

By: Representatives Banks, Evans

To: Ways and Means

HOUSE BILL NO. 1387

1 AN ACT TO CREATE A NEW SECTION TO BE CODIFIED AS SECTION
2 27-19-56.32, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE
3 OF DISTINCTIVE MOTOR VEHICLE LICENSE PLATES TO DIABETICS; TO AMEND
4 SECTION 27-19-44, MISSISSIPPI CODE OF 1972, IN CONFORMITY WITH THE
5 PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

7 SECTION 1. The following shall be codified as Section
8 27-19-56.32, Mississippi Code of 1972:

9 27-19-56.32. (1) Upon application by any legal resident of
10 the State of Mississippi who is diabetic, the State Tax Commission
11 shall prepare and issue through the county tax collectors a
12 special license plate for not more than one (1) vehicle that is
13 registered in the applicant's name. The initial application shall
14 be accompanied by the certification of a licensed physician that
15 the applicant meets the definition of a diabetic as set forth in
16 subsection (2) of this section. An applicant for the special
17 license plate shall not be required to pay any fee or charge for
18 the issuance of such license plate separate from or in addition to
19 the road and bridge privilege taxes, ad valorem taxes and
20 registration fees otherwise required by law to be paid for the
21 issuance of a regular license plate for the vehicle. The special
22 license plate shall be of such color and design as the State Tax
23 Commission may prescribe and shall consist of such letters,
24 numbers or both as may be necessary to distinguish each license
25 plate.

26 (2) For the purpose of this section, the term "diabetic"
27 means a person who is affected with diabetes, including, Type I,

28 Type II, Gestational or any secondary form of diabetes regardless
29 of mode of treatment, age of onset or duration of the disease.

30 SECTION 2. Section 27-19-44, Mississippi Code of 1972, is
31 amended as follows:

32 27-19-44. (1) Except as otherwise provided in subsection
33 (4) of this section, for any distinctive license tag or plate
34 authorized by the Legislature from and after July 1, 2000, the
35 requirements of this section must be met before the State Tax
36 Commission may prepare or issue any such license tag or plate.
37 The organization or other entity for which the Legislature
38 authorized the distinctive license tag or plate must submit proof
39 satisfactory to the State Tax Commission that at least one hundred
40 (100) of such license tags or plates will be purchased and must
41 deposit with the commission an amount necessary to purchase one
42 hundred (100) of such license tags or plates. The organization or
43 other entity for which the Legislature authorized the distinctive
44 license tag or plate must satisfy the requirements of this
45 subsection (1) within two (2) years after the effective date of
46 the law authorizing the license tag or plate in order to permit
47 the license tag or plate to be prepared and issued.

48 (2) If the organization or other entity for which the
49 Legislature authorized the distinctive license tag or plate meets
50 the requirements of subsection (1) of this section, the State Tax
51 Commission shall prepare and issue the distinctive license tag or
52 plate. If the State Tax Commission prepares and issues a
53 distinctive license tag or plate for the organization or other
54 entity, the commission shall review the number of such license
55 tags or plates issued during the period for the license tag or
56 plate series. If the number of distinctive license tags or plates
57 falls below one hundred (100) in the last year of the series, the
58 license tag or plate shall be discontinued at the end of the
59 period for the series.

60 (3) If a distinctive license tag or plate is discontinued
61 under subsection (2) of this section, the organization or other
62 entity for which the license tag or plate was discontinued may
63 prepare a distinctive license tag or plate decal. The distinctive
64 license tag or plate decal shall be of such size, color and design
65 as may be agreed upon by the organization or other entity and the
66 State Tax Commission. However, the State Tax Commission shall
67 have final approval of the size, color and design of the decal.
68 The distinctive license tag or plate decals shall be prepared and
69 sold by the organization or other entity, and the proceeds derived
70 from the sale of such decals shall be retained by the organization
71 or other entity for any use deemed appropriate by the organization
72 or other entity.

73 (4) The provisions of this section are not applicable to
74 special license plates issued under Section 27-19-56.32.

75 SECTION 3. This act shall take effect and be in force from
76 and after July 1, 2001.