SENATE BILL No. 420

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-18; IC 12-17-16; IC 12-18-5-7.

Synopsis: Kids first trust fund, license plate, and board. Renames the children's trust license plate as the kids first trust license plate. Renames the Indiana children's trust fund and the Indiana children's trust fund board as the Indiana kids first trust fund and the Indiana kids first trust fund board. Makes conforming changes.

Effective: July 1, 2003.

Merritt

January 21, 2003, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

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Introduced

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

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SENATE BILL No. 420

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 9-18-15-1, AS AMENDED BY P.L.222-1999, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) A person who is the registered owner or lessee of a:

(1) passenger motor vehicle;
(2) motorcycle;
(3) recreational vehicle; or
(4) vehicle registered as a truck with a declared gross weight of not more than:
(A) eleven thousand (11,000) pounds;
(B) nine thousand (9,000) pounds; or
(C) seven thousand (7,000) pounds;

registered with the bureau or who makes an application for an original registration or renewal registration of a vehicle may apply to the bureau for a personalized license plate to be affixed to the vehicle for which registration is sought instead of the regular license plate.

(b) A person who:

(1) is the registered owner or lessee of a vehicle described in subsection (a); and

(2) is eligible to receive a license plate for the vehicle under:

(A) IC 9-18-17 (prisoner of war license plates);

(B) IC 9-18-18 (disabled veteran license plates);

(C) IC 9-18-19 (purple heart license plates);

(D) IC 9-18-20 (Indiana national guard license plates);

(E) IC 9-18-21 (Indiana guard reserve license plates);

(F) IC 9-18-22 (license plates for persons with disabilities);

(G) IC 9-18-23 (amateur radio operator license plates);

(H) IC 9-18-24 (civic event license plates);

(I) IC 9-18-25 (special group recognition license plates);

(J) IC 9-18-29 (environmental license plates);

(K) IC 9-18-30 ~~(children's~~ **(kids first** trust license plates);

(L) IC 9-18-31 (education license plates);

(M) IC 9-18-32.2 (drug free Indiana trust license plates);

(N) IC 9-18-33 (Indiana FFA trust license plates);

(O) IC 9-18-34 (Indiana firefighter license plates);

(P) IC 9-18-35 (Indiana food bank trust license plates);

(Q) IC 9-18-36 (Indiana girl scouts trust license plates);

(R) IC 9-18-37 (Indiana boy scouts trust license plates);

(S) IC 9-18-38 (Indiana retired armed forces member license plates);

(T) IC 9-18-39 (Indiana antique car museum trust license plates);

(U) IC 9-18-40 (D.A.R.E. Indiana trust license plates);

(V) IC 9-18-41 (Indiana arts trust license plates);

(W) IC 9-18-42 (Indiana health trust license plates);

(X) IC 9-18-43 (Indiana mental health trust license plates);

(Y) IC 9-18-44 (Indiana Native American Trust license plates);

(Z) IC 9-18-45.8 (Pearl Harbor survivor license plates); or

(AA) IC 9-18-46.2 (Indiana state educational institution trust license plates);

may apply to the bureau for a personalized license plate to be affixed to the vehicle for which registration is sought instead of the regular special recognition license plate.

SECTION 2. IC 9-18-30-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. The bureau of motor vehicles shall design and issue a ~~children's~~ **kids first** trust license plate, **beginning January 1, 2004.** The ~~children's~~ **kids first** trust license plate shall be designed and issued as a special group recognition license

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plate under IC 9-18-25. The final design of the plate must be approved by the board (as defined in IC 12-17-16-2).

SECTION 3. IC 9-18-30-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. A ~~children's~~ **kids first** trust license plate designed under IC 9-18-25 must include the following:

(1) A basic design for the plate, with consecutive numbers or letters, or both, to properly identify the vehicle.

(2) A background design, an emblem, or colors that designate the license plate as a children's trust license plate.

(3) Any other information the bureau considers necessary.

SECTION 4. IC 9-18-30-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. ~~After December 31, 1994,~~ A person who is eligible to register a vehicle under this title is eligible to receive a ~~children's~~ **kids first** trust license plate under this chapter **after December 31, 2003,** upon doing the following:

(1) Completing an application for a ~~children's~~ **kids first** trust license plate.

(2) Paying the appropriate fee under section 4 of this chapter.

SECTION 5. IC 9-18-30-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) The fee for a ~~children's~~ **kids first** trust license plate is as follows:

(1) The appropriate fee under IC 9-29-5-38.

(2) An annual fee of twenty-five dollars ($25).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the ~~bureau of motor vehicles~~ commission.

SECTION 6. IC 9-18-30-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) The annual fee described in section 4(a)(2) of this chapter shall be deposited with the treasurer of state in a special account.

(b) The auditor of state shall monthly distribute the money in the special account established under subsection (a) to the Indiana ~~children's~~ **kids first** trust fund established by IC 12-17-16-12.

SECTION 7. IC 9-18-30-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 6. (a) This section applies only to a license plate issued under IC 9-18-3-5(b).

(b) A municipal corporation (as defined in IC 36-1-2-10) that registers a vehicle under this title is eligible to receive a ~~children's~~ **kids first** trust license plate under this chapter.

(c) If an officer or employee of a municipal corporation requests a ~~children's~~ **kids first** trust license plate for a vehicle that is assigned to or customarily used by the officer or employee, the officer or employee

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is responsible for paying the annual fee for the ~~children's~~ **kids first** trust license plate under section 4(a)(2) of this chapter, the annual supplemental fee under IC 9-29-5-38, and all annual registration fees under IC 9-29-1-4, IC 9-29-3-17, IC 9-29-5-1, and IC 9-29-5-3.

(d) Notwithstanding subsection (c):

(1) a ~~children's~~ **kids first** trust license plate that is issued under this section; and

(2) all fees and taxes that have been paid to have the plate issued;

are considered issued to and paid by the municipal corporation that registered the vehicle for which the license plate was issued, and the municipal corporation is entitled to retain possession of the license plate.

SECTION 8. IC 12-17-16-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) The purpose of the Indiana ~~children's~~ **kids first** trust program and this chapter is to recognize that:

(1) the children of the state are its single greatest resource;

(2) children require the utmost protection to guard their future and the future of the state;

(3) it is in the public interest to protect children from abuse and neglect; and

(4) it is in the public interest to reduce infant mortality.

(b) Beginning with the state fiscal year beginning on July 1, 1995, the Indiana ~~children's~~ **kids first** trust program will provide funds for community programs that prevent child abuse and neglect.

(c) Beginning with the state fiscal year beginning July 1, 1998, the Indiana ~~children's~~ **kids first** trust program shall provide funds for community programs that reduce infant mortality from the infant mortality account established under section 13.5 of this chapter.

SECTION 9. IC 12-17-16-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. As used in this chapter, "board" refers to the Indiana ~~children's~~ **kids first** trust fund board established by section 5 of this chapter.

SECTION 10. IC 12-17-16-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 3. As used in this chapter, "fund" refers to the Indiana ~~children's~~ **kids first** trust fund established by section 12 of this chapter.

SECTION 11. IC 12-17-16-5, AS AMENDED BY P.L.190-2001, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) The Indiana ~~children's~~ **kids first** trust fund board is established.

(b) The purpose of the board is to determine whether proposed

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projects under this chapter should be approved and to perform other duties given to the board by this chapter. The board shall approve projects and recommend to the division that the projects receive funds under sections 12 and 13.5 of this chapter.

(c) The board shall, before January 1 of each year, prepare a budget for expenditures from the fund for the following state fiscal year. The budget must contain priorities for expenditures from the fund to accomplish the projects that have been approved under this chapter. The budget shall be submitted to the division and the budget committee.

(d) The board may employ staff necessary to carry out the duties of the board.

SECTION 12. IC 12-17-16-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 11. The board shall adopt and make available to the public:

(1) a strategic plan to implement the purposes of this chapter; and

(2) a method for proposing projects and requesting funds from the Indiana ~~children's~~ **kids first** trust fund.

SECTION 13. IC 12-17-16-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12. (a) The Indiana ~~children's~~ **kids first** trust fund is established to carry out the purposes of this chapter.

(b) The fund consists of the following:

(1) Appropriations made by the general assembly.

(2) Interest as provided in subsection (e).

(3) Fees from ~~children's~~ **kids first** trust license plates issued under IC 9-18-30.

(4) Money donated to the fund.

(5) Money transferred to the fund from other funds.

(c) The treasurer of state shall administer the fund.

(d) The expenses of administering the fund and this chapter shall be paid from the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the fund.

(f) An appropriation made by the general assembly to the fund shall be allotted and allocated at the beginning of the fiscal period for which the appropriation was made.

(g) Money in the fund at the end of a state fiscal year does not revert to the state general fund or any other fund.

(h) Subject to this chapter, there is annually appropriated to the

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division all money in the fund for the purposes of this chapter. However, the division may not request the allotment of money from the appropriation for a project that has not been approved and recommended by the board.

SECTION 14. IC 12-18-5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 7. On June 30 and December 31 of each year, the treasurer of state shall transfer money from the fund as follows:

(1) Fifty-five percent (55%) of the balance on deposit in the fund or two hundred forty-five thousand dollars ($245,000), whichever is greater, shall be deposited in the domestic violence prevention and treatment fund established by IC 12-18-4.

(2) The balance in the fund after the transfer of money under subdivision (1) shall be deposited as follows:

(A) One-third (1/3) shall be deposited in the Indiana ~~children's~~ **kids first** trust fund established by IC 12-17-16-12.

(B) Two-thirds (2/3) shall be deposited in the victim and witness assistance fund established by IC 5-2-6-14.

SECTION 15. [EFFECTIVE JULY 1, 2003] **(a) After June 30, 2003, any reference in a statute or rule referring to the Indiana children's trust fund board is considered a reference to the Indiana kids first trust fund board.**

(b) On July 1, 2003, the Indiana kids first trust fund board becomes the owner of all the personal property and assets and assumes the obligations and liabilities of the Indiana children's trust fund board, as it existed before the effective date of this act.

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