

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: S3/20/03

# A Bill

SENATE BILL 867

5 By: Senator Brown  
6  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE TITLE 27, CHAPTER  
10 15 TO ADD AN ADDITIONAL SUBCHAPTER TO PROVIDE FOR  
11 THE ISSUANCE OF AN AFRICAN-AMERICAN FRATERNITY  
12 AND SORORITY SPECIAL LICENSE PLATE TO PROVIDE  
13 DONATIONS TO TRADITIONALLY-BLACK COLLEGES; AND  
14 FOR OTHER PURPOSES.

## Subtitle

15  
16 TO PROVIDE FOR THE ISSUANCE OF AN  
17 AFRICAN-AMERICAN FRATERNITY AND SORORITY  
18 SPECIAL LICENSE PLATE TO PROVIDE  
19 DONATIONS TO TRADITIONALLY-BLACK  
20 COLLEGES.  
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24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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26 *SECTION 1. Arkansas Code Title 27, Chapter 15, is amended to add an*  
27 *additional subchapter to read as follows:*

28 *Subchapter 39 - African-American Fraternity and Sorority License Plate*

29  
30 *27-15-3901. In general.*

31 *The Director of the Department of Finance and Administration shall*  
32 *provide for and issue special African-American fraternity or sorority license*  
33 *plates for motor vehicles.*  
34

35 *27-15-3902. Definition.*

36 *As used in this subchapter, "African-American fraternity or sorority"*



1 means any one of the following historically African-American fraternities or  
2 sororities: Delta Sigma Theta, Alpha Kappa Alpha, Zeta Phi Beta, Sigma Gamma  
3 Rho, Omega Psi Phi, Alpha Phi Alpha, Phi Beta Sigma, or Kappa Alpha Psi.

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5 27-15-3903. Approval of design.

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

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

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

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

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

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

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26 27-15-3904. Application for special African-American fraternity or  
27 sorority plate - Fee - Disposition of fee.

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

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

1 license plate, which shall bear the approved design of the fraternity or  
2 sorority, to the vehicle owner.

3 (B)(i) The handling and administrative fee of ten dollars  
4 (\$10.00) shall be deposited to the State Central Services Fund for the  
5 benefit of the Revenue Division of the Department of Finance and  
6 Administration and shall be credited to the division as supplemental and in  
7 addition to all other funds as may be deposited for the benefit of the  
8 division.

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

11 (2)(A) The design use contribution of twenty-five dollars  
12 (\$25.00) shall be remitted monthly to the endowment funds of the  
13 participating Arkansas historically black institutions of higher education as  
14 specified under subdivision (b)(2)(B) of this section to be used for  
15 scholarships as provided in this subchapter.

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

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

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

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

25 (c) Arkansas Baptist College, twenty percent  
26 (20%); and

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

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

32  
33 27-15-3905. Renewal.

34 (a) Special African-American fraternity or sorority license plates  
35 issued under this subchapter may be renewed annually under the procedure in §  
36 27-15-3904 either in person, by mail, or by facsimile under §§ 27-14-1012 and

1 27-14-1013.

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

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

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

13  
14 27-15-3906. Transfer.

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

17  
18 27-15-3907. Compliance with other laws.

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

22  
23 27-15-3908. Use of funds by the historically black institutions of  
24 higher education.

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

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

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35 27-15-3909. Limitation on remedies.

36 The fraternities and sororities participating in this program shall

1 have no recourse against the Department of Finance and Administration if any  
2 special African-American fraternity or sorority license plate is erroneously  
3 issued or renewed without payment of the design use authorization statement.

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/s/ Brown