the Department of Health to develop a program that recognizes schools whose students demonstrate excellent physical fitness or fitness improvement;
    - Institute a grant program for communities bidding on minor sporting events that create an economic impact for the state;
    - Distribute funds to Florida-based charities designated by Enterprise Florida, Inc., and the participating professional sports teams; and

[14] S. 320.08053(3)(b), F.S.
[15] S. 320.08056(1), F.S.
[16] S. 320.08056(2), F.S.
[17] *See* ss. 320.06(3)(a), 320.0657(2)(a), 320.08(12) and 320.08056(2)(b) and (c), F.S.
[18] DHSMV's authorized agents are the county tax collectors.
[19] Motor vehicle license taxes are set forth in s. 320.08, F.S.
[20] The $5 processing fee is deposited into the Highway Safety Operating Trust Fund.
[21] Section 320.06(1)(b), F.S., provides for a $2.80 annual license plate replacement fee.
[22] S. 320.08056(3), F.S.
[23] S. 320.08058(9)(a), F.S.
[24] As used in s. 320.08058(9)(b)1., F.S., the term "major sports events" means, but is not limited to, championship or all-star contests of Major League Baseball, the National Basketball Association, the National Football League, the National Hockey League, Major League Soccer, the men's and women's National Collegiate Athletic Association Final Four basketball championship, or a horseracing or dogracing Breeders' Cup.

- Fulfill the sports promotion responsibilities of DEO.[25]

The proceeds from the Professional Sports Development Trust Fund may also be used for operational expenses of Enterprise Florida, Inc., and financial support of the Sunshine State Games.[26]

Inter Miami CF Foundation

Inter Miami CF, Major League Soccer's 25th Club, began play in March 2018.[27]

According to its website, the Inter Miami CF Foundation, a 501(c)(3) nonprofit corporation, is dedicated to having a measurable impact on the community in South Florida and beyond by seeking to level the playing field for at-risk kids. It intends to use soccer as a catalyst for positive change. The Foundation states that it is dedicated to strategically planning and executing "sports-based development and direct-service community programs, initiatives, and events."[28]

According to the Department of State, Inter Miami CF Foundation is an active Florida not-for-profit corporation that has been active since February 12, 2020.[29]

Effect of the Bill

The bill creates the Inter Miami CF license plate, with an annual use fee of $25.[30] The plate must bear DHSMV-approved colors and designs, with "Florida" appearing at the top of the plate and "Inter Miami CF" appearing at the bottom of the plate.

The annual use fees from the sale of the plate are distributed to the Inter Miami CF Foundation. Up to 10 percent of the fees from the sale of the plate may be used to promote and market the plate. The Foundation must use the remainder of the fees to plan and execute sports-based development and direct service community programs and events.

This license plate will be added to DHSMV's presale voucher process, but the plate will only be placed into production once it meets the 3,000 minimum sales threshold and if the 150 plate cap is not reached.[31]

The bill has an effective date of October 1, 2022.

B. SECTION DIRECTORY:

Section 1 Amends s. 320.08058, F.S., relating to specialty license plates.

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

[25] S. 320.08058(9)(b)1. and 2., F.S.
[26] S. 320.08058(9)(b)4., F.S.
[27] Inter Miami CF Website, https://www.intermiamicf.com/club/about (last visited Sep. 2, 2021).
[28] Inter Miami CF Foundation, https://inter-miami-cf-foundation-store.myshopify.com/ (last visited Sep. 2, 2021).
[29] Inter Miami CF Foundation Corporation, *Articles of Incorporation*, https://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2020%5C0214%5C40715676.Tif&documentNumber=P20000013003 (last visited Oct. 18, 2021)
[30] The $25 annual use fee is provided for in existing s. 320.08056(3)(d), F.S.
[31] DSHMV, *supra* note 1. p. 4.

2. Expenditures:

DSHMV will need to update its procedures, forms, and website to incorporate this additional license plate. Additionally, programming will be required for DOT to accept presale vouchers for the license plate. According to DHSMV, a specialty license plate with one distribution will require between 200 and 250 hours of programming.[32] This programming can be done using existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Once the license plate goes into production, the Inter Miami CF Foundation may see an increase in revenues associated with the sale of this license plate.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to impact county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill does not require or authorize rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Section 320.08056(10)(a), F.S., requires that the annual use fees from specialty license plates be used in this state. DHSMV recommends that the bill be amended to clarify that the funds must be used in this state.[33]

The bill provides that the annual use fees from the sale of Inter Miami CF license plates be distributed to the Inter Miami CF Foundation. This distribution of annual use fees is inconsistent with the statutorily specified distribution from professional sports team specialty license plates, which are deposited into the Professional Sports Development Trust Fund within DEO to attract and support major sporting events, promote the sports industry, and promote programs to develop physical fitness.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.

[32] *Id.* at 4-5
[33] DHSMV, *supra* note 1, p. 6.

A bill to be entitled

An act relating to specialty license plates; amending s. 320.08058, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop an Inter Miami CF license plate; providing for distribution and use of fees collected from the sale of the plate; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (119) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(119) INTER MIAMI CF LICENSE PLATES.—

(a) The department shall develop an Inter Miami CF license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Inter Miami CF" must appear at the bottom of the plate.

(b) The license plate annual use fees shall be distributed to Inter Miami CF Foundation Corporation, a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, which may use up to 10 percent of the proceeds to promote and market the plate. The remainder of the proceeds shall be used by Inter Miami CF Foundation Corporation to plan and execute

CODING: Words stricken are deletions; words underlined are additions.

sports-based development and direct-service community programs, initiatives, and events.

Section 2. This act shall take effect October 1, 2022.

TOURISM, INFRASTRUCTURE & ENERGY SUBCOMMITTEE

HB 67 by Rep. Rizo
Specialty License Plates

AMENDMENT SUMMARY
December 2, 2021

Amendment 1 by Rep. Rizo (Line 20):

- Provides that the proceeds from the sale of the Inter Miami CF specialty license plate may be used as provided by the bill, notwithstanding existing law regarding the use of proceeds from professional sports team license plates.
- Clarifies that proceeds from the sale of the Inter Miami CF specialty license plate must be used in Florida.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	___ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

Committee/Subcommittee hearing bill: Tourism, Infrastructure & Energy Subcommittee

Representative Rizo offered the following:

Amendment

Remove lines 20-27 and insert:

(b) Notwithstanding paragraph (9)(b), the license plate annual use fees shall be distributed to Inter Miami CF Foundation Corporation, a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, which may use up to 10 percent of the proceeds to promote and market the plate. The remainder of the proceeds shall be used by Inter Miami CF Foundation Corporation to plan and execute sports-based development and direct-service community programs, initiatives, and events in this state.

HB 141

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 141 Motorcycle Specialty License Plates
SPONSOR(S): Salzman
TIED BILLS: HB 143 **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Tourism, Infrastructure & Energy Subcommittee		Johnson	Keating
2) Commerce Committee			

SUMMARY ANALYSIS

Currently, 123 specialty license plates are available to any owner or lessee of a motor vehicle and one specialty license plate is available to any owner or lessee of a motorcycle, subject to payment of an additional annual use fee for each plate. The collected fees are distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) to statutorily designated organizations in support of a particular cause or charity.

The bill creates the Blue Angels motorcycle specialty license plate, requires DHSMV to issue the license plate upon request, and authorizes the transfer of an existing license plate if a replacement vehicle is acquired. The bill also provides for the design of the plate with "Florida" appearing at the top of the plate and an image of the Blue Angels appearing on the far left side of the plate. DHSMV may also issue personal prestige plates for the license plate.

The annual use fees from the sale of the plate are distributed to the Naval Aviation Museum Foundation.

HB 143 (2022), to which this bill is linked, authorizes for the taxes and fees required to obtain a Blue Angels motorcycle specialty license plate, including an annual use fee of $20 and a $2 processing fee.

The bill will have a negative, but insignificant, fiscal impact to state expenditures associated with DHSMV's programming costs for the specialty license plate. These costs can be absorbed within existing resources.

The bill has an effective date of October 1, 2022, contingent upon HB 143 (2022) or similar legislation taking effect, if such legislation is adopted in the same legislative session or extension thereof and becomes a law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Establishment of Specialty License Plates

If a specialty license plate requested by an organization is approved by law, the organization submits its proposed art design to the Department of Highway Safety and Motor Vehicles (DHSMV) as soon as practicable, but no later than 60 days after the act approving the plate becomes a law.[1]

Within 120 days after the act approving the specialty license plate becomes law, DHSMV must establish a method to issue a voucher allowing for the presale of the plate. A $5 processing fee,[2] a service charge and branch fee,[3] and an annual use fee for the specialty license plate are charged for the voucher. All other applicable fees are charged at the time the license plate is issued.[4]

Within 24 months after establishing a presale specialty license plate voucher, the approved specialty license plate must record with DHSMV a minimum of 3,000 voucher sales[5] before the license plate may be manufactured. If the minimum sales requirement is not met at the conclusion of the 24-month presale period, the specialty license plate is deauthorized and DHSMV discontinues the plate's development and the issuance of the presale vouchers. Upon deauthorization of the license plate or if the plate has met the presale requirement but has not been issued, a purchaser of the license plate voucher may use the annual use fee paid as a credit towards any other specialty license plate or may apply for a refund.[6]

Each request for a specialty license plate must be made annually to DHSMV or its authorized agent accompanied by the appropriate tax and fees.[7]

Motorcycle Specialty License Plates

Current law authorizes a reduced dimensions specialty license plate for display on motorcycles, upon paying the appropriate license tax,[8] the license plate fee,[9] a $2 processing fee, and a $20 license plate annual use fee.[10]

The annual use fees are distributed equally to the Brain and Spinal Cord Injury Program Trust Fund, Preserve Vision Florida, the Blind Services Foundation of Florida, the Florida Association of Centers for Independent Living to support the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program, and the Florida Association of Centers for Independent Living.[11]

If a motorcycle owner or lessee to whom DHSMV has issued a motorcycle specialty license plate acquires a replacement vehicle, DHSMV must authorize a transfer of the specialty license plate to the replacement motorcycle.[12] The annual use fee or processing fee may not be refunded.[13]

[1] S. 320.08053(1), F.S.
[2] The processing fee is prescribed in s. 320.08056, F.S.
[3] Service charges and branch fees are prescribed in s. 320.04, F.S.
[4] S. 320.08053(2)(a), F.S.
[5] In the case of out-of-state college or university license plate, the license plate must register 4,000 voucher sales.
[6] S. 320.08053(2)(b), F.S.
[7] S. 320.08056(3), F.S.
[8] The license tax is required under s. 320.08, F.S.
[9] The license plate fee is required under s. 320.06(1)(b), F.S.
[10] S. 320.08068, F.S.
[11] S. 320.08068(4), F.S.
[12] S. 320.0609, F.S.
[13] S. 320.08068(5), F.S.

The motorcycle specialty license plate is 4 inches wide by 7 inches long and incorporates a red, white, and blue color scheme. DHSMV determines the maximum number of characters, including numerals and letters, that may be on the plate. Motorcycle specialty license plates must be made of the same material as standard license plates issued for any registration period. In small letters, the word "Florida" must appear at the top of the plate.[14]

DSHMV may issue personalized prestige plates for motorcycle specialty license plates.[15]

Blue Angels

Since 1946, and based in Pensacola, the Blue Angels represent the United States Navy and Marine Corps by showing the power of naval aviation. The Blue Angels consists of 140 world-class, active-duty sailors and Marines, each one bringing experience and expertise from their service in the fleet.[16]

Naval Aviation Museum Foundation

The Naval Aviation Museum Foundation supports the National Naval Aviation Museum and National Flight Academy, which advance science, technology, engineering and math (STEM) education for our nation's youth. The foundation promotes the history and heritage of naval aviation for current and future generations.[17]

The Naval Aviation Museum Foundation, Inc. is registered with the Department of State as a Florida not-for-profit corporation.[18]

HB 143 (2022)

HB 143 (2022) to which this bill is linked, creates s. 320.08781, F.S., requiring the following taxes and fees to be collected for the Blue Angels specialty license plate:

- The existing license tax.[19]
- An existing license plate fee.[20]
- A processing fee of $2.
- An annual use fee of $20.

Effect of the Bill

The bill creates the Blue Angels motorcycle specialty license plate.[21] DHSMV must develop a reduced-dimensions version of the existing Blue Angels specialty license plate for display on motorcycles.

Under the bill, DHSMV must issue a Blue Angels specialty license plate to the owner or lessee of any motorcycle upon request. Each request must be made annually to DHSMV, accompanied by the taxes and fees established in HB 143 (2022), which includes a $20 annual use fee and a $2 processing fee. The annual use fees from the sale of the plate are distributed to the Naval Aviation Museum Foundation.

[14] S. 320.08068(6), F.S.
[15] S. 320.08068(7), F.S.
[16] Blue Angels Website, *Message from the Commanding Officer,* https://www.blueangels.navy.mil/default.htm (last visited Oct. 28, 2021).
[17] Naval Aviation Museum Foundation, *Who We Are*, https://navalaviationfoundation.org/who-we-are/ (last visited Oct. 14, 2021)
[18] Department of State, *The Naval Aviation Museum Foundation, Inc.,* https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=NAVALAVIATIONMUSEUMFOUNDATION%207119151&aggregateId=domnp-711915-5404ccba-a444-4087-baa7-806a7f12e637&searchTerm=Naval%20Aviation&listNameOrder=NAVALAVIATIONLEGACYFOUNDATION%20N060000061800 (last visited Oct. 18, 2021).
[19] The license tax is required under s. 320.08, F.S.
[20] The license plate fee is required by s. 320.06(1)(b), F.S.
[21] Section 320.08058(90), F.S., creates the existing Blue Angels specialty license plate for motor vehicles.

If the owner or lessee to whom DHSMV has issued a Blue Angels specialty license plate acquires a replacement vehicle within the owner's registration period, DHSMV must authorize the transfer of the plate to the replacement vehicle. The $20 annual use fee and the $2 processing fee may not be refunded.

The plate must be 4 inches wide by 7 inches long and incorporate an image of the Blue Angels approved by DHSMV and may bear the imprint of numerals 1 to 999, inclusive, capital letters "A" through "Z," or a combination thereof. The maximum number of characters is four, including letters and numerals, and the design must be printed on the far left side of the plate. The Blue Angels motorcycle specialty license plate must be made of the same material as standard license plates issued for any registration period. In small letters, the word "Florida" must appear at the top of the plate.

DHSMV may issue personalized prestige plates for the Blue Angels specialty license plate, which must be issued in accordance with Florida law governing such plates.

The bill has an effective date of October 1, 2022, contingent upon HB 143 (2022) or similar legislation taking effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

B. SECTION DIRECTORY:

Section 1 Creates s. 320.0878, F.S., creating the Blue Angels motorcycle specialty license plate.

Section 2 Provides a contingent effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None.

2. Expenditures:

   The bill will have a negative, but insignificant, fiscal impact on DHSMV associated with programming costs. These costs can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None.

2. Expenditures:

   None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The Naval Aviation Museum Foundation may see an increase in revenues associated with the sale of this license plate.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

   Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

   None.

B. RULE-MAKING AUTHORITY:

This bill does not require or authorize rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not Applicable.

A bill to be entitled

An act relating to motorcycle specialty license plates; creating s. 320.0878, F.S.; directing the Department of Highway Safety and Motor Vehicles to create a Blue Angels motorcycle specialty license plate; providing issuance requirements for the plate; providing for distribution of use fees received from the sale of the plate; providing for transfer of the plate to a replacement vehicle under certain circumstances; providing design requirements for the plate; authorizing the department to issue personalized prestige plates in accordance with certain provisions; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 320.0878, Florida Statutes, is created to read:

320.0878 Blue Angels motorcycle specialty license plate.—

(1) Notwithstanding s. 320.08053, the department shall develop a reduced-dimensions Blue Angels specialty license plate for display on motorcycles.

(2) The department shall issue a Blue Angels specialty license plate to the owner or lessee of any motorcycle upon

CODING: Words stricken are deletions; words underlined are additions.

request. Each request must be made annually to the department, accompanied by the taxes and fees established in s. 320.08781.

(3) The annual use fees collected pursuant to s. 320.08781(4) for the sale of the plate shall be distributed to the Naval Aviation Museum Foundation.

(4) If the owner or lessee to whom the department has issued a Blue Angels motorcycle specialty license plate acquires a replacement vehicle within the owner's registration period, the department must authorize a transfer of the plate to the replacement vehicle in accordance with s. 320.0609. The annual use fee and processing fee established in s. 320.08781 may not be refunded.

(5) The plate shall be 4 inches wide by 7 inches long and incorporate an image of the Blue Angels approved by the department and may bear the imprint of numerals from 1 to 999, inclusive, capital letters "A" through "Z," or a combination thereof. The maximum number of characters shall be four, including letters and numerals, and the design shall be printed on the far left side of the plate. The Blue Angels motorcycle specialty license plate must be otherwise of the same material as standard license plates issued for any registration period. In small letters, the word "Florida" must appear at the top of the plate.

(5) The department may issue personalized prestige plates for the license plate authorized in this section. Such plates

shall be issued in accordance with applicable provisions of s. 320.0805.

Section 2. This act shall take effect October 1, 2022, but only if HB 143 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

TOURISM, INFRASTRUCTURE & ENERGY SUBCOMMITTEE

HB 141 by Rep. Salzman
Motorcycle Specialty License Plates

AMENDMENT SUMMARY
December 2, 2021

Amendment 1 by Rep. Salzman (Line 30):

- Clarifies how the Naval Aviation Museum Foundation may use proceeds from the sale of the Blue Angels motorcycle specialty license plate.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	___ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

Committee/Subcommittee hearing bill: Tourism, Infrastructure & Energy Subcommittee

Representative Salzman offered the following:

Amendment (with title amendment)

Remove line 30 and insert:

the Naval Aviation Museum Foundation, a nonprofit Florida corporation under s. 501(c)(3) of the Internal Revenue Code, to fund maintenance, programs, marketing, and projects of the foundation, including the National Naval Aviation Museum and the National Flight Academy in Pensacola. Up to 10 percent of the funds received by the foundation may be used for marketing of the plate and costs directly associated with the administration of the foundation. The foundation shall distribute 50 percent of the funds to eligible programs and projects associated with the National Flight Academy and the remainder of the funds to

eligible programs and projects associated with the National Naval Aviation Museum.

T I T L E A M E N D M E N T

Remove line 7 and insert:
providing for distribution and use of annual use fees received from

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 143 Motorcycle Specialty License Plate Taxes and Fees/Blue Angels
SPONSOR(S): Salzman
TIED BILLS: HB 141 **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Tourism, Infrastructure & Energy Subcommittee		Johnson	Keating
2) Commerce Committee			

SUMMARY ANALYSIS

Currently, 123 specialty license plates are available to any owner or lessee of a motor vehicle and one specialty license plate is available to any owner or lessee of a motorcycle, subject to payment of an additional annual use fee for each plate. The collected fees are distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) to statutorily designated organizations in support of a particular cause or charity.

HB 141 (2022), which this bill is linked to, creates the Blue Angels motorcycle specialty license plate and provides for the distribution of the annual use fees to the Naval Aviation Museum Foundation.

This bill creates a $2 processing fee and a $20 annual use fee for the purchase of a Blue Angels motorcycle specialty license plate. The bill also provides that the existing license tax and license plate fee must be paid to purchase a Blue Angels motorcycle specialty license plate.

The bill will have a negative, but insignificant, fiscal impact on DHSMV associated with programming costs. These costs can be absorbed within existing resources.

This bill imposes a new state fee, requiring a two-thirds vote of the membership of the House. See Section III.A.2. of the analysis.

The bill is effective on the same date that HB 141 (2022) or similar legislation taxes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Legislation Imposing or Raising State Fees or Taxes

The Florida Constitution provides that no state tax or fee may be imposed, authorized, or raised by the Legislature except through legislation approved by two-thirds of the membership of each house of the Legislature.[1] For purposes of this requirement, a "fee" is any charge or payment required by law, including any fee or charge for services and fees or costs for licenses, and to "raise" a fee or tax means to:[2]

- Increase or authorize an increase in the rate of a state tax or fee imposed on a percentage or per mill basis;
- Increase or authorize an increase in the amount of a state tax or fee imposed on a flat or fixed amount basis; or
- Decrease or eliminate a state tax or fee exemption or credit.

A bill that imposes, authorizes, or raises any state fee or tax may only contain the fee or tax provision(s) and may not contain any other subject.[3]

This constitutional provision does not authorize any state tax or fee to be imposed if it is otherwise prohibited by the constitution and does not apply to any tax or fee authorized or imposed by a county, municipality, school board, or special district.[4]

Blue Angels Motorcycle Specialty License Plate (HB 141)

HB 141 (2022), which this bill is linked to, creates the Blue Angels motorcycle specialty license plate and provides for the distribution of annual use fees from the sale of the plate. The annual use fees are distributed to the Naval Aviation Museum Foundation.

Effect of the Bill

The bill requires the collection of the following taxes and fees for the purchase of a Blue Angels motorcycle specialty license plate:

- An existing license tax prescribed in s. 320.08, F.S.
- The existing license plate fee prescribed in s. 320.06(1)(b), F.S.
- A processing fee of $2.
- An annual use fee of $20.

The bill takes effect on the same date that HB 141 (2022) or similar legislation takes effect, if such legislation is adopted in the same legislative session or extension thereof and becomes a law.

B. SECTION DIRECTORY:

Section 1 Creates s. 320.08781, F.S, relating to Blue Angels motorcycle specialty license plate taxes and fees.

Section 2 Provides a contingent effective date.

[1] Art. VII, s.19(a)-(b), Fla. Const.
[2] Art. VII, s.19(d), Fla. Const.
[3] Art. VII, s.19(e), Fla. Const.
[4] Art. VII, s.19(c), Fla. Const.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill will have a negative, but insignificant, fiscal impact on DHSMV associated with programming costs. These costs can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to impact county or municipal governments.

2. Other:

Article VII, s. 19 of the Florida Constitution requires the imposition, authorization, or raising of a state tax or fee to be contained in a separate bill that contains no other subject and be approved by two-thirds of each house of the Legislature. The bill appears to implicate Art. VII, s. 19 of the Florida Constitution because it authorizes an existing license tax, an existing license plate fee, a $2 processing fee and a $20 annual use fee for the purchase of a Blue Angels motorcycle specialty license plates.

B. RULE-MAKING AUTHORITY:

This bill does not require or authorize rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.

A bill to be entitled

An act relating to motorcycle specialty license plate taxes and fees; creating s. 320.08781, F.S.; establishing taxes and fees for a certain motorcycle specialty license plate; providing a contingent effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 320.08781, Florida Statutes, is created to read:

320.08781 Blue Angels motorcycle specialty license plate taxes and fees.—The following motorcycle specialty license plate taxes and fees shall be collected for the Blue Angels motorcycle specialty license plate:

(1) The license tax required under s. 320.08.

(2) A license plate fee as required by s. 320.06(1)(b).

(3) A processing fee of $2.

(4) A license plate annual use fee of $20.

Section 2. This act shall take effect on the same date that HB 141 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

CODING: Words stricken are deletions; words underlined are additions.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 147 Transportation Facility Designations
SPONSOR(S): Tuck
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Tourism, Infrastructure & Energy Subcommittee		Walsh	Keating
2) Infrastructure & Tourism Appropriations Subcommittee			
3) Commerce Committee			

SUMMARY ANALYSIS

Under current law, the Legislature may designate a transportation facility, such as a bridge, interchange, or portion of a road, for honorary or memorial purposes or to distinguish a particular facility. Legislative designations do not change the official names of the facilities. The Department of Transportation (DOT) erects markers for each designation, but may not do so until the appropriate city or county commission passes a resolution in support of the designation.

The bill honors a fallen law enforcement officer by designating the "Deputy William J. Gentry Jr., Highway." Under the bill, DOT must erect suitable markers for the road designation.

The bill will have an insignificant negative fiscal impact to the State Transportation Trust Fund associated with erecting suitable markers for the road designation. The cost can be absorbed within DOT's existing resources.

The bill provides an effective date of July 1, 2022.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Transportation Facility Designations
Under current law, the Legislature may designate a transportation facility, such as a bridge, interchange, or portion of a road, for honorary or memorial purposes or to distinguish a particular facility. Legislative designations do not change the official names of the designated facilities, and do not require local governments or private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings to account for the designations.[1]

Current law sets standards for the naming of state buildings and other facilities. The law provides that except as specifically provided by law, state buildings, roads, bridges, parks, recreational complexes, and other similar facilities may not be named for a living person.[2]

Road Markers
The Department of Transportation (DOT) must place a marker at each terminus or intersection of a designated road, bridge, or other transportation facility and erect other markers it deems appropriate for the facility.[3] Road markers may not be erected until the appropriate city or county commission passes a resolution in support of a particular designation. Additionally, if a designated facility extends through multiple cities or counties, a resolution must be passed by each affected local government before the road markers can be erected by DOT.[4]

Deputy William J. Gentry, Jr.
Deputy William J. Gentry, Jr., served with the Highlands County Sherriff's Office for 13 years in various capacities, including time on patrol, the K-9 Unit, the Special Investigations Unit, and as a field training deputy.[5] On May 6, 2019, Deputy Gentry and the deputy he was training responded to an animal abuse call in Highlands County. Deputy Gentry attempted to make contact with the suspect, who opened fire on Deputy Gentry. At the age of 40, Deputy Gentry succumbed to his injuries on May 7, 2019.[6]

Effect of the Bill

The bill designates that portion of U.S. 98 between Haywood Taylor Boulevard and Lakeview Boulevard in Highlands County as "Deputy William J. Gentry, Jr., Highway." The bill requires DOT to erect suitable markers for the road designation.

B. SECTION DIRECTORY:

Section 1: Designates "Deputy Sheriff Donta Manuel and Deputy Sheriff Jonathan Wallace Highway."

Section 2: Provides an effective date of July 1, 2022.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

[1] S. 334.071(1), F.S.
[2] S. 267.062(1), F.S.
[3] S. 334.071(2), F.S.
[4] S. 334.071(3), F.S.
[5] Legacy.Com, *William J Gentry, Jr.*, https://www.legacy.com/obituaries/name/william-gentry-jr-obituary?pid=188976004 (last visited Nov. 22, 2021).
[6] Officer Down Memorial Page, *Deputy Sheriff William Jackson Gentry, Jr.*, https://www.odmp.org/officer/23672-deputy-sheriff-william-jackson-gentry-jr (last visited Nov. 22, 2021).

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

DOT estimates a cost of $1,040 for the appropriate markers, which provides for two signs at $520 per sign.[7] Therefore, the bill has an estimated negative fiscal impact of $1,040 to the State Transportation Trust Fund. This cost can be absorbed within existing DOT resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill does not require or authorize rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

Not applicable.

[7] E-mail from Amanda Marsh, Legislative Programs Office, Department of Transportation, RE:FDOT Memorial Roadway Designation Sign Estimate (Sept. 15, 2021).

A bill to be entitled

An act relating to transportation facility designations; providing an honorary designation of a certain transportation facility in a specified county; directing the Department of Transportation to erect suitable markers; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Deputy William J. Gentry, Jr., Highway designated; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. 98 between Haywood Taylor Boulevard and Lakeview Boulevard in Highlands County is designated as "Deputy William J. Gentry, Jr., Highway."

(2) The Department of Transportation is directed to erect suitable markers designating Deputy William J. Gentry, Jr., Highway as described in subsection (1).

Section 2. This act shall take effect July 1, 2022.

CODING: Words stricken are deletions; words underlined are additions.

TOURISM, INFRASTRUCTURE & ENERGY SUBCOMMITTEE

HB 147 by Rep. Tuck
Transportation Facility Designations

AMENDMENT SUMMARY
December 2, 2021

Amendment 1 by Rep. Tuck (Strike All):

- Adds the designation of “Sergeant Eric John Twisdale Memorial Interchange” in Clay County.
- Revises bill language to reflect multiple designations.

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	____	(Y/N)
ADOPTED AS AMENDED	____	(Y/N)
ADOPTED W/O OBJECTION	____	(Y/N)
FAILED TO ADOPT	____	(Y/N)
WITHDRAWN	____	(Y/N)
OTHER		

Committee/Subcommittee hearing bill: Tourism, Infrastructure & Energy Subcommittee

Representative Tuck offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Transportation facility designations; Department of Transportation to erect suitable markers.—

(1) That portion of U.S. 98 between Haywood Taylor Boulevard and Lakeview Boulevard in Highlands County is designated as "Deputy William J. Gentry, Jr., Highway."

(2) Upon completion of construction, the interchange at S.R. 23/First Coast Expressway and Henley Road in Clay County is designated as "Sergeant Eric John Twisdale Memorial Interchange."

(3) The Department of Transportation is directed to erect suitable markers designating the transportation facilities as described in this section.

Section 2. This act shall take effect July 1, 2022.

T I T L E A M E N D M E N T

Remove everything before the enacting clause and insert: An act relating to transportations facility designations; providing honorary designations of certain transportation facilities in specified counties; directing the Department of Transportation to erect suitable markers; providing an effective date.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 213 Specialty License Plates
SPONSOR(S): Morales
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Tourism, Infrastructure & Energy Subcommittee		Johnson	Keating
2) Commerce Committee			

SUMMARY ANALYSIS

Currently, 123 specialty license plates are available to any owner or lessee of a motor vehicle who is willing to pay the additional annual use fee for such plate. The collected fees are distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) to statutorily designated organizations in support of a particular cause or charity.

The bill creates the Down Syndrome Awareness specialty license plate with an annual use fee of $25. The plate must bear DHSMV-approved colors and designs with "Florida" appearing at the top of the plate and "Down Syndrome Awareness" appearing at the bottom of the plate. The annual use fees are distributed to Our City Beautiful, Inc., for programs that support persons with Down Syndrome and other intellectual disabilities.

The bill will have a negative, but insignificant, fiscal impact to state expenditures associated with DHSMV's programming costs for the specialty license plate.

The bill has an effective date of October 1, 2022.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are 159 legislatively authorized specialty license plates, with 123 available for sale and an additional 36 in presale.[1] Specialty license plates are available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically $25 annually.[2] Current law provides that if the Legislature[3] has approved 150 or more specialty license plates, the Department of Highway Safety and Motor Vehicles (DHMSV) may not issue any new specialty license plates until a sufficient number of plates are discontinued[4] so that the number of plates being issued does not exceed 150.[5]

Establishment of Specialty License Plates

If a specialty license plate requested by an organization is approved by law, the organization submits its proposed art design to DHSMV as soon as practicable, but no later than 60 days after the act approving the plate becomes a law.[6]

Within 120 days after the act approving the specialty license plate becomes law, DHSMV must establish a method to issue a voucher allowing for the presale of the plate. A $5 processing fee,[7] a service charge and branch fee,[8] and an annual use fee for the specialty license plate are charged for the voucher. All other applicable fees are charged at the time the license plate is issued.[9]

Within 24 months after establishing a presale specialty license plate voucher, a minimum of 3,000 voucher sales of the plate must be recorded with DHSMV[10] before the license plate may be manufactured. If the minimum sales requirement is not met at the conclusion of the 24-month presale period, the specialty license plate is deauthorized, and DHSMV discontinues the plate's development and the issuance of the presale vouchers. Upon deauthorization of the license plate or if the plate has met the presale requirement but has not been issued, a purchaser of the license plate voucher may use the annual use fee paid as a credit towards any other specialty license plate or may apply for a refund.[11]

New specialty license plates that have been approved by law, but are awaiting issuance, will be issued in the order they appear in s. 320.08058, F.S.,[12] if all statutory requirements, including the presale requirement, have been met. If the next awaiting specialty license plate has not met its presale requirement, DHSMV proceeds in the order provided in s. 320.08058, F.S., to identify the next qualified specialty license plate that has met the presale requirement. DHSMV must cycle through the list in statutory order.[13]

[1] Department of Highway Safety and Motor Vehicles, Agency Analysis of 2022 House Bill 163, p.2. (Oct. 15, 2021)
[2] Section 320.08056(3)(d), F.S., provides that, except if specifically provided in s. 320.08056(4), F.S., the annual use fee for a specialty license plate is $25.
[3] Creation of a specialty license plate requires an act of the Legislature.
[4] Specialty license plates may be discontinued pursuant to s. 320.08056(8), F.S.
[5] S. 320.08053(3)(b), F.S.
[6] S. 320.08053(1), F.S.
[7] The processing fee is prescribed in s. 320.08056, F.S.
[8] Service charges and branch fees are prescribed in s. 320.04, F.S.
[9] S. 320.08053(2)(a), F.S.
[10] In the case of an out-of-state college or university license plate, the license plate must register 4,000 voucher sales.
[11] S. 320.08053(2)(b), F.S.
[12] S. 320.08058, F.S., creates each specialty license plate.
[13] S. 320.08053(3)(a), F.S.

If the Legislature has approved 150 or more specialty license plates, DHSMV may not issue any new specialty license plates until a sufficient number of plates are discontinued so that the number of plates being issued is no more than 150. The 150 plate limit applies to all specialty license plates, including those above the minimum sales threshold and those exempt from the minimum sales threshold.[14]

Specialty License Plate Issuance and Fees

DHSMV is responsible for developing authorized specialty license plates.[15] DHSMV must issue a specialty license plate to the owner or lessee of any motor vehicle, except a vehicle registered under the International Registration Plan, a commercial truck required to display two license plates, or a truck tractor, upon request and payment of the appropriate license tax and fees.[16] Specific specialty license plates are authorized for dealer and fleet vehicles.[17] A specialty license plate for motorcycles is created separately in s. 320.08068, F.S.

Each request for a specialty license plate must be made annually to DHSMV or its authorized agent[18] accompanied by the following tax and fees: the vehicle's required license tax,[19] a processing fee of $5,[20] a license plate fee,[21] and a license plate annual use fee as required for the specialty license plate.[22]

Our City Beautiful, Inc.

Based in Sanford, Florida, Our City Beautiful, Inc., is a 501(c)(3) non-profit organization with a focus on working with disabled individuals in Sanford and surrounding Seminole County, with the goal of eventually serving all of Florida.[23] Created by Our City Beautiful, HOLLAND is a proposed tiny house community for persons with Down Syndrome and other intellectual disabilities.[24] Its World Changer Scholarships were created to support individuals with Down Syndrome, age 18 or older, pursuing higher education.[25]

Our City Beautiful, Inc., is registered with the Department of State as a not-for-profit corporation.[26]

Effect of the Bill

The bill creates the Down Syndrome Awareness license plate, with an annual use fee of $25.[27] The plate must bear DHSMV-approved colors and designs, with "Florida" appearing at the top of the plate and "Down Syndrome Awareness" appearing at the bottom of the plate.

The annual use fees from the sale of the plate are distributed to Our City Beautiful, Inc. Up to 10 percent of the fees from the sale of the plate may be used for administrative costs and marketing the plate. Of the remaining fees:

- Fifty percent must be used to build and maintain HOLLAND, an affordable housing project for independent living for persons with Down Syndrome and other intellectual disabilities.

[14] S. 320.08053(3)(b), F.S.
[15] S. 320.08056(1), F.S.
[16] S. 320.08056(2), F.S.
[17] *See* ss. 320.06(3)(a), 320.0657(2)(a), 320.08(12) and 320.08056(2)(b) and (c), F.S.
[18] DHSMV's authorized agents are the county tax collectors.
[19] Motor vehicle license taxes are set forth in s. 320.08, F.S.
[20] The $5 processing fee is deposited into the Highway Safety Operating Trust Fund.
[21] Section 320.06(1)(b), F.S., provides for a $2.80 annual license plate replacement fee.
[22] S. 320.08056(3), F.S.
[23] Seminole County Chamber of Commerce, *Our City Beautiful, Inc.,* https://business.seminolebusiness.org/list/member/our-city-beautiful-inc-25389 (last visited Sep. 30, 2021).
[24] Our City Beautiful, *HOLLAND*, https://our-city-beautiful.com/ocbhomeproject/ (last visited Sep. 30, 2021).
[25] Our City Beautiful, *World Changer Scholarships,* https://our-city-beautiful.com/world-changer-scholarship/ (last visited Sep. 30, 2021)
[26] Department of State, *Our City Beautiful, Inc.* https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=OURCITYBEAUTIFUL%20N190000028900&aggregateId=domnp-n19000002890-9f97c1a8-17e2-49f3-a4c9-b30fff938143&searchTerm=Our%20city%20beautiful&listNameOrder=OURCITYBEAUTIFUL%20N190000028900 (last visited Oct. 18, 2021).
[27] The $25 annual use fee is provided for in existing s. 320.08056(3)(d), F.S.

- Fifteen percent must be dedicated to Our City Beautiful World Changer scholarships for Florida residents 18 years of age or older with Down Syndrome who wish to further their education at postsecondary educational institutions located in this state.
- Thirty-five percent must be used for grants to other nonprofit organizations in this state to support housing, educational scholarships, and employment assistance programs for persons with Down Syndrome and other intellectual disabilities.

The license plate will be added to DHSMV's presale voucher process, but the plate will only be placed into production once it meets the 3,000 minimum sales threshold and if the 150 plate cap is not reached.[28]

The bill has an effective date of October 1, 2022.

B. SECTION DIRECTORY:

Section 1 Amends s. 320.08058, F.S., relating to specialty license plates.

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None.

2. Expenditures:

   DSHMV will need to update its procedures, forms, and website to incorporate this additional license plate. Additionally, programming will be required for DOT to accept presale vouchers for the license plate. According to DHSMV, a specialty license plate with annual use fees distributed to one organization will require between 200 and 250 hours of programming. Additional distributions will generally require an additional 5 to 10 hours or programming per distribution.[29] This programming can be done using existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None.

2. Expenditures:

   None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Once the license plate goes into production, Our City Beautiful, Inc., may see an increase in revenues associated with the sale of this license plate.

D. FISCAL COMMENTS:

None.

[28] DSHMV, *supra* note 1. p. 4.
[29] *Id.* at 4-5

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect municipal or county governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

This bill does not require or authorize rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill distributes proceeds from this specialty license plate for use by programs that support persons with Down Syndrome and other intellectual disabilities. If the intent of the bill is to fund programs that support persons that have either Down Syndrome or another intellectual disability the bill should be amended to clarify this.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.

A bill to be entitled

An act relating to specialty license plates; amending s. 320.08058, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop a Down Syndrome Awareness license plate; providing for distribution and use of fees collected from the sale of the plate; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (119) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(119) DOWN SYNDROME AWARENESS LICENSE PLATES.—

(a) The department shall develop a Down Syndrome Awareness license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Down Syndrome Awareness" must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to Our City Beautiful, Inc., a Florida nonprofit corporation. Up to 10 percent of the fees may be used for administrative costs and marketing of the plate. Of the remaining fees:

CODING: Words stricken are deletions; words underlined are additions.

1. Fifty percent shall be used to build and maintain HOLLAND, an affordable housing project for independent living for persons with Down Syndrome and other intellectual disabilities.

2. Fifteen percent shall be dedicated to Our City Beautiful World Changer scholarships for Florida residents 18 years of age or older with Down Syndrome who wish to further their education at postsecondary educational institutions located in this state.

3. Thirty-five percent shall be used for grants to other nonprofit organizations within this state to support housing, educational scholarships, and employment assistance programs for persons with Down Syndrome and other intellectual disabilities.

Section 2. This act shall take effect October 1, 2022.

TOURISM, INFRASTRUCTURE & ENERGY SUBCOMMITTEE

HB 213 by Rep. Morales
Specialty License Plates

AMENDMENT SUMMARY
December 2, 2021

Amendment 1 by Rep, Morales (Line 28):

- Clarifies that a person with either Down Syndrome or another intellectual disability may receive certain services funded by the annual use fees from the sale of the Down Syndrome specialty license plate.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___ (Y/N)
ADOPTED AS AMENDED	___ (Y/N)
ADOPTED W/O OBJECTION	___ (Y/N)
FAILED TO ADOPT	___ (Y/N)
WITHDRAWN	___ (Y/N)
OTHER	_____

Committee/Subcommittee hearing bill: Tourism, Infrastructure & Energy Subcommittee

Representative Morales offered the following:

Amendment

Remove lines 28-38 and insert:

for persons with Down Syndrome or other intellectual disability.

2. Fifteen percent shall be dedicated to Our City Beautiful World Changer scholarships for Florida residents 18 years of age or older with Down Syndrome who wish to further their education at postsecondary educational institutions located in this state.

3. Thirty-five percent shall be used for grants to other nonprofit organizations within this state to support housing, educational scholarships, and employment assistance programs for persons with Down Syndrome or other intellectual disability.

HB 269

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 269 Natural Gas and Public Utility Petitions for Rate Relief
SPONSOR(S): Byrd and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 350

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Tourism, Infrastructure & Energy Subcommittee		Neuffer	Keating
2) State Administration & Technology Appropriations Subcommittee			
3) Commerce Committee			

SUMMARY ANALYSIS

The bill increases the threshold under which investor-owned electric utilities (IOUs) are eligible to have a petition for rate relief considered by the Florida Public Service Commission (PSC) under informal procedures referred to as proposed agency action (PAA) procedures. Under current law, only IOUs with less than 500 gigawatt hours (GWh) in annual electricity sales are eligible to request use of these PAA procedures for rate cases. No Florida IOU currently has annual sales below this threshold. The bill increases the annual sales threshold to 1,000 GWh, which will make one IOU, Florida Public Utilities Company (FPUC), eligible to request use of PAA procedures for a rate case.

The bill may have an insignificant positive impact on state government expenditures. The bill will not impact state government revenues or local government revenues or expenditures.

The bill has an effective date of July 1, 2022.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

The Florida Public Service Commission (PSC) is an arm of the Legislature, created to oversee utility services to the people of Florida.[1] Among its powers, the PSC has broad jurisdiction over the rates and service of investor-owned electric utilities (IOUs) in Florida.[2] As required by law, the PSC sets base rates that are designed to allow each IOU to recover its legitimate costs of providing service,[3] including a return on the IOU's prudent capital investments.[4]

Base rates are changed through "rate case" proceedings on an as-needed basis. When an IOU aims to change its base rates, it must petition the PSC and file documents that satisfy the minimum filing requirements (MFRs) established by the PSC for a rate case.[5] A formal hearing process ensues, including a discovery process, an evidentiary hearing, customer service hearings, and post-hearing brief submissions. The PSC must take final action and issue its final order on the IOU's petition within twelve months of the IOU's completed MFR filing,[6] though the PSC typically takes final action and issues its final order within eight months. This rate case process is typically resource intensive. Because an IOU's rate case expenses are considered a legitimate cost of providing service, these expenses are recovered through customer rates.

Under current law, an IOU with less than 500 gigawatt hours (GWh) in annual sales may request that its rate case be handled by the PSC under informal procedures referred to as proposed agency action (PAA) procedures. PAA procedures require less time and resources than the formal hearing process. Under PAA procedures, the IOU still must file documents that satisfy the MFRs and customer service hearings are still held in the IOU's service territory. PSC staff may request data from the IOU, and the Office of Public Counsel[7] may appear as a party in the case and conduct discovery. Discovery from third parties is not permitted under PAA procedures. After the PSC hears input from its staff, the IOU, and any other interested persons, it votes on the IOU's rate request and memorializes its vote in writing as a PAA order. The order must be issued within five months of the IOU's completed filing of the MFRs.[8] Any person whose substantial interests are affected by the PAA order may protest the order and initiate the formal hearing process with respect to the specific matters protested. If no such protest is filed, the order shall be entered and become final agency action, subject only to appeal.[9]

At present, no IOU has annual sales below the 500 GWh threshold. When the threshold was enacted, Florida Public Utilities Company (FPUC), an IOU, operated two separate divisions, one in Marianna and one in Fernandina Beach. Each division was regulated as a separate entity for the purpose of setting rates. In 2004, the PSC approved a rate settlement agreement consolidating the rates and charges of the two divisions into one entity. From the time that the 500 GWh threshold was enacted until FPUC's consolidation in 2004, the two independent divisions of FPUC were the only IOUs eligible

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[1] S. 350.001, F.S.

[2] *See, e.g.,* ss. 366.01, 366.04(1), 366.041, 366.05(1), and 366.06, F.S. There are four IOUs in Florida: Florida Power & Light Company, Duke Energy Florida, Tampa Electric Company, and Florida Public Utilities Company. The former Gulf Power Company merged into Florida Power & Light Company as of January 1, 2021.

[3] Base rates make up just one component of an IOU's rates. Other mechanisms are established by statute or PSC rule or order to allow IOUs to recover specific types of costs not included in base rates, such as fuel costs and certain environmental compliance costs.

[4] Ss. 366.041(1) and 366.06(1), F.S.

[5] *See* R. 25-6.043 & 25-6.140, F.A.C.

[6] S. 366.06(3), F.S.

[7] *See* S. 366.0611, F.S. (tasking the Office of the Public Counsel with providing legal representation for the general public of Florida in proceedings before the PSC and in other utility related matter).

[8] *See* S. 366.06(4), F.S.

[9] *See* Order Nos. PSC-08-0436-PAA-GU (PAA Order) and PSC-08-0849-CO-GU (Consummating Order), issued July 8 and August 1, 2008, in Docket No. 20070592-GU, In re: Petition for rate increase by St. Joe Natural Gas Company, Inc.

to request use of PAA procedures for rate cases. After the consolidation, FPUC's annual sales surpassed the 500 GWh threshold, and it became ineligible to request use of PAA procedures for its rate cases.[10]

As shown in the following table, FPUC's annual electricity sales are substantially less than any other IOU within the state:

2020 Florida IOU Electricity Sales	
IOU	**Sales (GWh)**
Florida Power & Light	113,531
Duke Energy Florida	39,230
Tampa Electric	19,954
Gulf Power	10,635
FPUC	650

Effect of Proposed Changes

The bill increases the eligibility threshold under which an IOU may request that its rate case be handled informally through PAA procedures, from 500 GWh to 1,000 GWh. Under this change, Florida Public Utilities Company (FPUC) would regain its eligibility to use the PAA procedures.

B. SECTION DIRECTORY:

Section 1. Amends s. 366.06, F.S., relating to the procedures for fixing and changing rates.

Section 2. Provides an effective date of July 1, 2022.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None.

2. Expenditures:

   The bill may have an insignificant positive impact on PSC expenditures.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None.

2. Expenditures:

   None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

To the extent that FPUC is able to reduce its rate case expenses through the use of PAA procedures, these savings will be passed along to its ratepayers.

D. FISCAL COMMENTS:

None.

[10] Email from Kaley Slattery, Legislative Director, Florida Public Service Commission, RE: Recorded year that FPUC exceeded 500 GWh in annual sales (October 27, 2021).

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

   Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

   None.

B. RULE-MAKING AUTHORITY:

The bill does not require or authorize rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

Not applicable.

A bill to be entitled

An act relating to natural gas and public utility petitions for rate relief; amending s. 366.06, F.S.; revising the number of gigawatt hours that certain utilities must sell to petition for rate relief using the Public Service Commission's proposed agency action procedure; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (4) of section 366.06, Florida Statutes, is amended to read:

366.06 Rates; procedure for fixing and changing.—

(4) A natural gas utility or a public electric utility whose annual sales to end-use customers amount to less than 1000 ~~500~~ gigawatt hours may specifically request the commission to process its petition for rate relief using the agency's proposed agency action procedure, as prescribed by commission rule. The commission shall enter its vote on the proposed agency action within 5 months of the commencement date for final agency action. If the commission's proposed action is protested, the final decision must be rendered by the commission within 8 months of the date the protest is filed. At the expiration of 5 months following the commencement date for final agency action, if the commission has not taken action or if the commission's

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

action is protested by a party other than the utility, the utility may place its requested rates into effect under bond, escrow, or corporate undertaking subject to refund, upon notice to the commission and upon filing the appropriate tariffs. The utility must keep accurate records of amounts received as provided by subsection (3).

Section 2. This act shall take effect July 1, 2022.

HB 355

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 355 Live the Dream License Plate
SPONSOR(S): Bush
TIED BILLS: **IDEN./SIM. BILLS:** SB 724

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Tourism, Infrastructure & Energy Subcommittee		Johnson	Keating
2) Commerce Committee			

SUMMARY ANALYSIS

Current law creates the Live the Dream license plate with an annual use fee of $25. The proceeds from the sale of the Live the Dream license plate are distributed to the Dream Foundation, Inc., with 60 percent of those funds distributed to Florida members of the Sickle Cell Disease Association of America for programs that provide research, care, and treatment for sickle cell disease and 30 percent of those funds distributed to Chapman Partnership, Inc., for programs that provide relief from poverty, hunger, and homelessness. Up to five percent of the proceeds may be used for administrative costs and marketing the plate, and up to five percent may be distributed to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr.

The bill revises the authorized uses of the annual use fees from the sale of the Live the Dream license plate, such that the funds distributed to the Dream Foundation, Inc., must be used as follows:

- At least 40 percent must be distributed to the Florida members of the Sickle Cell Disease Association of America, Inc., for programs that provide research, care, and treatment for sickle cell disease.
- At least 35 percent must be used by the Dream Foundation, Inc., for programs and services relating to the Dream Reentering Citizen's Fund:
    - Ten percent for administrative costs associated with the operation of the Dream Foundation, Inc., and for marketing and promoting the license plate;
    - Ten percent for programs and services directly provided by the Dream Foundation, Inc., which assist inmates released from the Department of Corrections; and
    - Fifteen percent as grants to administer and market programs and services throughout this state which assist inmates released from the Department of Corrections in successfully reentering the community.
- At least 20 percent must be distributed as scholarships for Florida high school seniors, who have at least one parent or legal guardian incarcerated.

Up to 5 percent may be distributed by the Department of Highway Safety and Motor Vehicles to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr.

The bill removes the Chapman Partnership from the list of recipient organizations.

The bill does not appear to have a fiscal impact to state or local governments.

The bill has an effective date of October 1, 2022.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Live the Dream License Plate

Current law creates the Live the Dream license plate with an annual use fee of $25.[1] The word "Florida" appears at the top of the plate, and the words "Live the Dream" appear at the bottom of the plate. An image of an American flag and Dr. Martin Luther King, Jr., appears at the center of the plate.[2]

The proceeds from the sale of the Live the Dream license plate are distributed to the Dream Foundation, Inc., to be used in the following manner:

- Up to five percent may be used to administer, promote, and market the license plate.
- At least 60 percent is distributed equally among the sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc., for programs that provide research, care, and treatment for sickle cell disease.
- At least 30 percent is distributed to Chapman Partnership, Inc.,[3] for programs that provide relief from poverty, hunger, and homelessness.
- Up to five percent may be distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) on behalf of The Dream Foundation, Inc., to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr.[4]

In 2020, 5,292 Live the Dream license plates were sold.[5]

The distribution of proceeds from the sale of the Live the Dream license plate were last amended in 2020.[6]

The Dream Foundation, Inc.

Founded in 2001 around the creation of the Live The Dream license plate, the Dream Foundation is a statewide 501(c)(3) organization.[7] The Dream Foundation, Inc., is listed as an active corporation with the Department of State.[8]

[1] The $25 annual use fee is provided for in s. 320.08056(3)(d), F.S.
[2] A photo of the Live the Dream license plate is available at https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/ (last visited Oct. 20, 2021).
[3] Based in Miami, Chapman Partnership's mission is to provide comprehensive programs and services in collaboration with others that empower our residents with dignity and respect to overcome homelessness, and achieve and maintain long-term self-sufficiency. https://chapmanpartnership.org/about/ (last visited Nov. 22, 2021).
[4] S. 320.08058(47)(b), F.S.
[5] DHSMV, *2020 Specialty License Plate Ranking*, https://www.flhsmv.gov/pdf/specialtyplates/license_plate_rankings.pdf (last visited Nov. 22, 2021).
[6] Ch. 2020-181, Laws of Fla.
[7] The Dream Foundation, *About Us*, https://www.livethedreamfoundation.org/about-us.html (last visited Oct. 20, 2021).
[8] Department of State, https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=DREAMFOUNDATION%20N010000038910&aggregateId=domnp-n01000003891-2461ac21-eb6a-411a-b759-47d16568ca4b&searchTerm=Dream%20foundation&listNameOrder=DREAMFOUNDATION%20N010000038910 (last visited Oct. 22, 2021).

The Dream Reentering Citizens Fund

The Dream Foundation's Dream Reentering Citizens Fund works with other organizations and the legal community to seek the waiver of fines and fees hindering those with a felony record from registering to vote.[9]

Effect of the Bill

The bill revises the authorized uses of the annual use fees from the sale of the Live the Dream license plate. The bill provides that the annual use fees distributed to the Dream Foundation, Inc. must be used in the following manner:

- At least 40 percent must be distributed equally among the sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc., for programs that provide research, care, and treatment for sickle cell disease.
- At least 35 percent must be distributed to the Dream Foundation, Inc., for programs and services relating to the Dream Reentering Citizen's Fund, as follows:
  - Ten percent must be used for administrative costs associated with the operation of the Dream Foundation, Inc., and for marketing and promoting the license plate.
  - Ten percent must be used for programs and services directly provided by the Dream Foundation, Inc., which assist inmates released from the Department of Corrections in successfully reentering the community.
  - Fifteen percent must be distributed as grants to administer and market programs and services throughout Florida which assist inmates released from the Department of Corrections in successfully reentering the community.
- At least 20 percent must be distributed as scholarships to Florida high school seniors, who have at least parent or legal guardian incarcerated, for the purposes of attending a state university, a Florida College System institution, a career center operated by a school district, or a charter technical career center.

Up to five percent may be distributed by the Department of Highway Safety and Motor Vehicles on behalf of the Dream Foundation, Inc., to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr. This is the same as in current law.

Scholarships funded by the bill must be awarded through a competitive application process overseen by a scholarship program committee composed of one representative form PACE Center for Girls,[10] one representative from Children of Inmates, Inc.,[11] one representative from Living Stones International, Inc.,[12] and one representative from the executive team or board of the Dream Foundation, Inc. Fiscal oversight of the scholarship program must be performed by a certified public accounting firm.

The bill eliminates the distribution to the Chapman Partnership, Inc.

The bill has an effective date of October 1, 2022.

B. SECTION DIRECTORY:

Section 1 Amends s. 320.08058, F.S., relating to specialty license plates.

[9] The Dream Foundation, Reentering Citizen's Fund, https://livethedreamfoundation.org/re-entering-citizens-fund.html (last visited Nov. 17, 2021).
[10] PACE Center for Girls' mission is to provides girls and young women an opportunity for a better future through education, counseling, training, and advocacy. https://www.pacecenter.org/about/vision-mission-guiding-principles (last visited Nov. 22, 2021)
[11] Children of Inmate, Inc.'s mission is to assure that children with incarcerated parents have opportunities to be cared for and supported in their development by responsible adults, helping professionals, and others in their communities. https://www.childrenofinmates.org/About-Us/#Mission (last visited Nov. 22, 2021).
[12] Living Stones' Mission is to strengthen and build healthy relationships among family members. http://weliving stones.org/index.html (last visited Nov. 22, 2021).

Section 2 Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

   None.

2. Expenditures:

   None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

   None.

2. Expenditures:

   None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc., will lose one-third of the proceeds they receive from the sale of the Live the Dream license plate.

The Dream Reentering Citizens Fund will see an increase in revenues associated with the sale of the Live the Dream license plate.

Certain high school seniors will receive scholarships associated with funds distributed from the sale of the Live the Dream license plate.

The Chapman Partnership will lose all of the revenues it currently receives from the sale of the Live the Dream license plate.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

   Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

   None.

B. RULE-MAKING AUTHORITY:

This bill does not require or authorize rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

On lines 43-47 of the bill, it appears that 15 percent of the proceeds are distributed as grants to administer and market programs and services that assist inmates released from the Department of Corrections. As the bill is drafted, it appears that these proceeds must be used for administration and marketing of the grants and not for the actual grants. Additionally, the bill does not specify what entity administers the grants.

On lines 48-49, the bill provides for scholarships to high school seniors, at least one of whose parents or legal guardians is incarcerated. As drafted, the bill may be interpreted to require only one scholarship recipient to have a parent or guardian that is incarcerated. The bill also does not specify what entity administers and distributes the scholarships.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.

A bill to be entitled

An act relating to the Live the Dream license plate; amending s. 320.08058, F.S.; revising distribution of the annual use fees from the sale of the Live the Dream license plate; providing for the award of scholarships to certain students through a competitive application process; establishing a scholarship program committee; providing for fiscal oversight by a certified public accounting firm; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (47) of section 320.08058, Florida Statutes, is amended to read:

320.08058 Specialty license plates.—

(47) LIVE THE DREAM LICENSE PLATES.—

(a) The department shall develop a Live the Dream license plate as provided in this section. Live the Dream license plates must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Live the Dream" must appear at the bottom of the plate.

(b) The proceeds of the annual use fee shall be distributed to the Dream Foundation, Inc., to be used in the following manner:

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

~~1. Up to 5 percent may be used to administer, promote, and market the license plate.~~

1.~~2.~~ At least 40 ~~60~~ percent shall be distributed equally among the sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc., for programs that provide research, care, and treatment for sickle cell disease.

2. At least 35 percent shall be distributed to the Dream Foundation, Inc., for programs and services relating to the Dream Reentering Citizens Fund, as follows:

a. Ten percent shall be used for administrative costs associated with the operation of the Dream Foundation, Inc., and for marketing and promoting the license plate.

b. Ten percent shall be used for programs and services provided directly by the Dream Foundation, Inc., which assist inmates released from the Department of Corrections in successfully reentering the community.

c. Fifteen percent shall be distributed as grants to administer and market programs and services throughout this state which assist inmates released from the Department of Corrections in successfully reentering the community.

3. At least 20 ~~30~~ percent shall be distributed as scholarships to high school seniors in this state, at least one of whose parents or legal guardians is incarcerated, for the purpose of attending a state university, a Florida College

System institution, a career center operated by a school district under s. 1001.44, or a charter technical career center ~~to Chapman Partnership, Inc., for programs that provide relief from poverty, hunger, and homelessness~~. Scholarships shall be awarded through a competitive application process overseen by a scholarship program committee composed of one representative from a PACE Center for Girls, one representative from Children of Inmates, Inc., one representative from Living Stones International, Inc., and one representative from the executive team or board of the Dream Foundation, Inc. Fiscal oversight of the scholarship program shall be performed by a certified public accounting firm.

4. Up to 5 percent may be distributed by the department on behalf of the Dream Foundation, Inc., to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr.

Section 2. This act shall take effect October 1, 2022.

TOURISM, INFRASTRUCTURE & ENERGY SUBCOMMITTEE

HB 355 by Rep. Bush
Live the Dream License Plate

AMENDMENT SUMMARY
December 2, 2021

Amendment 1 by Rep. Bush (Line 26):

- Clarifies that up to 10 percent of the annual use fees from the license plate may be used for administrative costs of the Dream Foundation, Inc., and to market and promote the plate.
- Clarifies that for purposes of grants for programs and services that assist former inmates, such inmates include persons released from a county jail or a Department of Corrections facility.
- Clarifies that the scholarships funded by proceeds from the license plate are for students that have at least one parent or guardian that is incarcerated.
- Removes references to a scholarship committee.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

Committee/Subcommittee hearing bill: Tourism, Infrastructure & Energy Subcommittee

Representative Bush offered the following:

Amendment (with title amendment)

Remove lines 26-63 and insert:

1. Up to 10 ~~5~~ percent may be used to ~~administer,~~ promote~~,~~ and market the license plate and for costs directly associated with the administration of the foundation.

2. At least 40 ~~60~~ percent shall be distributed equally among the sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc., for programs that provide research, care, and treatment for sickle cell disease.

3. At least 10 percent shall be used for programs and services provided directly by the Dream Foundation, Inc., which

assist inmates released from the custody of a county jail in this state or Florida Department of Corrections facility in successfully reentering the community.

4. At least 15 percent shall be distributed as grants for programs and services throughout this state which assist inmates released from the custody of a county jail in this state or Florida Department of Corrections facility in successfully reentering the community.

5.~~3.~~ At least 20 ~~30~~ percent shall be distributed as scholarships to graduating high school seniors in this state who have at least one parent or legal guardian that is incarcerated, for the purpose of attending a state university, a Florida College System institution, a career center operated by a school district under s. 1001.44, or a charter technical career center under s. 1002.34 ~~to Chapman Partnership, Inc., for programs that provide relief from poverty, hunger, and homelessness~~. Scholarships shall be awarded through a competitive application process. Fiscal oversight of the scholarship program shall be performed by a certified public accounting firm.

6.~~4.~~ Up to 5 percent may be distributed by the department on

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T I T L E A M E N D M E N T

Remove lines 5-9 and insert:

Dream license plate; providing for the award of scholarships to certain students; providing for fiscal oversight; providing an