

House Bill 730

By: Representatives Epps of the 144th, Rice of the 95th, Pruett of the 149th, Dickey of the 140th, Tanner of the 9th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to
2 special license plates promoting certain beneficial projects and supporting certain worthy
3 agencies, funds, or nonprofit corporations, so as to adjust fund allocation for certain specialty
4 wildlife license plates; to provide for legislative intent; to repeal obsolete provisions; to
5 provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 It is the purpose of this Act to reconcile Code Section 40-2-86 with Code Section 12-3-600,
9 which mandates that the best interests of the state are served by providing for the
10 conservation of nongame species of wildlife in this state and that the state's policy is to
11 enable and encourage citizens voluntarily to support nongame wildlife conservation
12 programs and wildlife habitat acquisition programs, by eliminating certain additional fees
13 that were imposed beginning in 2010 upon the special license plates promoting Georgia
14 wildlife.

15 **SECTION 2.**

16 Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license
17 plates promoting certain beneficial projects and supporting certain worthy agencies, funds,
18 or nonprofit corporations, is amended by revising subsection (a) and by adding a new
19 subsection (n) to read as follows:

20 "(a)(1) As used in this Code section, except as otherwise provided in subsection (n) of
21 this Code section, the term:

22 (A) 'Manufacturing fee' means a \$25.00 fee paid at the time a special license plate is
23 issued.

24 (B) 'Special license plate fee' means a \$35.00 fee paid at the time a special license plate
25 is issued.

26 (C) 'Special license plate renewal fee' means a \$35.00 fee paid at the time a
27 revalidation decal is issued for a special license plate.

28 (2) In accordance with Article III, Section IX, Paragraph VI(n) of the Constitution, the
29 General Assembly has determined that the issuance of special license plates to support
30 an agency or fund or a program beneficial to the people of this state that is administered
31 by a nonprofit corporation organized under Section 501(c)(3) of Title 26 of the Internal
32 Revenue Code and dedicating a portion of the funds raised from the sale of these special
33 license plates is in the best interests of the people of this state."

34 "(n)(1) The General Assembly recognizes that Code Section 12-3-600 mandates that the
35 best interests of the state are served by providing for the conservation of nongame species
36 of wildlife and has determined that the following special license plates supporting the
37 agencies, funds, or nonprofit corporations listed in this subsection shall be issued for the
38 purposes indicated. The special license plates listed in this subsection shall be subject to
39 a special license plate fee and a special license plate renewal fee. The revenue
40 disbursement for the special license plates listed in this subsection shall be as follows:

41 (A) Special license plate fee – \$25.00 of which \$5.00 is to be deposited into the general
42 fund, \$1.00 is to be paid to the local county tag agent and \$19.00 is to be dedicated to
43 the sponsoring agency, fund, or nonprofit corporation; and

44 (B) Special license plate renewal fee – \$25.00 of which \$5.00 is to be deposited into
45 the general fund and \$20.00 is to be dedicated to the sponsoring agency, fund, or
46 nonprofit corporation.

47 (2) Special license plates promoting the Nongame-Endangered Wildlife Program of the
48 Department of Natural Resources. The funds raised by the sale of these special license
49 plates shall be disbursed to the Nongame Wildlife Conservation and Wildlife Habitat
50 Acquisition Fund of the Department of Natural Resources for the purposes enumerated
51 in subsection (b) of Code Section 12-3-602. Such license plates shall not include a space
52 for a county name decal but shall instead bear the legend 'Give Wildlife a Chance' in lieu
53 of the name of the county of issuance.

54 (3) A special license plate promoting conservation and enhancement of trout populations.
55 The funds raised by the sale of this special license plate shall be disbursed to the Wildlife
56 Resources Division of the Department of Natural Resources to supplement trout
57 restoration and management programs.

58 (4) A special license plate supporting the Bobwhite Quail Restoration Initiative. The
59 funds raised by the sale of this special license plate shall be disbursed to the Wildlife
60 Resources Division of the Department of Natural Resources to conduct programs
61 designed to enhance the bobwhite quail population in this state. Such programs may
62 include the creation of habitat demonstration areas on state managed wildlife lands,

63 education programs, technical assistance to private landowners in the creation and
64 maintenance of bobwhite quail habitats on their lands, and projects to encourage public
65 support for the license plate and the activities it funds. The Department of Natural
66 Resources may enter into such contractual agreements as may be appropriate to further
67 the objectives of the Bobwhite Quail Restoration Initiative, including entering into
68 contractual agreements whereby private landowners, public agencies, or corporate entities
69 create, preserve, or enhance habitat for bobwhite quail in return for the payment of
70 incentives. Such license plate shall not include a space for a county decal but shall
71 instead bear the legend 'Support Wildlife' in lieu of the name of the county of issuance."

72 **SECTION 3.**

73 Said Code section is further amended by repealing paragraphs (2), (3), and (4) of subsection
74 (l) and designating said paragraphs as reserved.

75 **SECTION 4.**

76 In accordance with the requirements of Article III, Section IX, Paragraph (VI)(n) of the
77 Constitution of the State of Georgia, this Act shall not become law unless it receives the
78 requisite two-thirds' majority vote in both the Senate and the House of Representatives.

79 **SECTION 5.**

80 All laws and parts of laws in conflict with this Act are repealed.