

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 S4/4/03

# A Bill

HOUSE BILL 2340

5 By: Representative House  
6 By: *Senator Faris*  
7

## For An Act To Be Entitled

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

### Subtitle

16 TO PROVIDE FOR ORGAN DONOR EDUCATION  
17 THROUGH THE ESTABLISHMENT OF THE ORGAN  
18 DONOR EDUCATION TRUST FUND, THE ISSUANCE  
19 OF ORGAN DONOR AWARENESS SPECIAL LICENSE  
20 PLATES, TO PROVIDE FOR VOLUNTARY  
21 CONTRIBUTIONS.  
22

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

26  
27 SECTION 1. Organ Donor Awareness Education Trust Fund.

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

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

36 (c) The Director of the Department of Finance and Administration is



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1 authorized to accept any gifts, grants, bequests, devises, and donations made  
2 to the State of Arkansas for the purposes of organ donor awareness education.  
3 Funds received for the purposes stated in this section shall be deposited in  
4 the Organ Donor Awareness Education Trust Fund.

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

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

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

17  
18 SECTION 2. Organ Donor Awareness License Plate.

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

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

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

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

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

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

1 supplemental and in addition to all other funds as may be deposited for the  
2 benefit of the division.

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

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

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

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

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

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

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

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

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

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

1 914.

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

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

9  
10 SECTION 3. Voluntary Contributions.

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

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

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

23  
24 SECTION 4. Informational or Educational Booklets.

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

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

32  
33 SECTION 2. Organ Donor Awareness License Plate.

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

1       (b)(1) The Arkansas Regional Organ Recovery Agency may submit a design  
2 for the special Organ Donor Awareness motor vehicle license plates. The  
3 design must be submitted to the director of the Department of Finance and  
4 Administration for design approval.

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

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

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

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

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

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

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

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

36       (2) Registration may continue from year to year as long as it is

1 renewed each year within the time and manner required by law.

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

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

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

14 (f) Organ Donor Awareness license plates issued under this act may be  
15 transferred from one vehicle to another pursuant to Arkansas Code § 27-14-  
16 914.

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

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

24  
25 SECTION 3. Voluntary Contributions.

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

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

35 (c) The Revenue Division of the Department of Finance and  
36 Administration shall include on the Arkansas individual income tax forms,

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

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

10  
11 SECTION 4. Informational or Educational Booklets.

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

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

19  
20 /s/ House  
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