A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, so as to provide for a special license plate for women veterans; to provide for definitions; to provide for the issuance of a special license plate to the spouse of an eligible person under certain circumstances; to provide for special license plates for the Omega Psi Phi Fraternity, Inc.; and Hampton University; to provide for special license plates for Zeta Phi Beta Sorority, Inc., to provide for a special license plate to support the law enforcement division of the Department of Natural Resources; to provide for a special license plate promoting marine habitat conservation; to provide for a special license plate for the Georgia Pet Foundation; to provide for related matters; to provide for an effective date; to require a two-thirds' majority vote for passage of certain provisions in accordance with constitutional requirements; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, is amended by revising Code Section 40-2-85.1, relating to special and distinctive license plates for veterans, as follows:

"40-2-85.1. (a) For purposes of this Code section, the term:

(1) 'Military medal award' means the following medals, decorations, or other recognition of honor for military service awarded by a branch of the United States military:

(A) Medal of Honor;

(B) Bronze Star Medal;

(C) Silver Star Medal;

(D) Distinguished Service Cross;
(E) Navy Cross;
(F) Air Force Cross;
(G) Defense Distinguished Service Medal;
(H) Homeland Security Distinguished Service Medal;
(I) Distinguished Service Medal;
(J) Navy Distinguished Service Medal;
(K) Air Force Distinguished Service Medal;
(L) Coast Guard Distinguished Service Medal;
(M) Defense Superior Service Medal;
(N) Legion of Merit;
(O) Distinguished Flying Cross;
(P) Purple Heart; and
(Q) Air Medal; and
(R) Soldier's Medal.

(2) 'Served during active military combat' means active duty service in World War I, World War II, the Korean War, the Vietnam War, Operation Desert Storm, the Global War on Terrorism as defined by Presidential Executive Order 13289, Section 2, the war in Afghanistan, or the war in Iraq, which includes either Operation Iraqi Freedom or Operation Enduring Freedom.

(3) 'Veteran' means a former member of the armed forces of the United States who is discharged from the armed forces under conditions other than dishonorable.

(4) 'Woman veteran' and 'women veterans' means former members of the armed forces of the United States who are female and discharged from the armed forces under conditions other than dishonorable.

(b)(1) Motor vehicle and trailer owners who are veterans of the armed forces of the United States, or women veterans, who have received a military medal award, or persons who served during active military combat shall be eligible to receive special and distinctive vehicle license plates for private passenger cars, motorcycles, trucks, or recreational vehicles used for personal transportation. Such license plates shall be issued in compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles as prescribed in Article 2 of this chapter.

(2)(A) Motor vehicle and trailer owners who are veterans or women veterans, who have received a military medal award, or who served during active military combat shall be issued upon application for and upon compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles a veteran's license plate, a woman veteran's license plate, a military medal award recipient license plate, or a commemorative service license plate for service during active military combat. One
such license plate shall be issued without the requisite registration fee, manufacturing
fee, or annual registration fee.

(B) Each member or former member of the armed forces of the United States listed in
this subsection shall be entitled to no more than one such free license plate at a time;
provided, however, that upon payment of a manufacturing fee of $25.00, a member
shall be entitled to one additional such license plate. For each additional license plate
for which a $25.00 manufacturing fee is required, there shall be an additional annual
registration fee of $25.00, and such fee shall be collected by the county tag agent
at the time of collection of other registration fees and shall be remitted to the state as
provided in Code Section 40-2-34.

(c) The commissioner shall design a veteran's license plate, a woman veteran's license
plate, a military medal award recipient license plate, and a license plate to commemorate
service with the United States armed forces during active military combat. The
commissioner shall promulgate such rules and regulations as may be necessary to enforce
compliance with all state license laws relating to the use and operation of private passenger
cars, motorcycles, trucks, and trailers before issuing these license plates in lieu of the
regular Georgia license plates. The manufacturing fee for such special and distinctive
license plates shall be $25.00. The commissioner is specifically authorized to promulgate
all rules and regulations necessary to ensure compliance in instances where such vehicles
have been transferred or sold. Except as provided in subsection (e) of this Code section,
such plates shall be nontransferable.

(d) The special and distinctive vehicle license plates shall be as prescribed in Article 2 of
this chapter for private passenger cars, motorcycles, trucks, recreational vehicles, and
trailers used for personal transportation. Such plates shall contain such words or symbols,
in addition to the numbers and letters prescribed by law, so as to identify distinctively the
owners as who are veterans of the armed forces of the United States, who are recipients of
a military medal award, or persons who served during active military combat and shall
additionally identify distinctly the owner as a current or former member of one of
the following branches of the armed forces of the United States: Army, Navy, Marines, Air
Force, or Coast Guard.

(e) The license plate issued pursuant to this Code section shall be transferred between
vehicles as provided in Code Section 40-2-80. The spouse of a deceased veteran of the
armed forces of the United States or of a deceased person who received a military medal
award or who served during active military combat shall continue to be eligible to be issued
a distinctive personalized license plate as provided in this Code section for any vehicle
owned by such veteran, ownership of which is transferred to the surviving spouse
or for any other vehicle owned by such surviving spouse either at the time of the qualifying
veteran's person's death or acquired thereafter, so long as such person surviving spouse does not remarry.

(e.1) The spouse of any person eligible to be issued a special license plate under this Code section shall also be eligible for such license plate, provided that no motor vehicle is registered in the name of the eligible person and all other requirements relating to registration and licensing relative to motor vehicles as prescribed in Article 2 of this chapter have been satisfied.

(f) Special license plates issued under this Code section, except as provided in subparagraph (b)(2)(A) of this Code section, shall be renewed annually with a revalidation decal as provided in Code Section 40-2-31 without payment of an additional $25.00 annual registration fee."

SECTION 2.

Said article is further amended in Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting certain beneficial projects and supporting certain worthy agencies, funds, or nonprofit corporations with proceeds disbursed to the general fund and the agency, fund, or nonprofit corporation, by adding three new paragraphs to subsection (l), adding a new paragraph to subsection (m), and revising subsection (n) as follows:

"(52) A special license plate honoring the Omega Psi Phi Fraternity, Inc. The funds raised by the sale of this special license plate shall be disbursed to the Georgia State Omega Psi Phi Foundation.

(53) A special license plate honoring Hampton University. The funds raised by the sale of this special license plate shall be disbursed to the Hampton University Atlanta Chapter Alumni Association.

(54) A special license plate honoring Zeta Phi Beta Sorority, Inc. The funds raised by the sale of this special license plate shall be disbursed to the Zeta National Education Foundation, Inc."

(13) A special license plate to support the law enforcement division of the Department of Natural Resources in its protection of wildlife and natural and cultural resources of this state, enforcement of boating, litter, and waste laws, teaching of hunter and boater education classes, and provision of other public safety services to the citizens of this state. The funds raised by the sale of this special license plate shall be disbursed as provided in paragraph (1) of this subsection to the Department of Natural Resources for use by the law enforcement division for the purposes provided for in this paragraph."

"(n)(1) The General Assembly recognizes that Code Section 12-3-600 mandates that the best interests of the state are served by providing for the conservation of nongame species

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of wildlife and has determined that the following special license plates supporting the agencies, funds, or nonprofit corporations listed in this subsection shall be issued for the purposes indicated. The special license plates listed in this subsection shall be subject to a special license plate fee and a special license plate renewal fee. The revenue disbursement for the special license plates listed in this subsection shall be as follows:

(A) Special license plate fee – $25.00 of which $5.00 is to be deposited into the general fund, $1.00 is to be paid to the local county tag agent, and $19.00 is to be dedicated to the sponsoring agency, fund, or nonprofit corporation; and

(B) Special license plate renewal fee – $25.00 of which $5.00 is to be deposited into the general fund and $20.00 is to be dedicated to the sponsoring agency, fund, or nonprofit corporation.

(2) Special license plates promoting the Nongame-Endangered Wildlife Program of the Department of Natural Resources. The funds raised by the sale of these special license plates shall be disbursed to the Nongame Wildlife Conservation and Wildlife Habitat Acquisition Fund of the Department of Natural Resources for the purposes enumerated in subsection (b) of Code Section 12-3-602. Such license plates shall not include a space for a county name decal but shall instead bear the legend 'Give Wildlife a Chance' in lieu of the name of the county of issuance.

(3) A special license plate promoting conservation and enhancement of trout populations. The funds raised by the sale of this special license plate shall be disbursed to the Wildlife Resources Division of the Department of Natural Resources to supplement trout restoration and management programs.

(4) A special license plate supporting the Bobwhite Quail Restoration Initiative. The funds raised by the sale of this special license plate shall be disbursed to the Wildlife Resources Division of the Department of Natural Resources to conduct programs designed to enhance the bobwhite quail population in this state. Such programs may include the creation of habitat demonstration areas on state managed wildlife lands, education programs, technical assistance to private landowners in the creation and maintenance of bobwhite quail habitats on their lands, and projects to encourage public support for the license plate and the activities it funds. The Department of Natural Resources may enter into such contractual agreements as may be appropriate to further the objectives of the Bobwhite Quail Restoration Initiative, including entering into contractual agreements whereby private landowners, public agencies, or corporate entities create, preserve, or enhance habitat for bobwhite quail in return for the payment of incentives. Such license plate shall not include a space for a county decal but shall instead bear the legend 'Support Wildlife' in lieu of the name of the county of issuance.
(5) A special license plate promoting marine habitat conservation, restoration, and enhancement. The funds raised by the sale of this special license plate shall be disbursed to the Coastal Resources Division of the Department of Natural Resources to supplement marine habitat conservation, restoration, and enhancement projects undertaken to increase the abundance of marine fish and invertebrate species.

(6) A special license plate promoting a dog and cat reproductive sterilization program for a nonprofit corporation. The funds raised by the sale of this special license plate shall be disbursed to the Georgia Pet Foundation to be used for dog and cat reproductive sterilization, including, but not limited to, grants to nonprofit corporations and vouchers for discounted veterinary sterilization services.

SECTION 3.

(a) This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval, except as otherwise provided in subsection (b) of this section.

(b) In accordance with the requirements of Article III, Section IX, Paragraph VI(n) of the Constitution of the State of Georgia, Section 2 of this Act amending subsections (l), (m), and (n) of Code Section 40-2-86 of the Official Code of Georgia Annotated shall not become law unless it receives the requisite two-thirds' majority vote in both the Senate and the House of Representatives.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.