

Hall of the House of Representatives

84th General Assembly - Regular Session, 2003

Amendment Form

Subtitle of House Bill No. 2462

"TO PROVIDE FOR THE ISSUANCE OF AN ORGAN DONOR AWARENESS SPECIAL
LICENSE PLATE TO PROVIDE CONTRIBUTIONS FOR THE ORGANIZATION."

Amendment No. 1 to House Bill No. 2462.

Amend House Bill No. 2462 as originally introduced:

Delete the title and substitute the following:

"AN ACT TO PROVIDE FOR ORGAN DONOR EDUCATION THROUGH THE ESTABLISHMENT OF THE ORGAN DONOR EDUCATION TRUST FUND, THE ISSUANCE OF ORGAN DONOR AWARENESS SPECIAL LICENSE PLATES, TO PROVIDE FOR VOLUNTARY CONTRIBUTIONS; AND FOR OTHER PURPOSES."

AND

Delete the subtitle and substitute the following:

"TO PROVIDE FOR ORGAN DONOR EDUCATION THROUGH THE ESTABLISHMENT OF THE ORGAN DONOR EDUCATION TRUST FUND, THE ISSUANCE OF ORGAN DONOR AWARENESS SPECIAL LICENSE PLATES, TO PROVIDE FOR VOLUNTARY CONTRIBUTIONS."

AND

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Organ Donor Awareness Education Trust Fund.

(a) There is created on the books of the Treasurer of State, the Auditor of State, and the Chief Fiscal Officer of the State a trust fund to be known as the "Organ Donor Awareness Education Trust Fund".

(b) The Organ Donor Awareness Education Trust Fund shall consist of all moneys donated or collected for the purpose of educating or informing the public of the need for organ donations, all interest earned from the investment of fund balances, and any remaining fund balances carried forward from year to year.

(c) The Director of the Department of Finance and Administration is authorized to accept any gifts, grants, bequests, devises, and donations made to the State of Arkansas for the purposes of organ donor awareness education. Funds received for the purposes stated in this section shall be deposited in the Organ Donor Awareness Education Trust Fund.

(d) The Department of Finance and Administration shall administer the fund.



(e) The Director of the Department of Finance and Administration shall grant funds available and appropriated from the Organ Donor Awareness Education Trust Fund to the Arkansas Regional Organ Recovery Agency, or its successor agency, to be used for educational or informational materials and other related costs associated with informing or educating the public about organ donations and organ donation awareness.

(f) The Arkansas Regional Organ Recovery Agency, or its successor agency, shall annually provide to the Chief Fiscal Officer of the State documentation evidencing that granted funds have been used in accordance with the purposes of this act.

SECTION 2. Organ Donor Awareness License Plate.

(a) The Director of the Department of Finance and Administration shall issue special "Organ Donor Awareness" motor vehicle license plates in the manner and subject to the conditions prescribed in this section.

(b)(1)(A) The Arkansas Regional Organ Recovery Agency may submit a design for the special Organ Donor Awareness motor vehicle license plates.

(B) The design shall be submitted to the director for design approval.

(2) The Arkansas Regional Organ Recovery Agency may periodically submit newly designed license plates for approval and issuance by the director, but not more than (1) license plate design shall be issued per calendar year.

(c)(1) Upon approval of the design by the director, there shall be remitted to the Department of Finance and Administration a fee in the amount of six thousand dollars (\$6,000.00) to cover the cost of the initial order of each newly designed license plate.

(2) The fee for the cost of initial orders shall be deposited to the State Central Services Fund for the benefit of the Revenue Division of the Department of Finance and Administration, and shall be credited as supplemental and in addition to all other funds as may be deposited for the benefit of the division.

(3) The fee for the cost of initial orders shall not be considered or credited to the division as "direct revenues".

(d)(1) Upon payment of the fee required by law for the registration of the vehicle, payment of twenty-five dollars (\$25.00) to cover the design use contribution, and payment of an additional ten dollars (\$10.00) handling and administrative fee for the issuance of the special organ Donor Awareness plate, the department shall issue to the vehicle owner an Organ Donor Awareness license plate which shall bear the approved design.

(2) The handling and administrative fee of ten dollars (\$10.00) shall be deposited to the State Central Services Fund for the benefit of the division and shall not be considered or credited to the Revenue Division as "direct revenues".

(3) The design use contribution of twenty-five dollars (\$25.00) shall be deposited in the Organ Donor Awareness Education Trust Fund to be used as provided in section 1 of this act.

(e)(1) Organ Donor Awareness license plates issued under this act may be renewed annually in accordance with the procedures set out in this section and pursuant to Arkansas Code §§ 27-14-1012 and 27-14-1013.

(2) Registration may continue from year to year as long as it is renewed each year within the time and manner required by law.

(3) A motor vehicle owner who was previously issued a plate with the Organ Donor Awareness design authorized by this act and who does not pay a design use contribution of twenty-five dollars (\$25.00) to the subsequent time of registration shall be issued a new plate which does not bear the Organ Donor Awareness design.

(4) Upon expiration, or if the special Organ Donor Awareness license plate is lost, it may be replaced with a regular license plate at the fee specified in § 27-14-602(b)(6).

(5) If the special Organ Donor Awareness license plate is replaced with a new Organ Donor Awareness license plate, the owner shall be required to additionally pay the administrative cost and design use contribution as set forth in this section.

(f) Organ Donor Awareness license plates issued under this act may be transferred from one vehicle to another pursuant to Arkansas Code § 27-14-914.

(g) The person applying for Organ Donor Awareness license plates shall comply with all other state motor vehicle laws relating to registration and licensing of motor vehicles, unless specifically provided otherwise in this act.

(h) The director shall promulgate such reasonable rules and regulations, and prescribe such forms as he determines to be necessary for effectively and efficiently carrying out the intent and purpose of this act.

SECTION 3. Voluntary Contributions.

(a)(1) The Revenue Division of the Department of Finance and Administration shall include on the Arkansas individual income tax forms, including those forms on which a husband and wife file separately on the same form and on all corporate income tax forms, the opportunity to allow taxpayers to voluntarily apply any amount of their tax refund for Organ Donor Awareness Education.

(2) Funds collected pursuant to this section shall be credited to the Organ Donor Education Awareness Trust Fund.

(b) The Director of the Department of Finance & Administration shall promulgate all rules and regulations and all income tax forms, returns, schedules, or other materials necessary to carry out the provisions of this section.

SECTION 4. Informational or Educational Booklets.

(a) If booklets or other information sources on the importance of organ donations are provided through the grant program established under section 1 of this act, the Revenue Division of the Department of Finance and Administration shall make the materials available to the public through the various offices of the Revenue Division.

(b) The booklets or other information sources shall be approved by the Department of Health.”

The Amendment was read _____
By: Representative House
LDH/JMB - 040720031553
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Chief Clerk