

Regular Session, 2010

SENATE BILL NO. 506

BY SENATOR CROWE AND REPRESENTATIVE ARNOLD

MOTOR VEHICLES. Creates the special prestige license plate honoring the World Champion New Orleans Saints with proceeds to go to charity. (7/1/10)

1 AN ACT

2 To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates honoring
3 the 2009 World Campion New Orleans Saints; to provide for the creation and
4 issuance of such plates; to provide for the design of such plates; to provide relative
5 to the fee and application of the fee for such plates; to create a foundation and
6 provide for foundation members; to authorize the promulgation of rules and
7 regulations; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 47:463.141 is hereby enacted to read as follows:

10 **§463.141. Special prestige license plates;"World Champion New Orleans**
11 **Saints"; distribution of royalty fees**

12 **A. The secretary of the Department of Public Safety and Corrections**
13 **shall establish a special prestige motor vehicle license plate to commemorate the**
14 **New Orleans Saints World Football Champions for the 2009 season, provided**
15 **that there is a minimum of one thousand applicants for such plates. These**
16 **license plates shall be restricted to use on passenger cars, pickup trucks,**
17 **recreational vehicles, and vans.**

1 **B. The prestige license plate shall be issued, upon application, to any**
2 **person, in the same manner as any other motor vehicle license plate.**

3 **C. The licence plate shall be designed by the New Orleans Saints in**
4 **consultation with the state of Louisiana, through the office of motor vehicles.**

5 **D. The charge for the special prestige license plate shall be the standard**
6 **motor vehicle license tax imposed by Article VII, Section 5 of the Constitution**
7 **of Louisiana plus an annual royalty fee of twenty-five dollars for each plate, to**
8 **be collected by the department every two years upon renewal of the plate. A**
9 **handling fee of three dollars and fifty cents shall also be charged and retained**
10 **by the department to offset a portion of administrative costs.**

11 **E. The first 300 hundred plates shall be reserved for purchase at the**
12 **direction of the New Orleans Saints.**

13 **F. Within thirty days of the establishment of the special prestige license**
14 **plate, a Louisiana nonprofit corporation, in the form of a foundation, will be**
15 **created exclusively for the purpose of reviewing and awarding funds generated**
16 **from the sale of the plates. The foundation's governing documents shall comply**
17 **with the requirements for a tax exempt status pursuant to 26 U.S.C. 501(a) as**
18 **an organization described by 26 U.S.C. 501(c)(3).**

19 **(G) The foundation board shall have a governing board which shall**
20 **consist of the following members:**

21 **(1) The governor shall appoint one member who is the head of a state**
22 **agency that is associated with youth, fitness programs related to health and**
23 **wellness education, or a parks and recreations director.**

24 **(2) The speaker of the House of Representatives one member who is the**
25 **head of a state agency that is associated with youth, fitness programs related to**
26 **health and wellness education, or a parks and recreations director.**

27 **(3) The president of the Senate shall appoint shall appoint one member**
28 **who is the head of a state agency that is associated with youth, fitness programs**
29 **related to health and wellness education, or a parks and recreations director.**

1 **(4) The New Orleans Saints shall appoint four members.**

2 **H. (1) The annual royalty fee shall be collected by the department and**
 3 **forwarded to the foundation. The monies received from the royalty fees shall**
 4 **be used solely to provide grants to a nonprofit organization or organizations**
 5 **which are exempt from federal income taxes pursuant to 26 U.S.C. 501(c)(3)**
 6 **which are operating within Louisiana to promote and otherwise enhance youth**
 7 **fitness programs related to health and wellness education and enhance parks**
 8 **and encourage recreation.**

9 **(2) To the extent possible, the intent is that the money to be distributed**
 10 **pursuant to Paragraph (1) of Subsection, will be distributed on a parish-by**
 11 **parish-basis, to be determined by the number of plates sold in that parish.**

12 **I. The foundation shall perform an annual accounting verifying the**
 13 **funds collected and distributed pursuant to Subsection (G) of this Section. A**
 14 **copy of that accounting shall be mailed to the Legislative Auditor.**

15 **J. The secretary shall adopt rules and regulations as are necessary to**
 16 **implement the provisions of this Section.**

17 Section 2. This Act shall become effective on July 1, 2010; if vetoed by the governor
 18 and subsequently approved by the legislature, this Act shall become effective on July 1,
 19 2010, or on the day following such approval by the legislature, whichever is later.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Carla S. Roberts.

DIGEST

Proposed law establishes a special prestige motor vehicle license plate honoring the 2009 World Champion New Orleans Saints, provided there is a minimum of 1,000 applicants for the plates. These license plates shall be restricted to use on passenger cars, pickup trucks, recreational vehicles, and vans.

Proposed law requires the secretary of DPS&C to consult with the New Orleans Saints as to the design of the plate.

Proposed law provides for the standard motor vehicle license tax imposed plus an annual royalty fee of \$25 for each plate to be collected every two years. A handling fee of \$3.50 shall also be collected and retained by the department to offset a portion of administrative costs.

Proposed law provides that the first 300 plates shall be reserved for purchase at the direction

of the New Orleans Saints.

Proposed law provides that, within 30 days of the establishment of the special prestige license plate, a Louisiana nonprofit corporation, in the form of a foundation, will be created exclusively for the purpose of reviewing and awarding funds generated from the sale of the plates. The members of the foundation's governing board shall be as follows:

- (1) The governor shall appoint the head of a state agency that is associated with youth, fitness programs related to health and wellness education, or a parks and recreations director.
- (2) The speaker of the House of Representatives shall appoint the head of a state agency that is associated with youth, fitness programs related to health and wellness education, or a parks and recreations director.
- (3) The president of the Senate shall appoint the head of a state agency that is associated with youth, fitness programs related to health and wellness education, or a parks and recreations director.
- (4) The New Orleans Saints shall appoint four members.

Proposed law provides that an annual royalty fee shall be collected by the department and forwarded to the foundation. The monies received from the royalty fees shall be used solely to provide grants to a nonprofit organization or organizations which are exempt from federal income taxes pursuant to 26 U.S.C. 501(c)(3).

Proposed law provides that the foundation shall perform an annual accounting verifying the funds collected and distributed. A copy of that accounting shall be mailed to the Legislative Auditor.

Proposed law provides that, to the extent possible, the intent is that the money to be distributed, will be distributed on a parish-by parish-basis, to be determined by the number of plates sold in that parish.

Proposed law requires the secretary to adopt rules and regulations as are necessary to implement proposed law.

Effective July 1, 2010.

(Adds R.S. 47:463.141)