

SECOND AMENDMENT SPECIAL LICENSE PLATES

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Howard A. Stephenson

House Sponsor: _____

LONG TITLE**General Description:**

This bill authorizes a Support the 2nd Amendment and ~~State-Owned~~ **[New]** State-Owned Shooting Ranges support special group license plate.

Highlighted Provisions:

This bill:

- ▶ creates a Support the 2nd Amendment and ~~State-Owned~~ **[New]** State-Owned Shooting Ranges support special group license plate to facilitate the construction of new outdoor shooting ranges owned by the Division of Wildlife Resources;
- ▶ requires applicants for the plate to make a \$25 annual donation to the Support for New State-Owned Shooting Ranges Restricted Account;
- ▶ creates the Support for ~~State-Owned~~ **[New]** State-Owned Shooting Ranges Restricted Account;
- ▶ requires the Division of Wildlife Resources to distribute funds in the Support for ~~State-Owned~~ **[New]** State-Owned Shooting Ranges Restricted Account to facilitate the construction of new outdoor firearm shooting ranges; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

41-1a-422, as last amended by Laws of Utah 2016, Chapters 46, 52, 70, and 71

63J-1-602.1, as last amended by Laws of Utah 2016, Chapters 46, 70, 71, and 202

ENACTS:

23-14-13.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **23-14-13.5** is enacted to read:

23-14-13.5. Support for ~~§~~ **[New]** ~~§~~ **State-Owned Shooting Ranges Restricted**

Account.

(1) There is created in the General Fund a restricted account known as the "Support for ~~§~~ **[New]** ~~§~~ **State-Owned Shooting Ranges Restricted Account.**"

(2) The account shall be funded by:

(a) contributions deposited into the account in accordance with Section **41-1a-422**;

(b) private contributions; and

(c) donations or grants from public or private entities.

(3) Upon appropriation by the Legislature, the division shall distribute funds in the account to facilitate construction of new ~~§~~ **[outdoor]** ~~§~~ **firearm shooting ranges** ~~§~~ **, and operation and maintenance of existing ranges,** ~~§~~ **that are:**

(a) built on ~~§~~ **[state-owned land]** **land owned or leased by the state** ~~§~~ **;** ~~§~~ **[and]** ~~§~~

(b) owned ~~§~~ **[and-operated]** ~~§~~ **by the division** ~~§~~ **[;]** **; and** ~~§~~

~~§~~ **(c) operated by the division or the division's contractors.** ~~§~~

(4) The division shall only expend the funds to:

(a) construct ~~§~~ **, operate, and maintain** ~~§~~ **[new-outdoor]** ~~§~~ **firearm shooting ranges** described in Subsection (3); and

(b) pay the costs of issuing or reordering Support the 2nd Amendment and ~~§~~ **[New]** ~~§~~ **State-Owned Shooting Ranges support special group license plate decals.**

(5) In accordance with Section **63J-1-602.1**, appropriations from the account are nonlapsing.

Section 2. Section **41-1a-422** is amended to read:

41-1a-422. Support special group license plates -- Contributor -- Voluntary contribution collection procedures.

(1) As used in this section:

(a) (i) Except as provided in Subsection (1)(a)(ii), "contributor" means a person who has donated or in whose name at least \$25 has been donated to:

- 59 (A) a scholastic scholarship fund of a single named institution;
- 60 (B) the Department of Veterans' and Military Affairs for veterans' programs;
- 61 (C) the Division of Wildlife Resources for the Wildlife Resources Account created in
62 Section 23-14-13, for conservation of wildlife and the enhancement, preservation, protection,
63 access, and management of wildlife habitat;
- 64 (D) the Department of Agriculture and Food for the benefit of conservation districts;
- 65 (E) the Division of Parks and Recreation for the benefit of snowmobile programs;
- 66 (F) the Guardian Ad Litem Services Account and the Children's Museum of Utah, with
67 the donation evenly divided between the two;
- 68 (G) the Boy Scouts of America for the benefit of a Utah Boy Scouts of America
69 council as specified by the contributor;
- 70 (H) No More Homeless Pets in Utah for distribution to organizations or individuals
71 that provide spay and neuter programs that subsidize the sterilization of domestic animals;
- 72 (I) the Utah Alliance of Boys and Girls Clubs, Inc. to provide and enhance youth
73 development programs;
- 74 (J) the Utah Association of Public School Foundations to support public education;
- 75 (K) the Utah Housing Opportunity Restricted Account created in Section 61-2-204 to
76 assist people who have severe housing needs;
- 77 (L) the Public Safety Honoring Heroes Restricted Account created in Section 53-1-118
78 to support the families of fallen Utah Highway Patrol troopers and other Department of Public
79 Safety employees;
- 80 (M) the Division of Parks and Recreation for distribution to organizations that provide
81 support for Zion National Park;
- 82 (N) the Firefighter Support Restricted Account created in Section 53-7-109 to support
83 firefighter organizations;
- 84 (O) the Share the Road Bicycle Support Restricted Account created in Section
85 72-2-127 to support bicycle operation and safety awareness programs;
- 86 (P) the Cancer Research Restricted Account created in Section 26-21a-302 to support
87 cancer research programs;
- 88 (Q) Autism Awareness Restricted Account created in Section 53A-1-304 to support
89 autism awareness programs;

(R) Humanitarian Service and Educational and Cultural Exchange Restricted Account created in Section 9-17-102 to support humanitarian service and educational and cultural programs;

(S) Prostate Cancer Support Restricted Account created in Section 26-21a-303 for programs that conduct or support prostate cancer awareness, screening, detection, or prevention;

(T) the Choose Life Adoption Support Restricted Account created in Section 62A-4a-608 to support programs that promote adoption;

(U) the Martin Luther King, Jr. Civil Rights Support Restricted Account created in Section 9-18-102;

(V) the National Professional Men's Basketball Team Support of Women and Children Issues Restricted Account created in Section 62A-1-202;

(W) the Utah Law Enforcement Memorial Support Restricted Account created in Section 53-1-120;

(X) the Children with Cancer Support Restricted Account created in Section 26-21a-304 for programs that provide assistance to children with cancer;

(Y) the National Professional Men's Soccer Team Support of Building Communities Restricted Account created in Section 9-19-102; [or]

(Z) the Children with Heart Disease Support Restricted Account created in Section 26-58-102[-]; or

(AA) the Division of Wildlife Resources for the Support for ~~State-Owned~~ **State-Owned** Shooting Ranges Restricted Account created in Section 23-14-13.5, for the creation of new ~~State-Owned~~ **State-Owned** and operation and maintenance of existing ~~State-Owned~~ **State-Owned** state-owned ~~State-Owned~~ **State-Owned** firearm shooting ranges.

(ii) (A) For a veterans' special group license plate, "contributor" means a person who has donated or in whose name at least a \$25 donation at the time of application and \$10 annual donation thereafter has been made.

(B) For a Utah Housing Opportunity special group license plate, "contributor" means a person who:

(I) has donated or in whose name at least \$30 has been donated at the time of application and annually after the time of application; and

(II) is a member of a trade organization for real estate licensees that has more than

15,000 Utah members.

(C) For an Honoring Heroes special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually thereafter.

(D) For a firefighter support special group license plate, "contributor" means a person who:

(I) has donated or in whose name at least \$15 has been donated at the time of application and annually after the time of application; and

(II) is a currently employed, volunteer, or retired firefighter.

(E) For a cancer research special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually after the time of application.

(F) For a Martin Luther King, Jr. Civil Rights Support special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually thereafter.

(G) For a Utah Law Enforcement Memorial Support special group license plate, "contributor" means a person who has donated or in whose name at least \$35 has been donated at the time of application and annually thereafter.

(b) "Institution" means a state institution of higher education as defined under Section 53B-3-102 or a private institution of higher education in the state accredited by a regional or national accrediting agency recognized by the United States Department of Education.

(2) (a) An applicant for original or renewal collegiate special group license plates under Subsection (1)(a)(i) must be a contributor to the institution named in the application and present the original contribution verification form under Subsection (2)(b) or make a contribution to the division at the time of application under Subsection (3).

(b) An institution with a support special group license plate shall issue to a contributor a verification form designed by the commission containing:

(i) the name of the contributor;

(ii) the institution to which a donation was made;

(iii) the date of the donation; and

(iv) an attestation that the donation was for a scholastic scholarship.

(c) The state auditor may audit each institution to verify that the money collected by the institutions from contributors is used for scholastic scholarships.

(d) After an applicant has been issued collegiate license plates or renewal decals, the commission shall charge the institution whose plate was issued, a fee determined in accordance with Section 63J-1-504 for management and administrative expenses incurred in issuing and renewing the collegiate license plates.

(e) If the contribution is made at the time of application, the contribution shall be collected, treated, and deposited as provided under Subsection (3).

(3) (a) An applicant for original or renewal support special group license plates under this section must be a contributor to the sponsoring organization associated with the license plate.

(b) This contribution shall be:

(i) unless collected by the named institution under Subsection (2), collected by the division;

(ii) considered a voluntary contribution for the funding of the activities specified under this section and not a motor vehicle registration fee;

(iii) deposited into the appropriate account less actual administrative costs associated with issuing the license plates; and

(iv) for a firefighter special group license plate, deposited into the appropriate account less:

(A) the costs of reordering firefighter special group license plate decals; and

(B) the costs of replacing recognition special group license plates with new license plates under Subsection 41-1a-1211(13).

(c) The donation described in Subsection (1)(a) must be made in the 12 months prior to registration or renewal of registration.

(d) The donation described in Subsection (1)(a) shall be a one-time donation made to the division when issuing original:

(i) snowmobile license plates; or

(ii) conservation license plates.

(4) Veterans' license plates shall display one of the symbols representing the Army, Navy, Air Force, Marines, Coast Guard, or American Legion.

Section 3. Section **63J-1-602.1** is amended to read:

63J-1-602.1. List of nonlapsing accounts and funds -- General authority and Title 1 through Title 30.

(1) Appropriations made to the Legislature and its committees.

(2) The Percent-for-Art Program created in Section [9-6-404](#).

(3) The Martin Luther King, Jr. Civil Rights Support Restricted Account created in Section [9-18-102](#).

(4) The National Professional Men's Soccer Team Support of Building Communities Restricted Account created in Section [9-19-102](#).

(5) The LeRay McAllister Critical Land Conservation Program created in Section [11-38-301](#).

(6) The Support for ~~Ŝ~~→ **[New]** ~~←Ŝ~~ State-Owned Shooting Ranges Restricted Account created in Section [23-14-13.5](#).

~~[(6)]~~ (7) An appropriation made to the Division of Wildlife Resources for the appraisal and purchase of lands under the Pelican Management Act, as provided in Section [23-21a-6](#).

~~[(7)]~~ (8) Award money under the State Asset Forfeiture Grant Program, as provided under Section [24-4-117](#).

~~[(8)]~~ (9) Funds collected from the program fund for local health department expenses incurred in responding to a local health emergency under Section [26-1-38](#).

~~[(9)]~~ (10) Funds collected from the emergency medical services grant program, as provided in Section [26-8a-207](#).

~~[(10)]~~ (11) The primary care grant program created in Section [26-10b-102](#).

~~[(11)]~~ (12) The Prostate Cancer Support Restricted Account created in Section [26-21a-303](#).

~~[(12)]~~ (13) The Children with Cancer Support Restricted Account created in Section [26-21a-304](#).

~~[(13)]~~ (14) State funds appropriated for matching federal funds in the Children's Health Insurance Program as provided in Section [26-40-108](#).

~~[(14)]~~ (15) The Utah Health Care Workforce Financial Assistance Program created in Section [26-46-102](#).

~~[(15)]~~ (16) The Rural Physician Loan Repayment Program created in Section

214 [26-46a-103](#).
215 ~~[(+6)]~~ (17) The Opiate Overdose Outreach Pilot Program created in Section [26-55-107](#).
216 ~~[(+7)]~~ (18) The Children with Heart Disease Support Restricted Account created in
217 Section [26-58-102](#).
218 Section 4. **Effective date.**
219 This bill takes effect on October 1, 2017.

Legislative Review Note
Office of Legislative Research and General Counsel