
HOUSE BILL No. 1103

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-6.1-41; IC 9-18; IC 9-29-5; IC 10-17-12-9; IC 16-33-4-17.

Synopsis: In God We Trust license plates. Specifies that an In God We Trust license plate is a special group recognition license plate, and makes conforming amendments. Provides that an In God We Trust license plate is subject to an annual supplemental fee and an annual fee, and that the annual fee is distributed to the military family relief fund, the violent crime victims compensation fund, and the Indiana soldiers' and sailors' children's home maintenance fund. Repeals and relocates language concerning the charges for, and distribution of the fees related to, registration for an In God We Trust license plate.

Effective: Upon passage.

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January 17, 2008, read first time and referred to Committee on Roads and Transportation.

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Second Regular Session 115th General Assembly (2008)

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 2007 Regular Session of the General Assembly.

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HOUSE BILL No. 1103



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:

1 SECTION 1. IC 5-2-6.1-41, AS AMENDED BY P.L.105-2006,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 41. The fund consists of amounts deposited
4 under:

- 5 (1) IC 5-2-6.3-6(b)(3);
- 6 (2) **IC 9-29-5-38(f)(2)**;
- 7 (3) IC 11-10-7-5;
- 8 (4) IC 11-10-8-6;
- 9 (5) IC 33-37-7-9;
- 10 (6) IC 34-51-3-6; and
- 11 (7) IC 35-50-5-3;

12 and appropriations from the general assembly.

13 SECTION 2. IC 9-18-24.5-1, AS ADDED BY P.L.68-2006,
14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 UPON PASSAGE]: Sec. 1. The bureau shall design an In God We
16 Trust license plate to be issued beginning January 1, 2007. **The In God
17 We Trust license plate shall be designed and issued as a special**



group recognition license plate under IC 9-18-25.

SECTION 3. IC 9-18-24.5-5, AS ADDED BY P.L.68-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. The ~~fee fees~~ for an In God We Trust license plate is the appropriate fee under ~~IC 9-29-5-34.5~~. **shall be collected under IC 9-29-5-38(e) and distributed under IC 9-29-5-38(f).**

SECTION 4. IC 9-18-25-1, AS AMENDED BY P.L.1-2007, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This chapter does not apply to the following:

- (1) Antique motor vehicle license plates (IC 9-18-12).
- (2) Recovery vehicle license plates (IC 9-18-13).
- (3) Personalized license plates (IC 9-18-15).
- (4) Prisoner of war license plates (IC 9-18-17).
- (5) Disabled veteran license plates (IC 9-18-18).
- (6) Purple Heart license plates (IC 9-18-19).
- (7) Indiana National Guard license plates (IC 9-18-20).
- (8) Person with a disability license plates (IC 9-18-22).
- (9) Amateur radio operator license plates (IC 9-18-23).
- ~~(10) In God We Trust license plates (IC 9-18-24.5).~~
- ~~(11) Pearl Harbor survivor license plates (IC 9-18-45.8).~~
- ~~(12) Hoosier veteran license plates (IC 9-18-50).~~
- ~~(13) Support our troops license plates (IC 9-18-51).~~

SECTION 5. IC 9-18-25-17.5, AS AMENDED BY P.L.117-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17.5. (a) This section:

- (1) applies to a special group if at least five thousand (5,000) of the special group's license plates are issued under this chapter during one (1) calendar year beginning after December 31, 2004; and**
- (2) does not apply to a special group recognition license plate issued under IC 9-18-24.5.**

(b) Notwithstanding section 2 of this chapter, the representatives of the special group may petition the bureau to design a distinctive license plate that identifies a vehicle as being registered to a person who is a member of the special group.

(c) The design of the special group license plate must include a basic design for the special group recognition license plate with consecutive numerals or letters, or both, to properly identify the vehicle.

(d) A special group license plate must be treated with special reflective material designed to increase the visibility and legibility of

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1 the special group license plate.

2 (e) Beginning with the calendar year following the year in which the

3 representatives petition the bureau under subsection (b), the bureau

4 shall issue the special group's license plate to a person who is eligible

5 to register a vehicle under this title who:

6 (1) completes an application for the license plate; and

7 (2) pays the following fees:

8 (A) The appropriate fee under IC 9-29-5-38(a).

9 (B) An annual fee of twenty-five dollars (\$25).

10 (f) The annual fee referred to in subsection (e)(2)(B) shall be

11 collected by the bureau and deposited in a trust fund for the special

12 group established under subsection (g). However, the bureau shall

13 retain two dollars (\$2) for each license plate issued until the cost of

14 designing and issuing the special group license plate is recovered by

15 the bureau.

16 (g) The treasurer of state shall establish a trust fund for each special

17 group for which the bureau collects fees under this section.

18 (h) The treasurer of state shall invest the money in the fund not

19 currently needed to meet the obligations of the fund in the same

20 manner as other public funds are invested. Interest that accrues from

21 these investments shall be deposited in the fund. Money in the fund is

22 continuously appropriated for the purposes of this section. Money in

23 the fund at the end of a state fiscal year does not revert to the state

24 general fund.

25 (i) The commissioner shall administer the fund. Expenses of

26 administering the fund shall be paid from money in the fund.

27 (j) On June 30 of each year, the commissioner shall distribute the

28 money from the fund to the special group for which the bureau has

29 collected fees under this section.

30 (k) The bureau may not disclose information that identifies the

31 persons to whom special group license plates have been issued under

32 this section.

33 SECTION 6. IC 9-18-25-17.7, AS ADDED BY P.L.117-2006,

34 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

35 UPON PASSAGE]: Sec. 17.7. (a) **This section does not apply to a**

36 **special group recognition license plate issued under IC 9-18-24.5.**

37 Notwithstanding any other law, representatives of a special group that

38 participates in the special group recognition plate program may request

39 that the bureau collect an annual fee of twenty-five dollars (\$25) on

40 behalf of the special group.

41 (b) If a request is made under subsection (a), the bureau shall collect

42 the following fees:

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- 1 (1) The appropriate fee under IC 9-29-5-38(a).
- 2 (2) An annual fee of twenty-five dollars (\$25).
- 3 (c) The annual fee referred to in subsection (b)(2) shall be collected
- 4 by the bureau and deposited in a trust fund for the special group
- 5 established under subsection (d).
- 6 (d) The treasurer of state shall establish a trust fund for each special
- 7 group for which the bureau collects fees under this section.
- 8 (e) The treasurer of state shall invest the money in the fund not
- 9 currently needed to meet the obligations of the fund in the same
- 10 manner as other public funds are invested. Interest that accrues from
- 11 these investments shall be deposited in the fund. Money in the fund is
- 12 continuously appropriated for the purposes of this section. Money in
- 13 the fund at the end of a state fiscal year does not revert to the state
- 14 general fund.
- 15 (f) The commissioner shall administer the fund. Expenses of
- 16 administering the fund shall be paid from money in the fund.
- 17 (g) Before June 30 of each year, the commissioner shall distribute
- 18 the money from the fund to the special group for which the bureau has
- 19 collected fees under this section.
- 20 (h) The bureau may not disclose information that identifies the
- 21 persons to whom special group license plates have been issued under
- 22 this section.
- 23 (i) If:
- 24 (1) representatives of a special group have collected an annual fee
- 25 as set forth in subsection (a) from purchasers of the special group
- 26 recognition license plates that was paid directly to the special
- 27 group; and
- 28 (2) the representatives of the special group request the bureau to
- 29 collect the annual fee on behalf of the special group as set forth in
- 30 subsection (a);
- 31 representatives of the special group may request the bureau to change
- 32 the method of collection of the annual fee for the following calendar
- 33 year. The representatives of the special group must make a request
- 34 under this subsection by July 1 of the year preceding the year for which
- 35 the change has been requested. The group may request only one (1)
- 36 change in the method of collection in a plate cycle.
- 37 (j) If:
- 38 (1) the bureau collects an annual fee as set forth in subsection (a)
- 39 on behalf of a special group; and
- 40 (2) representatives of the special group request the bureau to
- 41 cease collection of the annual fee as set forth in subsection (a) on
- 42 behalf of the special group as the annual fee will be paid directly

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1 to the special group by purchasers of the special group
 2 recognition license plates;
 3 representatives of the special group may request the bureau to change
 4 the method of collection of the annual fee for the following calendar
 5 year. The representatives of the special group must make a request
 6 under this subsection by July 1 of the year preceding the year for which
 7 the change has been requested. The group may request only one (1)
 8 change in the method of collection in a plate cycle.

9 SECTION 7. IC 9-29-5-38, AS AMENDED BY P.L.214-2005,
 10 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 UPON PASSAGE]: Sec. 38. (a) Except as provided in subsections (c),
 12 ~~and~~ (d), ~~and~~ (e), vehicles registered under IC 9-18-25 are subject to the
 13 following:

- 14 (1) An appropriate annual registration fee.
 15 (2) An annual supplemental fee of ten dollars (\$10).
 16 (3) Any other fee or tax required of a person registering a vehicle
 17 under this title.

18 (b) The bureau shall distribute all money collected under the annual
 19 supplemental fee under subsection (a)(2), ~~or~~ (d)(2), ~~or~~ (e) as follows:

- 20 (1) Five dollars (\$5) from each registration is appropriated to the
 21 bureau of motor vehicles for the purpose of administering
 22 IC 9-18-25.
 23 (2) Five dollars (\$5) from each registration shall be deposited in
 24 the state license branch fund under IC 9-29-14.

25 (c) A vehicle registered under IC 9-18-25 that is owned by a former
 26 prisoner of war or by the prisoner's surviving spouse is exempt from the
 27 annual registration fee and the annual supplemental fee.

28 (d) A motor vehicle that is registered and for which is issued a
 29 special group recognition license plate under IC 9-18-25 and
 30 IC 9-18-49 is subject to the following:

- 31 (1) An appropriate annual registration fee.
 32 (2) An annual supplemental fee of ten dollars (\$10).
 33 (3) Any other fee or tax required of a person registering a vehicle
 34 under this title.
 35 (4) The annual fee of twenty dollars (\$20) imposed by
 36 IC 9-18-49-4(a)(2).

37 (e) **A vehicle registered under IC 9-18-24.5 and for which is**
 38 **issued a special group recognition license plate is subject to:**

- 39 (1) **an appropriate annual registration fee;**
 40 (2) **an annual supplemental fee of ten dollars (\$10);**
 41 (3) **an annual fee of twenty dollars (\$20); and**
 42 (4) **any other fee or tax required of a person registering a**

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vehicle under this title.
(f) The bureau shall distribute in an equal amount the annual fee that is collected from each registration under subsection (e)(3) to the:

- (1) director of veterans' affairs for deposit in the military family relief fund established by IC 10-17-12-8;
- (2) violent crime victims compensation fund established by IC 5-2-6.1-40; and
- (3) Indiana soldiers' and sailors' children's home maintenance fund established under IC 16-33-4-17(b).

SECTION 8. IC 10-17-12-9, AS AMENDED BY P.L.144-2007, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The fund consists of the following:

- (1) Appropriations made by the general assembly.
- (2) Donations to the fund.
- (3) Interest as provided in subsection (b).
- (4) Money transferred to the fund from other funds.
- (5) Sums distributed under IC 9-29-5-38(f)(1).**
- ~~(5)~~ **(6)** Annual supplemental fees collected under IC 9-29-5-38.5.
- ~~(6)~~ **(7)** Money from any other source authorized or appropriated for the fund.

(b) 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 money may be invested. Interest that accrues from these investments shall be deposited in the fund.

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

(d) There is annually appropriated to the board for the purposes of this chapter all money in the fund not otherwise appropriated to the board for the purposes of this chapter.

SECTION 9. IC 16-33-4-17, AS AMENDED BY P.L.145-2006, SECTION 138, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) Each child, the estate of the child, the parent or parents of the child, or the guardian of the child, individually or collectively, are liable for the payment of the costs of maintenance of the child of up to one hundred percent (100%) of the per capita cost, except as otherwise provided. The cost shall be computed annually by dividing the total annual cost of operation for the fiscal year, exclusive of the cost of education programs, construction, and equipment, by the total child days each year. The maintenance cost shall be referred to as maintenance charges. The charge may not be levied against any of the following:

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1 (1) The department of child services or the county office of family
 2 and children to be derived from county tax sources.
 3 (2) A child orphaned by reason of the death of the natural parents.
 4 (b) The billing and collection of the maintenance charges as
 5 provided for in subsection (a) shall be made by the superintendent of
 6 the home based on the per capita cost for the preceding fiscal year. All
 7 money collected shall be deposited in a fund to be known as the
 8 Indiana soldiers' and sailors' children's home maintenance fund. **Funds**
 9 **distributed under IC 9-29-5-38(f)(3) also shall be deposited in the**
 10 **fund.** The fund shall be used by the state health commissioner for the:
 11 (1) preventative maintenance; and
 12 (2) repair and rehabilitation;
 13 of buildings of the home that are used for housing, food service, or
 14 education of the children of the home.
 15 (c) The superintendent of the home may, with the approval of the
 16 state health commissioner, agree to accept payment at a lesser rate than
 17 that prescribed in subsection (a). The superintendent of the home shall,
 18 in determining whether or not to accept the lesser amount, take into
 19 consideration the amount of money that is necessary to maintain or
 20 support any member of the family of the child. All agreements to
 21 accept a lesser amount are subject to cancellation or modification at
 22 any time by the superintendent of the home with the approval of the
 23 state health commissioner.
 24 (d) A person who has been issued a statement of amounts due as
 25 maintenance charges may petition the superintendent of the home for
 26 a release from or modification of the statement, and the superintendent
 27 shall provide for hearings to be held on the petition. The superintendent
 28 of the home may, with the approval of the state health commissioner
 29 and after the hearing, cancel or modify the former statement and at any
 30 time for due cause may increase the amounts due for maintenance
 31 charges to an amount not to exceed the maximum cost as determined
 32 under subsection (a).
 33 (e) The superintendent of the home may arrange for the
 34 establishment of a graduation or discharge trust account for a child by
 35 arranging to accept a lesser rate of maintenance charge. The trust fund
 36 must be of sufficient size to provide for immediate expenses upon
 37 graduation or discharge.
 38 (f) The superintendent may make agreements with instrumentalities
 39 of the federal government for application of any monetary awards to be
 40 applied toward the maintenance charges in a manner that provides a
 41 sufficient amount of the periodic award to be deposited in the child's
 42 trust account to meet the immediate personal needs of the child and to

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1 provide a suitable graduation or discharge allowance. The amount
 2 applied toward the settlement of maintenance charges may not exceed
 3 the amount specified in subsection (a).
 4 (g) The superintendent of the home may do the following:
 5 (1) Investigate, either with the superintendent's own staff or on a
 6 contractual or other basis, the financial condition of each person
 7 liable under this chapter.
 8 (2) Make determinations of the ability of:
 9 (A) the estate of the child;
 10 (B) the legal guardian of the child; or
 11 (C) each of the responsible parents of the child;
 12 to pay maintenance charges.
 13 (3) Set a standard as a basis of judgment of ability to pay that
 14 shall be recomputed periodically to do the following:
 15 (A) Reflect changes in the cost of living and other pertinent
 16 factors.
 17 (B) Provide for unusual and exceptional circumstances in the
 18 application of the standard.
 19 (4) Issue to any person liable under this chapter statements of
 20 amounts due as maintenance charges, requiring the person to pay
 21 monthly, quarterly, or otherwise as may be arranged, an amount
 22 not exceeding the maximum cost as determined under this
 23 chapter.
 24 SECTION 10. IC 9-29-5-34.5 IS REPEALED [EFFECTIVE UPON
 25 PASSAGE].
 26 SECTION 11. **An emergency is declared for this act.**

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