

By: Representatives Clarke, Bailey, Barnett To: Ways and Means
(92nd), Broomfield, Coleman (65th), Cummings,
Dedeaux, Evans, Formby, Fredericks, Frierson,
Gadd, Green (96th), Grist, Hamilton, Holden,
Hudson, Malone, Martinson, McElwain,
Middleton, Miller, Moore, Morris, Myers,
Nettles, Read, Scott (17th), Smith (59th),
Stevens, Thomas, Thornton, Walker

HOUSE BILL NO. 1298

1 AN ACT TO CREATE A NEW CODE SECTION 27-19-56.15, MISSISSIPPI
2 CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE LICENSE
3 TAGS IN SUPPORT OF THE MISSISSIPPI COMMISSION FOR VOLUNTEER
4 SERVICE AND THE STATE HIGHWAY FUND; TO PROVIDE THAT A PORTION OF
5 THE FEES COLLECTED FOR SUCH DISTINCTIVE LICENSE TAGS SHALL BE
6 DISTRIBUTED TO THE MISSISSIPPI COMMISSION FOR VOLUNTEER SERVICE
7 AND THE STATE HIGHWAY FUND; TO PROVIDE CERTAIN REQUIREMENTS THAT
8 MUST BE SATISFIED BEFORE DISTINCTIVE LICENSE TAGS OR PLATES
9 AUTHORIZED BY THIS ACT, OR FUTURE LEGISLATION, WILL BE PREPARED;
10 TO AMEND SECTION 43-55-29, MISSISSIPPI CODE OF 1972, IN CONFORMITY
11 TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

13 SECTION 1. The following shall be codified as Section
14 27-19-56.15, Mississippi Code of 1972:

15 27-19-56.15. (1) Any owner of a motor vehicle who is a
16 resident of this state, upon payment of the road and bridge
17 privilege taxes, ad valorem taxes and registration fees as
18 prescribed by law for private carriers of passengers, pickup
19 trucks and other noncommercial motor vehicles, and upon payment of
20 an additional fee in the amount provided in subsection (3) of this
21 section, shall be issued a distinctive license tag for each motor
22 vehicle registered in his name identifying such person as a
23 supporter of the Mississippi Commission for Volunteer Service.
24 The distinctive license tags so issued shall be of such color and
25 design as the State Tax Commission, with the advice of the
26 Mississippi Commission on Volunteer Service, may prescribe and
27 shall consist of such letters or numbers, or both, as may be
28 necessary to distinguish each license tag.

29 (2) Application for the distinctive license tags authorized
30 by this section shall be made to the county tax collector on forms
31 prescribed by the State Tax Commission. The application and the

32 additional fee imposed under subsection (3) of this section, less
33 five percent (5%) thereof to be retained by the tax collector,
34 shall be remitted to the State Tax Commission within seven (7)
35 days of the date the application is made. The portion of the
36 additional fee retained by the tax collector shall be deposited
37 into the county general fund.

38 (3) Beginning with any registration year commencing on or
39 after July 1, 1999, any person applying for a distinctive license
40 tag under this section shall pay an additional fee in the amount
41 of Thirty Dollars (\$30.00) for each distinctive license tag
42 applied for under this section, which shall be in addition to all
43 other taxes and fees. The additional fee paid shall be for a
44 period of time to run concurrent with the vehicle's established
45 license tag year. The additional fee is due and payable at the
46 time the original application is made for a distinctive license
47 tag under this section and thereafter annually at the time of
48 renewal registration as long as the owner retains the distinctive
49 license tag. If the owner does not wish to retain the distinctive
50 license tag, he must surrender it to the local county tax
51 collector.

52 (4) The State Tax Commission shall deposit all fees into the
53 State Treasury on the day collected. At the end of each month,
54 the State Tax Commission shall certify to the State Treasurer the
55 total fees collected under this section from the issuance of the
56 distinctive license tags issued under this section. The State
57 Treasurer shall distribute an amount equal to Seven Dollars
58 (\$7.00) of the additional fees collected for each such distinctive
59 license tag issued under this section to the State General Fund,
60 and the remainder of such additional fees collected shall be
61 distributed by the State Treasurer as follows:

62 (a) Twenty Dollars (\$20.00) of each additional fee
63 collected on distinctive license tags issued pursuant to this
64 section shall be deposited into the Mississippi Commission for
65 Volunteer Service Fund created under Section 43-55-29.

66 (b) The remainder of each such additional fee shall be
67 deposited to the credit of the State Highway Fund to be expended
68 solely for the repair, maintenance, construction or reconstruction
69 of highways.

70 (5) A regular license tag must be properly displayed as
71 required by law until replaced by a distinctive license tag under
72 this section. The regular license tag must be surrendered to the
73 tax collector upon issuance of the distinctive license tag under
74 this section. The tax collector shall issue up to two (2) license
75 decals for each distinctive license tag issued under this section,
76 which will expire the same month and year as the regular license
77 tag.

78 (6) In the case of loss or theft of a distinctive license
79 tag issued under this section, the owner may make application and
80 affidavit for a replacement distinctive license tag as provided by
81 Section 27-19-37. The fee for a replacement distinctive license
82 tag shall be Ten Dollars (\$10.00). The tax collector receiving
83 such application and affidavit shall be entitled to retain and
84 deposit into the county general fund five percent (5%) of the fee
85 for such replacement license tag and the remainder shall be
86 distributed in the same manner as funds from the sale of regular
87 distinctive license tags issued under this section.

88 SECTION 2. (1) For any distinctive license tag or plate
89 authorized by the Legislature from and after July 1, 1999,
90 including the distinctive license tag authorized in Section 1 of
91 this act, the requirements of this section must be satisfied
92 before the State Tax Commission prepares and issues any such
93 license tag or plate. The organization or other entity for which
94 the Legislature authorized the distinctive license tag or plate
95 must submit proof satisfactory to the State Tax Commission that at
96 least one hundred (100) such license tags or plates will be
97 purchased and must deposit with the commission an amount necessary
98 to purchase one hundred (100) such license tags or plates. The
99 organization or other entity for which the Legislature authorized
100 the distinctive license tag or plate must satisfy the requirements
101 of this subsection (1) within two (2) years after the effective
102 date of the law authorizing the license tag or plate in order for
103 the license tag or plate to be prepared and issued.

104 (2) If the organization or other entity for which the
105 Legislature authorized the distinctive license tag or plate
106 satisfies the requirements of subsection (1) of this section, the
107 State Tax Commission shall prepare and issue the distinctive
108 license tag or plate. If the State Tax Commission prepares and
109 issues a distinctive license tag or plate for the organization or
110 other entity, the commission shall review the number of such
111 license tags or plates issued during the period for the license
112 tag or plate series. If the number of distinctive license tags or
113 plates falls below one hundred (100) in the last year of the
114 series, the license tag or plate shall be discontinued at the end
115 of the period for the series.

116 (3) If a distinctive license tag or plate is
117 discontinued under subsection (2) of this section, the
118 organization or other entity for which the license tag or plate
119 was discontinued may prepare a distinctive license tag or plate
120 decal. The distinctive license tag or plate decal shall be of
121 such size, color and design as may be agreed upon by the
122 organization or other entity and the State Tax Commission.
123 However, the State Tax Commission shall have final approval of the
124 size, color and design of the decal. The distinctive license tag
125 or plate decals shall be prepared and sold by the organization or
126 other entity, and the proceeds derived from the sale of such
127 decals shall be retained by the organization or other entity for
128 use deemed appropriate by the organization or other entity.

129 (4) This section shall not apply to distinctive license
130 tags or plates authorized for the Governor and Lieutenant Governor
131 and former Governors and Lieutenant Governors in Section 27-19-45,
132 Mississippi Code of 1972, or to distinctive license tags and
133 plates authorized in Sections 27-19-46, 27-19-51, 27-19-53,
134 27-19-54, 27-19-56.3, 27-19-56.5, 27-19-56.12 or 27-19-56.13 or
135 27-19-169, Mississippi Code of 1972.

136 SECTION 3. Section 43-55-29, Mississippi Code of 1972, is
137 amended as follows:

138 43-55-29. (1) There is established in the State Treasury a
139 fund known as the "Mississippi Commission for Volunteer Service
140 Fund" (hereinafter referred to as "fund"). The fund shall consist
141 of monies obtained from contributions made pursuant to Section
142 27-7-90 and from the additional fees collected under Section
143 27-19-56.15. Monies in the fund, upon appropriation by the
144 Legislature, may be expended by the Mississippi Commission for
145 Volunteer Service, established in Section 43-55-3, to carry out
146 the purposes of Sections 43-55-1 through 43-55-27. Unexpended
147 amounts remaining in the fund at the end of the fiscal year shall
148 not lapse into the State General Fund, and any interest earned on
149 amounts in the fund shall be deposited to the credit of the fund.

150 SECTION 4. This act shall take effect and be in force from
151 and after July 1, 1999.