

Regular Session, 2014

SENATE BILL NO. 131

BY SENATOR MORRELL

FEES/LICENSES/PERMITS. Provides with respect to "Animal Friendly" prestige license plates. (gov sig)

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AN ACT

To amend and reenact R.S. 47:463.60(B), (C), (D)(introductory paragraph), and (E), and to repeal R.S. 47:463.60(H), relative to special prestige license plates; to provide with respect to the "Animal Friendly" prestige license plate; to provide for a royalty fee; to abolish the Pet Overpopulation Fund; to provide for the transfer of any remaining monies in the Pet Overpopulation Fund; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:463.60(B), (C), (D)(introductory paragraph), and (E) are hereby amended and reenacted to read as follows:

§463.60. Special prestige license plates; "Animal Friendly" prestige license plate; animal population control; Pet Overpopulation Fund

* * *

B. The ~~charge~~ **annual fee** for this prestige license plate shall be **a royalty fee** ~~of~~ twenty-five dollars to be distributed as provided in this Section and a handling fee of three dollars and fifty cents to be retained by the department to offset a portion of administrative costs. These charges shall be in addition to the standard motor vehicle

1 license tax imposed by Article VII, Section 5 of the Constitution of Louisiana.

2 C. The department shall collect the ~~monies received from the sale of this~~
 3 **royalty fee for the** prestige license plate and ~~shall forward twenty-five dollars~~
 4 ~~immediately upon receipt to the state treasury. After compliance with the~~
 5 ~~requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative~~
 6 ~~to the Bond Security and Redemption Fund, the monies shall be deposited in the Pet~~
 7 ~~Overpopulation Fund, which is hereby created within the state treasury, and shall be~~
 8 ~~used solely to provide reduced-cost sterilizations of adult animals as defined in R.S.~~
 9 ~~3:2471(2) to indigent pet owners. All unexpended and unencumbered monies~~
 10 ~~remaining in the fund at the close of each fiscal year shall remain in the fund. Monies~~
 11 ~~in the fund shall be invested by the state treasurer in the same manner as monies in~~
 12 ~~the state general fund. All interest earned from the investment of monies in the fund~~
 13 ~~shall be credited to this fund after compliance with Article VII, Section 9(B) of the~~
 14 ~~Constitution of Louisiana~~ **each quarter shall distribute the royalty fee to the Pet**
 15 **Overpopulation Advisory Council.**

16 D. A Pet Overpopulation Advisory Council is hereby established within the
 17 office of the governor to establish guidelines for the expenditure of funds ~~credited~~
 18 ~~to the Pet Overpopulation Fund~~ and to review and make recommendations on grant
 19 applications submitted in compliance with Subsection F of this Section. Members
 20 of the council shall serve on a voluntary basis and shall not receive any
 21 compensation or reimbursement of expenses. The council shall meet at least twice
 22 annually, and it shall consist of the following members:

23 * * *

24 **E.(1) The Pet Overpopulation Advisory Council shall distribute the**
 25 **monies to qualified entities as provided in this Section. The Pet Overpopulation**
 26 **Advisory Council may reserve or expend up to five percent of the money**
 27 **received pursuant to this Section for the promotion and marketing of the**
 28 **prestige license plate and for administrative costs relative to the distribution of**
 29 **the monies.**

1 (2) Any indigent pet owner on public assistance, including but not limited to
2 the Food Stamp Program, the Supplemental Security Income Program, the
3 Temporary Assistance for Needy Families Program, the Family Independence
4 Temporary Assistance Program, or any other similar public assistance program
5 named by the Pet Overpopulation Advisory Council, shall qualify for low-cost
6 services.

7 * * *

8 Section 2 . R.S. 47:463.60(H) is hereby repealed.

9 Section 3. The Pet Overpopulation Fund in the state treasury shall be abolished as
10 of the effective date of this Act and the state treasurer is hereby authorized and directed to
11 immediately transfer any monies remaining in the Pet Overpopulation Fund to the Escrow
12 Fund. Such monies shall be appropriated or otherwise distributed to the Pet Overpopulation
13 Advisory Council as provided in Section 1 of this Act.

14 Section 4. This Act shall become effective upon signature by the governor or, if not
15 signed by the governor, upon expiration of the time for bills to become law without signature
16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
18 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jay R. Lueckel.

DIGEST

Morrell (SB 131)

Present law provides for special prestige license plates for automobiles, including the "Animal Friendly" prestige license plate.

Present law provides that twenty-five dollars shall be charged for the Animal Friendly prestige license plate and such avails from the charge on this prestige license plate shall be deposited into the Pet Overpopulation Fund, which is to be used to provide reduced-cost sterilization of adult animals to indigent pet owners. Present law also provides for a three dollar and fifty cent handling fee for administrative costs of the Department of Public Safety, Office of Motor Vehicles for the special prestige license plate.

Proposed law retains present law relative to the Animal Friendly prestige license plate. Proposed law changes the \$25 charge to a \$25 royalty fee and distributes the avails of the royalty fee each quarter to the Pet Overpopulation Advisory Council, which is created under present law in the office of the governor. Proposed law retains the Pet Overpopulation Advisory Council and also retains the handling fee for administrative costs in the Office of

Motor Vehicles.

Proposed law provides that the Pet Overpopulation Advisory Council shall distribute the monies to qualified entities as provided by law.

Proposed law provides that the Pet Overpopulation Advisory Council may reserve or expend up to five percent of the money received for the promotion and marketing of the prestige license plate and for administrative costs relative to the distribution of the monies.

Proposed law retains present law that states any indigent pet owner on public assistance shall qualify for low-cost services for animal population control.

Proposed law abolishes the Pet Overpopulation Fund upon the effective date of the proposed law and provides that any monies remaining in the fund shall be transferred to the Escrow Fund. Such monies shall be appropriated or otherwise distributed to the Pet Overpopulation Advisory Council.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends 47:463.60(B), (C), (D)(intro para), and (E) and repeals R.S. 47:463.60(H))