HOUSE BILL NO. 1387

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

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

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

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

(2) For the purpose of this section, the term "diabetic" means a person who is affected with diabetes, including, Type I,
Type II, Gestational or any secondary form of diabetes regardless
of mode of treatment, age of onset or duration of the disease.

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

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

(2) If the organization or other entity for which the
Legislature authorized the distinctive license tag or plate meets
the requirements of subsection (1) of this section, the State Tax
Commission shall prepare and issue the distinctive license tag or
plate. If the State Tax Commission prepares and issues a
distinctive license tag or plate for the organization or other
entity, the commission shall review the number of such license
tags or plates issued during the period for the license tag or
plate series. If the number of distinctive license tags or plates
falls below one hundred (100) in the last year of the series, the
license tag or plate shall be discontinued at the end of the
period for the series.
(3) If a distinctive license tag or plate is discontinued under subsection (2) of this section, the organization or other entity for which the license tag or plate was discontinued may prepare a distinctive license tag or plate decal. The distinctive license tag or plate decal shall be of such size, color and design as may be agreed upon by the organization or other entity and the State Tax Commission. However, the State Tax Commission shall have final approval of the size, color and design of the decal. The distinctive license tag or plate decals shall be prepared and sold by the organization or other entity, and the proceeds derived from the sale of such decals shall be retained by the organization or other entity for any use deemed appropriate by the organization or other entity.

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

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