

## CHAPTER 2022-189

### Committee Substitute for Committee Substitute for Senate Bill No. 364

An act relating to specialty license plates; amending s. 320.08053, F.S.; revising the presale voucher requirements for out-of-state college or university license plates; requiring the Department of Highway Safety and Motor Vehicles to extend the presale period by a specified amount of time for certain approved specialty license plate organizations; revising the limit on the number of specialty license plates the department may issue; amending s. 320.08056, F.S.; revising the calculation of certain independent college and university specialty license plate sales for certain determinations; requiring the department to continue to collect annual use fees for certain discontinued or replaced plates; amending s. 320.08058, F.S.; revising annual use fee distributions from the sale of the Live the Dream license plate; providing for the award of scholarships to certain students through a competitive application process; providing for fiscal oversight; requiring the department to develop a Blue Angels motorcycle specialty license plate; specifying a design requirement for the plate; requiring that the number of valid Blue Angels motor vehicle and motorcycle specialty license plates be added together for purposes of a certain determination; directing the department to develop specified specialty license plates; providing for distribution and use of fees collected from the sale of such license plates; providing a directive to the Division of Law Revision; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (b) of subsection (2) and paragraph (b) of subsection (3) of section 320.08053, Florida Statutes, are amended to read:

320.08053 Establishment of specialty license plates.—

(2)

(b) Within 24 months after the presale specialty license plate voucher is established, the approved specialty license plate organization must record with the department a minimum of 3,000 voucher sales, ~~or in the case of an out-of-state college or university license plate, 4,000 voucher sales,~~ before manufacture of the license plate may commence. The department shall extend this presale period by an additional 24 months for an approved specialty license plate organization that, as of the effective date of this act, is in the presale period but has not recorded at least 3,000 voucher sales. If, at the conclusion of the ~~24-month~~ presale period, the minimum sales requirement has not been met, the specialty plate is deauthorized, and the department shall discontinue development of the plate and discontinue issuance of the presale vouchers. Upon deauthorization of the license plate or if the plate has met the presale requirement but has not been issued, a

purchaser of the license plate voucher may use the annual use fee collected as a credit towards any other specialty license plate or apply for a refund on a form prescribed by the department.

(3)

(b) If the Legislature has approved ~~135~~ 150 or more specialty license plates, the department may not issue any new specialty license plates until a sufficient number of plates are discontinued pursuant to s. 320.08056(8) such that the number of plates being issued does not exceed ~~135~~ 150. Notwithstanding s. 320.08056(8)(a), the ~~135-license-plate~~ 150-license-plate limit includes license plates above the minimum sales threshold and those exempt from that threshold.

Section 2. Subsection (12) of section 320.08056, Florida Statutes, is amended to read:

320.08056 Specialty license plates.—

(12) Notwithstanding s. 320.08058(3)(a), the department, in cooperation with the independent colleges or universities as described in s. 1009.89, shall create a standard template specialty license plate with a unique logo or graphic identifying each independent college or university. Each independent college or university may elect to use this standard template specialty license plate in lieu of its own specialty license plate. Annual use fees from the sale of these license plates shall be distributed to the independent college or university for which the logo or graphic is displayed on the license plate and shall be used as provided in s. 320.08058(3). An independent college or university colleges or universities opting to use the standard template specialty license plate shall have the standard template specialty license their plate sales added to the total number of remaining current valid registrations under paragraph (8)(a) for the formerly separate independent college and university license plates which were issued before the independent college or university elected to use the standard template specialty license plate combined for purposes of the standard template specialty license plate meeting the minimum license plate sales threshold in paragraph (8)(a) and for determining the license plate limit in s. 320.08053(3)(b). Specialty license plates created pursuant to this subsection must be ordered directly from the department. If the independent college or university elects to use the standard template specialty license plate, the department shall discontinue the existing specialty license plate and, notwithstanding paragraph (8)(c), shall continue to collect the applicable specialty license plate annual use fee under paragraph (3)(d) or subsection (4) for the remainder of the 10-year license plate replacement period for the existing plate being discontinued or being replaced with the standard template specialty license plate.

Section 3. Effective October 1, 2022, subsections (47) and (79) of section 320.08058, Florida Statutes, are amended, and subsections (119) through (126) are added to that section, to read:

320.08058 Specialty license plates.—

(47) LIVE THE DREAM LICENSE PLATES.—

(a) The department shall develop a Live the Dream license plate as provided in this section. Live the Dream license plates must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Live the Dream” must appear at the bottom of the plate.

(b) The proceeds of the annual use fee shall be distributed to the Dream Foundation, Inc., to be used in the following manner:

1. Up to 5 percent may be used to administer, promote, and market the license plate.

2. At least ~~25~~ 60 percent shall be distributed equally among the sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc., for programs that provide research, care, and treatment for sickle cell disease.

3. At least 8 percent shall be used for programs and services provided directly by the Dream Foundation, Inc., which assist inmates released from the custody of a county jail in this state or a Department of Corrections facility in successfully reentering the community.

4. At least 15 percent shall be distributed as grants for programs and services throughout this state which assist inmates released from the custody of a county jail in this state or a Department of Corrections facility in successfully reentering the community.

5. At least 20 percent shall be distributed as scholarships to graduating high school seniors in this state who have at least one parent or legal guardian who is incarcerated, for the purpose of attending a state university, a Florida College System institution, a career center operated by a school district under s. 1001.44, or a charter technical career center under s. 1002.34. Scholarships shall be awarded through a competitive application process. Fiscal oversight of the scholarship program shall be performed by a certified public accounting firm.

~~6.3.~~ At least ~~22~~ 30 percent shall be distributed to Chapman Partnership, Inc., for programs that provide relief from poverty, hunger, and homelessness.

7.4. Up to 5 percent may be distributed by the department on behalf of the Dream Foundation, Inc., to The Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr.

(79) BLUE ANGELS LICENSE PLATES.—

(a) The department shall develop a Blue Angels license plate for display on a motor vehicle and for display on a motorcycle as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Home of the Blue Angels” must appear at the bottom of the plate. Any department-approved image must be placed on the far left side of a plate for display on a motorcycle.

(b) The annual use fees from the sale of the plate shall be distributed to the Naval Aviation Museum Foundation, a nonprofit Florida corporation under s. 501(c)(3) of the Internal Revenue Code, to fund the maintenance, programs, marketing, and projects of the foundation, including the National Naval Aviation Museum and the National Flight Academy in Pensacola. Up to 10 percent of the funds received by the Naval Aviation Museum Foundation may be used for marketing of the plate and costs directly associated with the administration of the foundation. The Naval Aviation Museum Foundation shall distribute 50 percent of the funds to eligible programs and projects associated with the National Flight Academy and the remainder of the funds to eligible programs and projects associated with the National Naval Aviation Museum.

(c) The number of valid specialty license plates issued for display on a motor vehicle or on a motorcycle must be added together to determine whether the specialty license plate must be discontinued pursuant to s. 320.08056(8)(a).

#### (119) INTER MIAMI CF LICENSE PLATES.—

(a) The department shall develop an Inter Miami CF license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Inter Miami CF” must appear at the bottom of the plate.

(b) Notwithstanding paragraph (9)(b), the annual use fees from the sale of the plate shall be distributed to Inter Miami CF Foundation Corporation, a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, which may use a maximum of 10 percent of the proceeds to promote and market the plate. The remainder of the proceeds shall be used by Inter Miami CF Foundation Corporation to plan and execute sports-based development and direct-service community programs, initiatives, and events in this state.

#### (120) SAFE HAVEN FOR NEWBORNS LICENSE PLATES.—

(a) The department shall develop a Safe Haven for Newborns license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “A Safe Haven for Newborns” must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Gloria M. Silverio Foundation, Incorporated, a Florida nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, the mission of which is to prevent infant abandonment through awareness, education, and direct assistance. Up to 10 percent of the fees may be used for marketing and administration of the plate. The remaining funds shall be used by the foundation to prevent infant abandonment through awareness, education, and direct assistance.

(121) PAP CORPS CHAMPIONS FOR CANCER RESEARCH LICENSE PLATES.—

(a) The department shall develop a Pap Corps Champions for Cancer Research license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Cancer Research Matters” must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Papanicolaou Corps for Cancer Research, Inc., a Florida nonprofit corporation, as follows:

1. Up to 10 percent of the annual use fees must be used for:

a. Promotion and marketing costs of the license plate; and

b. Reimbursing the corporation for administrative costs, startup costs, and costs incurred in the development and approval process of the license plate.

2. The remaining funds must be distributed with the approval of, and accountability to, the board of directors of the Pap Corps and must be used to promote and support awareness of critical lifesaving cancer research by the Sylvester Comprehensive Cancer Center through education, outreach, and clinical research.

(122) LEARN TO FLY LICENSE PLATES.—

(a) The department shall develop a Learn to Fly license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Learn to Fly” must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to Florida’s Lifted Youth Inc., a Florida nonprofit corporation, which may use up to 10 percent of the proceeds to promote and market the plate. The remainder of the proceeds shall be used by Florida’s Lifted Youth Inc. to assist underprivileged youth and the children of fallen heroes to establish careers in aviation.

(123) FLORIDA SWIMS LICENSE PLATES.—

(a) The department shall develop a Florida Swims license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Swim for Life” must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to the Swimming Pool Education and Safety Foundation, Inc., doing business as Florida Swims, a nonprofit organization under s. 501(c)(3) of the Internal Revenue Code, which may use up to 10 percent of the proceeds for administration, promotion, and marketing of the plate. All remaining proceeds shall be used by the Swimming Pool Education and Safety Foundation, Inc., doing business as Florida Swims, to promote swimming pool and water safety and to provide grants and scholarships for childhood swimming lessons in this state.

(124) DOWN SYNDROME AWARENESS LICENSE PLATES.—

(a) The department shall develop a Down Syndrome Awareness license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Down Syndrome Awareness” must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to Our City Beautiful, Inc., a Florida nonprofit corporation. Up to 10 percent of the fees may be used for administrative costs and marketing of the plate. Of the remaining fees:

1. Fifty percent shall be used to build and maintain HOLLAND, an affordable housing project for independent living for persons with Down syndrome or other intellectual disability.

2. Fifteen percent shall be dedicated to Our City Beautiful World Changer scholarships for Florida residents 18 years of age or older with Down syndrome who wish to further their education at postsecondary educational institutions located in this state.

3. Thirty-five percent shall be used for grants to other nonprofit organizations within this state to support housing, educational scholarships, and employment assistance programs for persons with Down syndrome or other intellectual disability.

(125) GOPHER TORTOISE LICENSE PLATES.—

(a) The department shall develop a Gopher Tortoise license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the

top of the plate, and the words “Protect the Gopher Tortoise” must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to Wildlands Conservation, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, to fund gopher tortoise and commensal species research, education, and conservation, as well as upland habitat protection, restoration, and management in this state to benefit the gopher tortoise and other upland species. Up to 10 percent of the funds received by Wildlands Conservation, Inc., may be used for marketing of the plate and costs directly associated with the administration of the gopher tortoise protection program. Wildlands Conservation, Inc., shall use and distribute the funds to eligible Florida-based scientific, conservation, and educational organizations for gopher tortoise, commensal species, and upland habitat research, conservation, and management.

(126) TAKE STOCK IN CHILDREN LICENSE PLATES.—

(a) The department shall develop a Take Stock in Children license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Take Stock in Children” must appear at the bottom of the plate.

(b) The annual use fees from the sale of the plate shall be distributed to TSIC, Inc., doing business as Take Stock in Children, a Florida nonprofit corporation. Up to 10 percent of the fees may be used for administrative costs and marketing of the plate. The remaining funds must be distributed with the approval of, and accountability to, the board of directors of Take Stock in Children and must be used to promote and support programs that provide mentorship for at-risk students.

Section 4. The Division of Law Revision is directed to replace the phrase “the effective date of this act” wherever it occurs in this act with the date this act becomes a law.

Section 5. Except as otherwise expressly provided in this act, this act shall take effect upon becoming a law.

Approved by the Governor June 15, 2022.

Filed in Office Secretary of State June 15, 2022.