HOUSE SUBSTITUTE FOR

SENATE BILL NO. 178

A bill to amend 1949 PA 300, entitled

"Michigan vehicle code,"

by amending sections 811e and 811h (MCL 257.811e and 257.811h), as amended by 2016 PA 327, and by adding sections 811cc, 811dd, 811ee, and 811ff.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 811e. (1) The secretary of state may develop a fund-raising plate as provided in this section.

(2) A start-up fee in an amount equal to a 3-year average of the cost to the secretary of state of developing a new fund-raising plate, as calculated by the secretary of state on January 1 of each year, shall be paid for any new fund-raising plate authorized under this section. **THE SECRETARY OF STATE SHALL DISCOUNT THE START-UP**

FEE TO REFLECT ANY COST SAVINGS REALIZED BY THE SECRETARY OF STATE IF MULTIPLE NEW FUND-RAISING PLATES ARE DEVELOPED AT THE SAME TIME. The secretary of state shall use the 3 most recent preceding years in which it developed at least 1 fund-raising plate when calculating the 3-year average required by this subsection. The secretary of state shall deposit the fee in the transportation administration collection fund to be used for the cost of creating, producing, and issuing fund-raising plates. If the fee described in this subsection is not paid within 18 months after the effective date of the public act that authorizes the development and issuance of a fund-raising plate, the secretary of state shall not create, produce, or issue the related fund-raising plate. A start-up fee paid under this subsection is nonrefundable.

(3) Not less than 3 years after the secretary of state first issues 1 of the fund-raising plates as described in subsection (1) and upon payment of $2,000.00, the Michigan university or other person sponsoring that fund-raising plate may redesign it as approved by the secretary of state. The secretary of state shall deposit the payment required under this subsection in the transportation administration collection fund created under section 810b to be used for the cost of creating, producing, and issuing fund-raising plates. A payment under this subsection is nonrefundable.

(4) The secretary of state may develop 1 or more limited term registration plates to recognize a Michigan university or an accomplishment or occasion of a Michigan university.

(5) Subject to section 811h(5), the secretary of state may, at

any 1 time, develop, produce, issue, or make available for sale not more than 20 different ~~state-sponsored~~ fund-raising plates as described in this section, and matching ~~state-sponsored~~ collector plates as described in section 811g. This subsection does not apply to a plate described in subsection (4).

(6) The secretary of state shall not develop or issue a fund-raising plate unless a public act authorizing the fund-raising plate, at a minimum, does all of the following:

(a) Identifies the purpose of the fund-raising plate.

(b) Creates a nonprofit fund or designates an existing nonprofit fund to receive the money raised through the sale of fund-raising plates and matching collector plates. A nonprofit fund described in this subdivision shall not expend money received from the sale of a fund-raising plate and matching collector plate outside of this state.

(c) If a fund is created, names the person or entity responsible for administering the fund.

(7) The 2016 amendatory act that amended this section and section 811h shall be known and may be cited as the "Peter A. Pettalia Memorial Act".

Sec. 811h. (1) The secretary of state shall credit each service fee collected under sections 811f and 811g to the transportation administration collection fund created under section 810b.

(2) The secretary of state shall identify and segregate the fund-raising donations collected under sections 811f and 811g into separate accounts. The secretary of state shall create a separate

account for each fund-raising plate and its matching collector plate issued or sold by the secretary of state.

(3) As determined necessary by the secretary of state but not more than 45 days after the end of each calendar quarter, the secretary of state shall not less than once each calendar quarter authorize the disbursement of fund-raising donations segregated under subsection (2) and, independent from any disbursement under subsection (2), report the number of each type of fund-raising and collector plates issued, sold, or renewed to the following, as appropriate:

(a) The treasurer of a Michigan university.

(b) The person or entity identified in a public act described in section 811e to administer a state-sponsored fund-raising registration plate fund.

(c) The sponsor of a fund-raising plate issued as prescribed under section 811e that was developed and issued after January 1, 2007.

(4) A fund-raising plate shall meet or exceed the following sales goals:

(a) In the first year, 2,000 plates.

(b) In the second and each subsequent year for 5 years, 500 original plates.

(c) For each subsequent consecutive 2-year period after the 5-year period described in subdivision (b), 500 original plates.

(5) Except as otherwise provided in this subsection, the secretary of state shall cease to issue a fund-raising plate or to issue a duplicate replacement of a fund-raising plate for use on a

vehicle if that fund-raising plate fails to meet a sales goal described in subsection (4). ~~If on the effective date of the 2016 amendatory act that amended this subdivision the number of fund-raising plates available for sale exceeds the limit established in section 811e(5), the~~ **THE** secretary of state shall not cease to issue a fund-raising plate that **WAS AVAILABLE FOR SALE ON FEBRUARY 1, 2017 AND THAT** failed to meet a sales goal described in subsection (4) if the failure occurred before ~~April 1, 2017.~~ **FEBRUARY 1, 2017.** The secretary of state shall also cease to sell a collector plate that matches the discontinued fund-raising plate. However, the secretary of state may continue to renew fund-raising plates already issued and collect the renewal fund-raising donation for those plates.

(6) The state of Michigan, through the secretary of state, shall own all right, title, and interest in all fund-raising plates and collector plates, including the right to use, reproduce, or distribute a fund-raising or collector plate or the image of a fund-raising or collector plate in any form. The secretary of state may authorize the commercial or other use of a fund-raising or collector plate design, logo, or image if written consent is obtained from the pertinent Michigan university or other person that sponsored a fund-raising plate. However, the secretary of state shall not authorize the commercial or other use of a fund-raising or collector plate under this section unless the user first agrees in writing to the terms and conditions that the secretary of state considers necessary. Those terms and conditions may include the payment of royalty fees to 1 or more of the following:

(a) This state.

(b) A Michigan university.

(c) Another person that sponsored a fund-raising plate.

(7) The secretary of state shall credit a royalty fee paid to this state under a written agreement described in subsection (6) to the transportation administration collection fund created under section 810b.

(8) Beginning not later than February 1, 2007, and annually after that, an organization receiving fund-raising donations disbursed under this section shall report to the state treasurer. A report under this subsection shall include a summary of expenditures during the preceding year of the money received under this section.

SEC. 811CC. (1) NO LATER THAN [AUGUST 1], 2019, THE SECRETARY OF STATE SHALL DEVELOP UNDER SECTION 811E AND ISSUE UNDER SECTION 811F A FUND-RAISING PLATE OR COLLECTOR PLATE RECOGNIZING THE DETROIT RED WINGS. THE FUND-RAISING PLATE OR COLLECTOR PLATE AUTHORIZED IN THIS SECTION SHALL BEAR AN APPROPRIATE LOGO, THE DESIGN OF WHICH THE DETROIT RED WINGS SHALL SUBMIT TO THE SECRETARY OF STATE.

(2) THE DETROIT RED WINGS FUND IS CREATED WITHIN THE STATE TREASURY. THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS. MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

(3) THE SECRETARY OF STATE SHALL TRANSFER THE DONATION MONEY FROM THE SALE OF FUND-RAISING PLATES RECOGNIZING THE DETROIT RED WINGS TO THE STATE TREASURER, WHO SHALL CREDIT THE DONATION MONEY TO THE DETROIT RED WINGS FUND ESTABLISHED UNDER SUBSECTION (2).

(4) THE STATE TREASURER SHALL DISBURSE MONEY IN THE FUND ESTABLISHED UNDER SUBSECTION (2) ON A QUARTERLY BASIS TO THE DETROIT RED WINGS FOUNDATION.

(5) THE STATE TREASURER SHALL BE THE ADMINISTRATOR OF THE FUND CREATED IN SUBSECTION (2) FOR AUDITING PURPOSES.

(6) MONEY DISBURSED TO THE DETROIT RED WINGS FOUNDATION UNDER THIS SECTION SHALL BE DISTRIBUTED TO ELIGIBLE NONPROFIT ORGANIZATIONS THAT ARE EXEMPT FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE, 26 USC 501.

SEC. 811DD. (1) NO LATER THAN [AUGUST 1], 2019, THE SECRETARY OF STATE SHALL DEVELOP UNDER SECTION 811E AND ISSUE UNDER SECTION 811F A FUND-RAISING PLATE OR COLLECTOR PLATE RECOGNIZING THE DETROIT TIGERS. THE FUND-RAISING PLATE OR COLLECTOR PLATE AUTHORIZED IN THIS SECTION SHALL BEAR AN APPROPRIATE LOGO, THE DESIGN OF WHICH THE DETROIT TIGERS SHALL SUBMIT TO THE SECRETARY OF STATE.

(2) THE DETROIT TIGERS FUND IS CREATED WITHIN THE STATE TREASURY. THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS. MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

(3) THE SECRETARY OF STATE SHALL TRANSFER THE DONATION MONEY FROM THE SALE OF FUND-RAISING PLATES RECOGNIZING THE DETROIT TIGERS TO THE STATE TREASURER, WHO SHALL CREDIT THE DONATION MONEY TO THE DETROIT TIGERS FUND ESTABLISHED UNDER SUBSECTION (2).

(4) THE STATE TREASURER SHALL DISBURSE MONEY IN THE FUND ESTABLISHED UNDER SUBSECTION (2) ON A QUARTERLY BASIS TO THE DETROIT TIGERS FOUNDATION.

(5) THE STATE TREASURER SHALL BE THE ADMINISTRATOR OF THE FUND CREATED IN SUBSECTION (2) FOR AUDITING PURPOSES.

(6) MONEY DISBURSED TO THE DETROIT TIGERS FOUNDATION UNDER THIS SECTION SHALL BE DISTRIBUTED TO ELIGIBLE NONPROFIT ORGANIZATIONS THAT ARE EXEMPT FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE, 26 USC 501.

SEC. 811EE. (1) NO LATER THAN [AUGUST 1], 2019, THE SECRETARY OF STATE SHALL DEVELOP UNDER SECTION 811E AND ISSUE UNDER SECTION 811F A FUND-RAISING PLATE OR COLLECTOR PLATE RECOGNIZING THE DETROIT LIONS. THE FUND-RAISING PLATE OR COLLECTOR PLATE AUTHORIZED IN THIS SECTION SHALL BEAR AN APPROPRIATE LOGO, THE DESIGN OF WHICH THE DETROIT LIONS SHALL SUBMIT TO THE SECRETARY OF STATE.

(2) THE DETROIT LIONS FUND IS CREATED WITHIN THE STATE TREASURY. THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS. MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

(3) THE SECRETARY OF STATE SHALL TRANSFER THE DONATION MONEY

FROM THE SALE OF FUND-RAISING PLATES RECOGNIZING THE DETROIT LIONS TO THE STATE TREASURER, WHO SHALL CREDIT THE DONATION MONEY TO THE DETROIT LIONS FUND ESTABLISHED UNDER SUBSECTION (2).

(4) THE STATE TREASURER SHALL DISBURSE MONEY IN THE FUND ESTABLISHED UNDER SUBSECTION (2) ON A QUARTERLY BASIS TO THE DETROIT LIONS CHARITIES.

(5) THE STATE TREASURER SHALL BE THE ADMINISTRATOR OF THE FUND CREATED IN SUBSECTION (2) FOR AUDITING PURPOSES.

(6) MONEY DISBURSED TO THE DETROIT LIONS CHARITIES UNDER THIS SECTION SHALL BE DISTRIBUTED TO ELIGIBLE NONPROFIT ORGANIZATIONS THAT ARE EXEMPT FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE, 26 USC 501.

SEC. 811FF. (1) NO LATER THAN [AUGUST 1], 2019, THE SECRETARY OF STATE SHALL DEVELOP UNDER SECTION 811E AND ISSUE UNDER SECTION 811F A FUND-RAISING PLATE OR COLLECTOR PLATE RECOGNIZING THE DETROIT PISTONS IN THIS STATE. THE FUND-RAISING PLATE OR COLLECTOR PLATE AUTHORIZED IN THIS SECTION SHALL BEAR AN APPROPRIATE LOGO, THE DESIGN OF WHICH THE DETROIT PISTONS SHALL SUBMIT TO THE SECRETARY OF STATE.

(2) THE DETROIT PISTONS FUND IS CREATED WITHIN THE STATE TREASURY. THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS. MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

(3) THE SECRETARY OF STATE SHALL TRANSFER THE DONATION MONEY

FROM THE SALE OF FUND-RAISING PLATES RECOGNIZING THE DETROIT PISTONS TO THE STATE TREASURER, WHO SHALL CREDIT THE DONATION MONEY TO THE DETROIT PISTONS FUND ESTABLISHED UNDER SUBSECTION (2).

(4) THE STATE TREASURER SHALL DISBURSE MONEY IN THE FUND ESTABLISHED UNDER SUBSECTION (2) ON A QUARTERLY BASIS TO THE COME TOGETHER FOUNDATION.

(5) THE STATE TREASURER SHALL BE THE ADMINISTRATOR OF THE FUND CREATED IN SUBSECTION (2) FOR AUDITING PURPOSES.

(6) MONEY DISBURSED TO THE COME TOGETHER FOUNDATION UNDER THIS SECTION SHALL BE DISTRIBUTED TO ELIGIBLE NONPROFIT ORGANIZATIONS THAT ARE EXEMPT FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE, 26 USC 501.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.