

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/19/03

A Bill

HOUSE BILL 2340

5 By: Representative House
6
7

For An Act To Be Entitled

9 AN ACT TO PROVIDE FOR ORGAN DONOR EDUCATION
10 THROUGH THE ESTABLISHMENT OF THE ORGAN DONOR
11 EDUCATION TRUST FUND, THE ISSUANCE OF ORGAN DONOR
12 AWARENESS SPECIAL LICENSE PLATES, TO PROVIDE FOR
13 VOLUNTARY CONTRIBUTIONS; AND FOR OTHER PURPOSES.
14

Subtitle

15 TO PROVIDE FOR ORGAN DONOR EDUCATION
16 THROUGH THE ESTABLISHMENT OF THE ORGAN
17 DONOR EDUCATION TRUST FUND, THE ISSUANCE
18 OF ORGAN DONOR AWARENESS SPECIAL LICENSE
19 PLATES, TO PROVIDE FOR VOLUNTARY
20 CONTRIBUTIONS.
21
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23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Organ Donor Awareness Education Trust Fund.

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

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

35 (c) The Director of the Department of Finance and Administration is
36 authorized to accept any gifts, grants, bequests, devises, and donations made



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1 to the State of Arkansas for the purposes of organ donor awareness education.
2 Funds received for the purposes stated in this section shall be deposited in
3 the Organ Donor Awareness Education Trust Fund.

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

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

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

16
17 SECTION 2. Organ Donor Awareness License Plate.

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

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

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

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

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

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

1 benefit of the division.

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

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

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

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

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

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

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

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

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

34 (f) Organ Donor Awareness license plates issued under this act may be
35 transferred from one vehicle to another pursuant to Arkansas Code § 27-14-
36 914.

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

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

8
9 SECTION 3. Voluntary Contributions.

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

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

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

22
23 SECTION 4. Informational or Educational Booklets.

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

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

31
32 SECTION 2. Organ Donor Awareness License Plate.

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

36 (b)(1) The Arkansas Regional Organ Recovery Agency may submit a design

1 for the special Organ Donor Awareness motor vehicle license plates. The
2 design must be submitted to the director of the Department of Finance and
3 Administration for design approval.

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

8 (c)(1) Upon approval of the design by the director, there shall be
9 remitted to the Department of Finance and Administration a fee in the amount
10 of six thousand dollars (\$6,000) to cover the cost of the initial order of
11 each newly designed license plate.

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

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

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

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

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

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

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

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

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

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

13 (f) Organ Donor Awareness license plates issued under this act may be
14 transferred from one vehicle to another pursuant to Arkansas Code § 27-14-
15 914.

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

19 (h) The director of the Department of Finance and Administration shall
20 promulgate such reasonable rules and regulations, and prescribe such forms as
21 he determines to be necessary for effectively and efficiently carrying out
22 the intent and purposes of this act.

23
24 SECTION 3. Voluntary Contributions.

25 (a) The Revenue Division of the Department of Finance and
26 Administration shall give an applicant for an original or replacement driver
27 license or identification card the opportunity to make a voluntary
28 contribution of one dollar (\$1.00) to be credited to the Organ Donor
29 Awareness Education Trust Fund.

30 (b) The Revenue Division of the Department of Finance and
31 Administration shall give an applicant registering a vehicle, the opportunity
32 to make a voluntary contribution of one dollar (\$1.00) to be credited to the
33 Organ Donor Awareness Education Trust Fund.

34 (c) The Revenue Division of the Department of Finance and
35 Administration shall include on the Arkansas individual income tax forms,
36 including those forms on which a husband and wife file separately on the same

1 form and on all corporate income tax forms, the opportunity to allow
2 taxpayers to voluntarily apply any amount of their tax refund for Organ Donor
3 Awareness Education. Funds collected pursuant to this provision shall be
4 credited to the Organ Donor Education Awareness Trust Fund.

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

9
10 SECTION 4. Informational or Educational Booklets.

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

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

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19 /s/ House
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