

# SENATE BILL No. 178

February 22, 2017, Introduced by Senators STAMAS, ZORN, KNEZEK, HILDENBRAND, ROBERTSON, HANSEN, BOOHER, MARLEAU and HOPGOOD and referred to the Committee on Transportation.

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,  
811ff, and 811gg.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

1 **IF MULTIPLE NEW FUND-RAISING PLATES ARE DEVELOPED AT THE SAME TIME.**

2 The secretary of state shall use the 3 most recent preceding years  
3 in which it developed at least 1 fund-raising plate when  
4 calculating the 3-year average required by this subsection. The  
5 secretary of state shall deposit the fee in the transportation  
6 administration collection fund to be used for the cost of creating,  
7 producing, and issuing fund-raising plates. If the fee described in  
8 this subsection is not paid within 18 months after the effective  
9 date of the public act that authorizes the development and issuance  
10 of a fund-raising plate, the secretary of state shall not create,  
11 produce, or issue the related fund-raising plate. A start-up fee  
12 paid under this subsection is nonrefundable.

13 (3) Not less than 3 years after the secretary of state first  
14 issues 1 of the fund-raising plates as described in subsection (1)  
15 and upon payment of \$2,000.00, the Michigan university or other  
16 person sponsoring that fund-raising plate may redesign it as  
17 approved by the secretary of state. The secretary of state shall  
18 deposit the payment required under this subsection in the  
19 transportation administration collection fund created under section  
20 810b to be used for the cost of creating, producing, and issuing  
21 fund-raising plates. A payment under this subsection is  
22 nonrefundable.

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

26 (5) Subject to section 811h(5), the secretary of state may, at  
27 any 1 time, develop, produce, issue, or make available for sale not

1 more than 20 different state-sponsored fund-raising plates as  
2 described in this section, and matching state-sponsored collector  
3 plates as described in section 811g. This subsection does not apply  
4 to a plate described in subsection (4).

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

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

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

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

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

20 Sec. 811h. (1) The secretary of state shall credit each  
21 service fee collected under sections 811f and 811g to the  
22 transportation administration collection fund created under section  
23 810b.

24 (2) The secretary of state shall identify and segregate the  
25 fund-raising donations collected under sections 811f and 811g into  
26 separate accounts. The secretary of state shall create a separate  
27 account for each fund-raising plate and its matching collector

1 plate issued or sold by the secretary of state.

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

10 (a) The treasurer of a Michigan university.

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

14 (c) The sponsor of a fund-raising plate issued as prescribed  
15 under section 811e that was developed and issued after January 1,  
16 2007.

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

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

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

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

24 (5) Except as otherwise provided in this subsection, the  
25 secretary of state shall cease to issue a fund-raising plate or to  
26 issue a duplicate replacement of a fund-raising plate for use on a  
27 vehicle if that fund-raising plate fails to meet a sales goal

1 described in subsection (4). ~~If on the effective date of the 2016~~  
2 ~~amendatory act that amended this subdivision the number of fund-~~  
3 ~~raising plates available for sale exceeds the limit established in~~  
4 ~~section 811e(5), the~~ **THE** secretary of state shall not cease to  
5 issue a fund-raising plate that **WAS AVAILABLE FOR SALE ON FEBRUARY**  
6 **1, 2017 AND THAT** failed to meet a sales goal described in  
7 subsection (4) if the failure occurred before ~~April 1, 2017.~~  
8 **FEBRUARY 1, 2017.** The secretary of state shall also cease to sell a  
9 collector plate that matches the discontinued fund-raising plate.  
10 However, the secretary of state may continue to renew fund-raising  
11 plates already issued and collect the renewal fund-raising donation  
12 for those plates.

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

27 (a) This state.

1 (b) A Michigan university.

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

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

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

13 **SEC. 811CC. (1) NO LATER THAN JANUARY 1, 2018, THE SECRETARY**  
14 **OF STATE SHALL DEVELOP UNDER SECTION 811E AND ISSUE UNDER SECTION**  
15 **811F A FUND-RAISING PLATE OR COLLECTOR PLATE RECOGNIZING THE**  
16 **DETROIT RED WINGS. THE FUND-RAISING PLATE OR COLLECTOR PLATE**  
17 **AUTHORIZED IN THIS SECTION SHALL BEAR AN APPROPRIATE LOGO, THE**  
18 **DESIGN OF WHICH THE DETROIT RED WINGS SHALL SUBMIT TO THE SECRETARY**  
19 **OF STATE.**

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

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

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

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

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

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

13 SEC. 811DD. (1) NO LATER THAN JANUARY 1, 2018, THE SECRETARY  
14 OF STATE SHALL DEVELOP UNDER SECTION 811E AND ISSUE UNDER SECTION  
15 811F A FUND-RAISING PLATE OR COLLECTOR PLATE RECOGNIZING THE  
16 DETROIT TIGERS. THE FUND-RAISING PLATE OR COLLECTOR PLATE  
17 AUTHORIZED IN THIS SECTION SHALL BEAR AN APPROPRIATE LOGO, THE  
18 DESIGN OF WHICH THE DETROIT TIGERS SHALL SUBMIT TO THE SECRETARY OF  
19 STATE.

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

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

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

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

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

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

13 SEC. 811EE. (1) NO LATER THAN JANUARY 1, 2018, THE SECRETARY  
14 OF STATE SHALL DEVELOP UNDER SECTION 811E AND ISSUE UNDER SECTION  
15 811F A FUND-RAISING PLATE OR COLLECTOR PLATE RECOGNIZING THE  
16 DETROIT LIONS. THE FUND-RAISING PLATE OR COLLECTOR PLATE AUTHORIZED  
17 IN THIS SECTION SHALL BEAR AN APPROPRIATE LOGO, THE DESIGN OF WHICH  
18 THE DETROIT LIONS SHALL SUBMIT TO THE SECRETARY OF STATE.

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

26 (3) THE SECRETARY OF STATE SHALL TRANSFER THE DONATION MONEY  
27 FROM THE SALE OF FUND-RAISING PLATES RECOGNIZING THE DETROIT LIONS



1 TO THE STATE TREASURER, WHO SHALL CREDIT THE DONATION MONEY TO THE  
2 DETROIT LIONS FUND ESTABLISHED UNDER SUBSECTION (2).

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

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

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

12 SEC. 811FF. (1) NO LATER THAN JANUARY 1, 2018, THE SECRETARY  
13 OF STATE SHALL DEVELOP UNDER SECTION 811E AND ISSUE UNDER SECTION  
14 811F A FUND-RAISING PLATE OR COLLECTOR PLATE RECOGNIZING THE  
15 DETROIT PISTONS IN THIS STATE. THE FUND-RAISING PLATE OR COLLECTOR  
16 PLATE AUTHORIZED IN THIS SECTION SHALL BEAR AN APPROPRIATE LOGO,  
17 THE DESIGN OF WHICH THE DETROIT PISTONS SHALL SUBMIT TO THE  
18 SECRETARY OF STATE.

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

26 (3) THE SECRETARY OF STATE SHALL TRANSFER THE DONATION MONEY  
27 FROM THE SALE OF FUND-RAISING PLATES RECOGNIZING THE DETROIT

1 PISTONS TO THE STATE TREASURER, WHO SHALL CREDIT THE DONATION MONEY  
2 TO THE DETROIT PISTONS FUND ESTABLISHED UNDER SUBSECTION (2).

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

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

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

12 SEC. 811GG. (1) NO LATER THAN JANUARY 1, 2018, THE SECRETARY  
13 OF STATE SHALL DEVELOP UNDER SECTION 811E AND ISSUE UNDER SECTION  
14 811F A FUND-RAISING PLATE OR COLLECTOR PLATE RECOGNIZING MICHIGAN  
15 INTERNATIONAL SPEEDWAY. THE FUND-RAISING PLATE OR COLLECTOR PLATE  
16 AUTHORIZED IN THIS SECTION SHALL BEAR AN APPROPRIATE LOGO, THE  
17 DESIGN OF WHICH A REPRESENTATIVE OR AGENT OF MICHIGAN INTERNATIONAL  
18 SPEEDWAY SHALL SUBMIT TO THE SECRETARY OF STATE.

19 (2) THE MIS CARES FUND IS CREATED WITHIN THE STATE TREASURY.  
20 THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS FROM ANY  
21 SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER SHALL DIRECT  
22 THE INVESTMENT OF THE FUND. THE STATE TREASURER SHALL CREDIT TO THE  
23 FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS. MONEY IN THE FUND  
24 AT THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL  
25 NOT LAPSE TO THE GENERAL FUND.

26 (3) THE SECRETARY OF STATE SHALL TRANSFER THE DONATION MONEY  
27 FROM THE SALE OF FUND-RAISING PLATES RECOGNIZING MICHIGAN

1 INTERNATIONAL SPEEDWAY TO THE STATE TREASURER, WHO SHALL CREDIT THE  
2 DONATION MONEY TO THE MIS CARES FUND ESTABLISHED UNDER SUBSECTION  
3 (2) .

4 (4) THE STATE TREASURER SHALL DISBURSE MONEY IN THE FUND  
5 ESTABLISHED UNDER SUBSECTION (2) ON A QUARTERLY BASIS TO MIS CARES .

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

8 (6) MONEY DISBURSED TO MIS CARES UNDER THIS SECTION SHALL BE  
9 DISTRIBUTED TO ELIGIBLE NONPROFIT ORGANIZATIONS THAT ARE EXEMPT  
10 FROM TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE,  
11 26 USC 501 .

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