

ARKANSAS SENATE
84th General Assembly - Regular Session, 2003
Amendment Form

Subtitle of Senate Bill No. 867

"TO PROVIDE FOR THE ISSUANCE OF A GREEK ORGANIZATION SPECIAL LICENSE
PLATE TO PROVIDE DONATIONS TO TRADITIONALLY-BLACK COLLEGES."

Amendment No. 1 to Senate Bill No. 867.

Amend Senate Bill No. 867 as originally introduced:

Page 1, line 11, delete "A GREEK ORGANIZATION" and substitute "AN AFRICAN-AMERICAN FRATERNITY AND SORORITY"

AND

Page 1, lines 17 and 18, delete "A GREEK ORGANIZATION" and substitute "AN AFRICAN-AMERICAN FRATERNITY AND SORORITY"

AND

Delete Section 1. of the bill and substitute a new Section 1. to read as follows:

"SECTION 1. Arkansas Code Title 27, Chapter 15, is amended to add an additional subchapter to read as follows:

Subchapter 39 - African-American Fraternity and Sorority License Plate

27-15-3901. In general.

The Director of the Department of Finance and Administration shall provide for and issue special African-American fraternity or sorority license plates for motor vehicles.

27-15-3902. Definition.

As used in this subchapter, "African-American fraternity or sorority" means any one of the following historically African-American fraternities or sororities: Delta Sigma Theta, Alpha Kappa Alpha, Zeta Phi Beta, Sigma Gamma Rho, Omega Psi Phi, Alpha Phi Alpha, Phi Beta Sigma, or Kappa Alpha Psi.

27-15-3903. Approval of design.

(a) The specific design commemorating an African-American fraternity or sorority for the special license plate shall be designed by each participating African-American fraternity or sorority within Arkansas and shall be submitted for the approval of the Director of the Department of



Finance and Administration.

(b) The director shall approve one (1) design for each participating fraternity or sorority.

(c) Upon approval of the design, the Department of Finance and Administration shall provide a motor vehicle license plate using the approved design.

(d)(1) A participating fraternity or sorority shall retain all applications for the special collegiate license plates until a minimum of five hundred (500) applications are received.

(2) After the receipt of five hundred (500) applications, the fraternity or sorority shall notify the director who shall begin production of the special license plates for the fraternity or sorority.

(e) The director shall promulgate reasonable rules and regulations and prescribe the forms necessary for effectively carrying out the intent and purposes of this subchapter.

27-15-3904. Application for special African-American fraternity or sorority plate - Fee - Disposition of fee.

(a) Any motor vehicle owner who is a certified member or alumni member of an African-American fraternity or sorority may apply for and renew annually a special African-American fraternity or sorority license plate.

(b)(1)(A) Upon payment of the fee required by law for registration of the motor vehicle, payment of twenty-five dollars (\$25.00) to cover the design use contribution, and payment of an additional handling and administrative fee of ten dollars (\$10.00) for the special African-American fraternity or sorority license plate, the Department of Finance and Administration shall issue a special African-American fraternity or sorority license plate, which shall bear the approved design of the fraternity or sorority, to the vehicle owner.

(B)(i) The handling and administrative fee of ten dollars (\$10.00) 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 to the division as supplemental and in addition to all other funds as may be deposited for the benefit of the division.

(ii) The handling and administrative fee shall not be considered or credited to the division as direct revenue.

(2)(A) The design use contribution of twenty-five dollars (\$25.00) shall be remitted monthly to the endowment funds of the participating Arkansas historically black institutions of higher education as specified under subdivision (b)(2)(B) of this section to be used for scholarships as provided in this subchapter.

(B)(i) Arkansas' historically black institutions of higher education are the University of Arkansas at Pine Bluff, Philander Smith College, Arkansas Baptist College, and Shorter College.

(ii) These historically black institutions of higher education shall share in the funds in the following proportion:

(a) University of Arkansas at Pine Bluff, forty percent (40%);

(b) Philander Smith College, twenty-five percent (25%)

(c) Arkansas Baptist College, twenty percent

(20%); and

(d) Shorter College, fifteen percent (15%).

(C) The department shall also provide to each participating African-American fraternity or sorority a list of persons who have paid for the special African-American fraternity or sorority license plates during the specified period.

27-15-3905. Renewal.

(a) Special African-American fraternity or sorority license plates issued under this subchapter may be renewed annually under the procedure in § 27-15-3904 either in person, by mail, or by facsimile under §§ 27-14-1012 and 27-14-1013.

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

(c) A motor vehicle owner who was previously issued a plate with a fraternity or sorority design authorized by this subchapter and who does not pay a design use contribution of twenty-five dollars (\$25.00) at a subsequent time of registration shall be issued a new plate that does not bear the fraternity or sorority design, as otherwise provided by law.

(d) Upon expiration, the special African-American fraternity or sorority license plate may be replaced with a conventional license plate, a personalized license plate, or a new special African-American fraternity or sorority license plate.

27-15-3906. Transfer.

Special African-American fraternity or sorority license plates issued under this subchapter may be transferred between vehicles under § 27-14-914.

27-15-3907. Compliance with other laws.

The special African-American fraternity or sorority license plates shall comply with all other state motor vehicle laws relating to registration and licensing of motor vehicles.

27-15-3908. Use of funds by the historically black institutions of higher education.

(a) A participating Arkansas historically black institution of higher education shall use one hundred percent (100%) of the funds received from the design use authorization donation solely for academic or need-based scholarships.

(b) Procedures and criteria used to determine the distribution of the scholarships shall be established and followed by the endowment funds of the participating Arkansas historically black institutions of higher education distributing the funds derived from the fraternity and sorority license plate program.

27-15-3909. Limitation on remedies.

The fraternities and sororities participating in this program shall have no recourse against the Department of Finance and Administration if any special African-American fraternity or sorority license plate is erroneously issued or renewed without payment of the design use authorization statement.

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Brown

EAN/VJF - 031920030907

VJF730

Secretary