

HOUSE BILL 1683

By Hawk

AN ACT to amend Tennessee Code Annotated, Section 55-4-201, relative to special license plates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-201(k), is amended by deleting the language "new specialty earmarked license plate on or after July 1, 2008," and substituting instead the language "specialty earmarked license plate or new specialty earmarked license plate".

SECTION 2. Tennessee Code Annotated, Section 55-4-201(k)(3), is amended by deleting the language "By September 30, 2008, and September 30 each following year" and substituting instead the language "By September 30 each year".

SECTION 3. Tennessee Code Annotated, Section 55-4-201(k)(3), is amended by adding the following language immediately following the first sentence:

If a nonprofit organization fails to comply with the annual accounting requirement, then the commissioner of the department or agency responsible for paying the specialty earmarked license plate or new specialty earmarked license plate proceeds shall, at the request of the comptroller of the treasury, hold the proceeds in reserve until the nonprofit organization submits its annual accounting and the comptroller notifies the department or agency to release the funds. Any costs associated with holding the plate proceeds shall be deducted from the reserve fund as an administration fee.

SECTION 4. Tennessee Code Annotated, Section 55-4-201(k), is amended by deleting the language "new specialty earmarked license plate" wherever it appears and substituting instead the language "specialty earmarked license plate or new specialty earmarked license plate".

SECTION 5. Tennessee Code Annotated, Section 55-4-201(j), is amended by deleting the subsection and substituting instead the following:

(j)

(1) Any new specialty earmarked license plate authorized by statute on behalf of a nonprofit organization shall be subject to certification of the organization's nonprofit status by the secretary of state within ninety (90) days of the effective date of the act authorizing the plate prior to initial issuance.

(2) Any specialty earmarked license plate authorized by statute and initially issued prior to July 1, 1998, on behalf of a nonprofit organization, and any new specialty earmarked license plate authorized by statute and initially issued on or after July 1, 1998, and prior to July 1, 2008, on behalf of a nonprofit organization, shall be subject to certification of the organization's nonprofit status by the secretary of state.

(3) Any new specialty earmarked license plate or specialty earmarked license plate authorized on behalf of a nonprofit organization that is not certified as a registered nonprofit organization in good standing with the state by the secretary of state shall not be issued or renewed and shall be deemed obsolete and invalid.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.