

1 HB257
2 197856-5
3 By Representative Shedd
4 RFD: Public Safety and Homeland Security
5 First Read: 20-MAR-19

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2 ENROLLED, An Act,

3 To amend Section 32-6-67, Code of Alabama 1975, as
4 amended by Act 2018-190, 2018 Regular Session, relating to the
5 Legislative Oversight Committee and the distinctive tag
6 program; to clarify the prohibition of only private or
7 proprietary two-year colleges, the review of personalized
8 license plates, and the clarification of certain license plate
9 fee distributions.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Section 32-6-67, Code of Alabama 1975, as
12 amended by Act 2018-190, 2018 Regular Session, is amended to
13 read as follows:

14 "§32-6-67.

15 "(a) There is created a legislative committee to
16 oversee the implementation and administration of this Article
17 2, except Subdivision 1 of Division 1. The committee shall be
18 composed of three members of the House of Representatives and
19 a county license plate issuing official, who shall be
20 appointed by and serve at the pleasure of the Speaker of the
21 House, and three members of the Senate and a county license
22 plate issuing official, who shall be appointed by and serve at
23 the pleasure of the Presiding Officer of the Senate. The
24 committee shall also be composed of the Secretary of the
25 Alabama State Law Enforcement Agency or his or her designee, a

1 probate judge who is a licensing plate official appointed by
2 the President of the Probate Judges Association, and a county
3 licensing plate official who shall be appointed by the Alabama
4 Association of Tax Administrators. The Department of Revenue
5 shall designate a representative, the Department of
6 Transportation shall designate a representative, and the
7 Department of Corrections shall designate a representative of
8 Alabama Correctional Industries as nonvoting and advisory
9 members to the committee. The chair, who shall be picked by
10 the members of the committee from the legislative members on
11 the committee, shall have the authority to call meetings of
12 the committee when he or she deems it necessary or as
13 otherwise provided in this section.

14 "(b) The committee shall:

15 "(1) Meet not less than once every six months.

16 "(2) Require that a simple majority of committee
17 voting members be in attendance for conducting whatever
18 business requires committee action.

19 "(3) Establish guidelines for the qualification of
20 organizations which may sponsor a new or continued issuance of
21 a license plate category, or may benefit from that issuance.

22 "(4) Approve, disapprove, or indefinitely postpone,
23 by a vote of two-thirds of the members present at a committee
24 meeting, a request for a new license plate category.

1 "(c) Decisions of the committee concerning approval,
2 disapproval, or indefinite postponement of further action on a
3 proposed distinctive license plate shall be interpreted to be
4 the intent of the entire body of the Legislature, and
5 separate, specific action by the Legislature concerning a
6 distinctive license plate proposal shall not be considered.

7 "(d) The committee shall not consider for approval
8 applications from the following types of organizations:

9 "(1) Out-of-state colleges and universities except
10 as provided in subsection (e).

11 "(2) Private businesses, business organizations, or
12 commercial entities of any type.

13 "(3) Public schools K-12, ~~junior~~ and private or
14 proprietary two-year colleges, and private or proprietary
15 technical schools, exclusive of the Helping Schools Tag as
16 established in Sections 32-6-300 and 32-6-301.

17 "(4) Groups within high schools, junior colleges,
18 universities, and technical schools, such as band boosters,
19 athletic boosters, and the like.

20 "(5) Unions.

21 "(6) Political organizations.

22 "(7) Religious organizations.

23 "(8) Groups that promote racial or social
24 disharmony.

25 "(9) Public officials.

1 "(e) The committee may consider and approve an
2 application for a distinctive license plate for an
3 out-of-state college or university, upon submission of an
4 application pursuant to Section 32-6-64.

5 "(f) Upon the request of the chair, the Secretary of
6 the Senate and the Clerk of the House shall provide clerical
7 assistance necessary for the work of the committee.

8 "(g) The committee members who are members of the
9 Legislature shall be entitled to, and shall receive, the same
10 daily legislative compensation, expense allowances, per diem,
11 and other compensation which they receive while in legislative
12 session for each weekday, Monday through Friday, during any
13 week in which the committee actually meets. The
14 non-legislative members of the committee shall be entitled to,
15 and shall receive, the same per diem and expenses that are
16 paid to state employees."

17 Section 2. (a) The Department of Revenue shall
18 review all personalized license plates issued pursuant to
19 Chapter 6 of Title 32, Code of Alabama 1975, and Chapter 12 of
20 Title 40, Code of Alabama 1975, and shall determine whether a
21 requested license plate is issued or renewed in accordance
22 with rules adopted pursuant to Chapter 22 of Title 41, Code of
23 Alabama 1975.

1 (b) An appeal concerning the denial of the issuance
2 or renewal of a license plate shall be made with the circuit
3 court of the county where the motor vehicle is registered.

4 Section 3. The Legislature finds and declares the
5 following regarding the distribution and use of the proceeds
6 from certain annual license taxes and registration fees on
7 vehicles: All proceeds of the annual license taxes and
8 registration fees to be distributed to counties and
9 municipalities pursuant to subsection (f) of Section
10 40-12-242, Code of Alabama 1975, as amended by Act 2019-2
11 (2019 First Special Session), shall be allocated in the same
12 manner and used for the same purposes as provided in
13 subdivisions (2) and (3) of subsection (c) of Section 7 of Act
14 2019-2 (2019 First Special Session).

15 Section 4. This act shall become effective on the
16 first day of the third month following its passage and
17 approval by the Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 18-APR-19, as amended.

Jeff Woodard
Clerk

Senate	15-MAY-19	Amended and Passed
House	22-MAY-19	Concurred in Sen- ate Amendment