

1 HB257
2 197856-4
3 By Representative Shedd
4 RFD: Public Safety and Homeland Security
5 First Read: 20-MAR-19

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
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8 To amend Section 32-6-67, Code of Alabama 1975, as
9 amended by Act 2018-190, 2018 Regular Session, relating to the
10 Legislative Oversight Committee and the distinctive tag
11 program; to clarify the prohibition of only private or
12 proprietary two-year colleges.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Section 32-6-67, Code of Alabama 1975, as
15 amended by Act 2018-190, 2018 Regular Session, is amended to
16 read as follows:

17 "§32-6-67.

18 "(a) There is created a legislative committee to
19 oversee the implementation and administration of this Article
20 2, except Subdivision 1 of Division 1. The committee shall be
21 composed of three members of the House of Representatives and
22 a county license plate issuing official, who shall be
23 appointed by and serve at the pleasure of the Speaker of the
24 House, and three members of the Senate and a county license
25 plate issuing official, who shall be appointed by and serve at
26 the pleasure of the Presiding Officer of the Senate. The
27 committee shall also be composed of the Secretary of the

1 Alabama State Law Enforcement Agency or his or her designee, a
2 probate judge who is a licensing plate official appointed by
3 the President of the Probate Judges Association, and a county
4 licensing plate official who shall be appointed by the Alabama
5 Association of Tax Administrators. The Department of Revenue
6 shall designate a representative, the Department of
7 Transportation shall designate a representative, and the
8 Department of Corrections shall designate a representative of
9 Alabama Correctional Industries as nonvoting and advisory
10 members to the committee. The chair, who shall be picked by
11 the members of the committee from the legislative members on
12 the committee, shall have the authority to call meetings of
13 the committee when he or she deems it necessary or as
14 otherwise provided in this section.

15 "(b) The committee shall:

16 "(1) Meet not less than once every six months.

17 "(2) Require that a simple majority of committee
18 voting members be in attendance for conducting whatever
19 business requires committee action.

20 "(3) Establish guidelines for the qualification of
21 organizations which may sponsor a new or continued issuance of
22 a license plate category, or may benefit from that issuance.

23 "(4) Approve, disapprove, or indefinitely postpone,
24 by a vote of two-thirds of the members present at a committee
25 meeting, a request for a new license plate category.

26 "(c) Decisions of the committee concerning approval,
27 disapproval, or indefinite postponement of further action on a

1 proposed distinctive license plate shall be interpreted to be
2 the intent of the entire body of the Legislature, and
3 separate, specific action by the Legislature concerning a
4 distinctive license plate proposal shall not be considered.

5 "(d) The committee shall not consider for approval
6 applications from the following types of organizations:

7 "(1) Out-of-state colleges and universities except
8 as provided in subsection (e).

9 "(2) Private businesses, business organizations, or
10 commercial entities of any type.

11 "(3) Public schools K-12, ~~junior~~ and private or
12 proprietary two-year colleges, and private or proprietary
13 technical schools, exclusive of the Helping Schools Tag as
14 established in Sections 32-6-300 and 32-6-301.

15 "(4) Groups within high schools, junior colleges,
16 universities, and technical schools, such as band boosters,
17 athletic boosters, and the like.

18 "(5) Unions.

19 "(6) Political organizations.

20 "(7) Religious organizations.

21 "(8) Groups that promote racial or social
22 disharmony.

23 "(9) Public officials.

24 "(e) The committee may consider and approve an
25 application for a distinctive license plate for an
26 out-of-state college or university, upon submission of an
27 application pursuant to Section 32-6-64.

1 "(f) Upon the request of the chair, the Secretary of
2 the Senate and the Clerk of the House shall provide clerical
3 assistance necessary for the work of the committee.

4 "(g) The committee members who are members of the
5 Legislature shall be entitled to, and shall receive, the same
6 daily legislative compensation, expense allowances, per diem,
7 and other compensation which they receive while in legislative
8 session for each weekday, Monday through Friday, during any
9 week in which the committee actually meets. The
10 non-legislative members of the committee shall be entitled to,
11 and shall receive, the same per diem and expenses that are
12 paid to state employees."

13 Section 2. (a) The Department of Revenue shall
14 review all personalized license plates issued pursuant to
15 Chapter 6 of Title 32, Code of Alabama 1975, and Chapter 12 of
16 Title 40, Code of Alabama 1975, and shall determine whether a
17 requested license plate is issued or renewed in accordance
18 with rules adopted pursuant to Chapter 22 of Title 41, Code of
19 Alabama 1975.

20 (b) An appeal concerning the denial of the issuance
21 or renewal of a license plate shall be made with the circuit
22 court of the county where the motor vehicle is registered.

23 Section 3. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Public Safety
and Homeland Security..... 20-MAR-19

Read for the second time and placed
on the calendar..... 11-APR-19

Read for the third time and passed
as amended..... 18-APR-19

Yeas 96, Nays 0, Abstains 0

Jeff Woodard
Clerk