

By: Representatives Chism, Nicholson,  
Robinson (84th)

To: Ways and Means

HOUSE BILL NO. 526

1 AN ACT TO AMEND SECTION 27-19-56.63, MISSISSIPPI CODE OF  
2 1972, TO AUTHORIZE THE ISSUANCE OF MORE THAN ONE DISTINCTIVE  
3 LICENSE TAG TO A PERSON WHO IS DIABETIC OR WHO IS AN IMMEDIATE  
4 FAMILY MEMBER OR CAREGIVER OF A PERSON WHO IS DIABETIC; AND FOR  
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 27-19-56.63, Mississippi Code of 1972, is  
8 amended as follows:

9 27-19-56.63. (1) Upon application by any legal resident of  
10 the State of Mississippi who is diabetic or who is an immediate  
11 family member or caregiver of a person who is diabetic, the State  
12 Tax Commission shall prepare and issue through the county tax  
13 collectors a special license plate for each motor vehicle that is  
14 registered in the applicant's name. The initial application shall  
15 be accompanied by the certification of a licensed physician that  
16 the applicant (a) meets the definition of a diabetic as set forth  
17 in subsection (2) of this section, or (b) is an immediate family  
18 member or caregiver of a person who meets the definition of a  
19 diabetic as set forth in subsection (2) of this section. For the  
20 purposes of this section, the term "immediate family member" means  
21 the applicant's spouse, father or mother, or a brother, sister or  
22 child of the applicant. Except as otherwise provided, an  
23 applicant for the special license plate shall not be required to  
24 pay any fee or charge for the issuance of such license plate  
25 separate from or in addition to the road and bridge privilege  
26 taxes, ad valorem taxes and registration fees otherwise required  
27 by law to be paid for the issuance of a regular license plate for  
28 the vehicle. The special license plate shall be of such color and

29 design as the State Tax Commission may prescribe and shall consist  
30 of such letters, numbers or both as may be necessary to  
31 distinguish each license plate.

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

36 (3) Application for the distinctive license tags authorized  
37 by this section shall be made to the county tax collector on forms  
38 prescribed by the State Tax Commission. The application and the  
39 additional fee imposed under subsection (4) of this section, less  
40 Two Dollars (\$2.00) thereof to be retained by the tax collector,  
41 shall be remitted to the State Tax Commission on a monthly basis  
42 as prescribed by the commission. The portion of the additional  
43 fee retained by the tax collector shall be deposited into the  
44 county general fund.

45 (4) Beginning with any registration year commencing on or  
46 after July 1, 2003, any person other than a person who is diabetic  
47 applying for a distinctive tag under this section shall pay an  
48 additional fee in the amount of Thirty Dollars (\$30.00) for each  
49 distinctive license tag applied for under this section, which  
50 shall be in addition to all other taxes and fees. The additional  
51 fee shall be for a period of time to run concurrent with the  
52 vehicle's established license tag year. The additional fee is due  
53 and payable at the time the original application is made for  
54 distinctive license tags under this section and thereafter  
55 annually at the time of renewal registration as long as the owner  
56 retains the distinctive license tag.

57 (5) The State Tax Commission shall deposit all fees into the  
58 State Treasury on the day collected. At the end of each month,  
59 the State Tax Commission shall certify the total fees collected  
60 under this section to the State Treasurer who shall distribute  
61 such collections as follows:

62           (a) Twenty-four Dollars (\$24.00) of each additional fee  
63 collected on special license tags issued pursuant to this section  
64 shall be deposited into the special fund created under Section  
65 27-19-56.69(8).

66           (b) One Dollar (\$1.00) of each additional fee collected  
67 on special license tags issued pursuant to this section shall be  
68 deposited into the Mississippi Fire Fighter's Memorial Burn Center  
69 Fund created pursuant to Section 7-9-70.

70           (c) Two Dollars (\$2.00) of each additional fee  
71 collected on special tags issued pursuant to this section shall be  
72 deposited to the credit of the State Highway Fund to be expended  
73 only for the repair, maintenance, construction or reconstruction  
74 of highways.

75           (d) One Dollar (\$1.00) of each additional fee collected  
76 on distinctive license tags issued pursuant to this section shall  
77 be deposited to the credit of the special fund created in Section  
78 27-19-44.2.

79           (6) A regular license tag must be properly displayed as  
80 required by law until replaced by a distinctive license tag under  
81 this section. The regular license tag must be surrendered to the  
82 tax collector upon issuance of the distinctive license tag under  
83 this section. The tax collector shall issue a month and year  
84 license decal for each distinctive license tag issued under this  
85 section, which will expire the same month and year as the license  
86 tag.

87           (7) In case of loss or theft of a distinctive license tag  
88 issued under this section, the owner may make application and  
89 affidavit for a replacement distinctive license tag as provided in  
90 Section 27-19-37. The fee for a replacement distinctive license  
91 tag shall be Ten Dollars (\$10.00). The tax collector receiving  
92 such application and affidavit shall be entitled to retain and  
93 deposit into the county general fund five percent (5%) of the fee  
94 for such replacement license tag and the remainder shall be

95 distributed in the same manner as funds from the sale of regular  
96 distinctive license tags issued under this section.

97         **SECTION 2.** This act shall take effect and be in force from  
98 and after July 1, 2004.