



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB4690

Introduced 2/3/2012, by Rep. Sandra M. Pihos

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Vehicle Code. Provides that beginning with the 2014 registration year, the Secretary of State (instead of the General Assembly) may authorize the issuance of special plates. Provides that the Secretary may not issue a new series of special plates unless enough applications have been received to offset the cost of producing the special plate. Provides that if a special plate is authorized to raise funds for a specific cause and the Secretary has not received the required number of applications within 2 years of date the plate is approved, the Secretary may revoke its approval of the new special plate. Provides that the Secretary shall notify all law enforcement officials of the design, color, and other special features of any new plates it issues. Provides, with exceptions, that the new provisions shall not affect the issuance or reissuance of special plates in existence on the effective date of the amendatory Act or the Secretary's discretion to make special designations in relation to certain categories of plates. Provides that revenues from special plates shall only benefit designated charitable entities, which must be in compliance with specified requirements. Provides that in the case of a failure to comply with the requirements, the special plates shall be discontinued and any undisbursed funds collected from the sale of plates authorized for that organization shall be transferred to the General Revenue Fund. Provides that if fewer than 1,000 sets of any special plate are actively registered for 2 consecutive calendar years, the Secretary may discontinue the issuance of that special plate and that discontinued plates shall be recalled and that owners of vehicles which were registered with recalled plates shall not be charged a reclassification or sticker replacement plate fee upon the issuance of new plates.

LRB097 15060 HEP 60137 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Section 3-600 and adding Section 3-600.1 as follows:

6 (625 ILCS 5/3-600) (from Ch. 95 1/2, par. 3-600)

7 Sec. 3-600. Requirements for issuance of special plates.

8 (a) The Secretary of State shall issue only special plates
9 that have been authorized by the General Assembly. The
10 Secretary of State shall not issue a series of special plates
11 unless applications, as prescribed by the Secretary, have been
12 received for 10,000 plates of that series; except that the
13 Secretary of State may prescribe some other required number of
14 applications if that number is sufficient to pay for the total
15 cost of designing, manufacturing and issuing the special
16 license plate. Where a special plate is authorized by law to
17 raise funds for a specific civic group, charitable entity, or
18 other identified organization, and where the Secretary of State
19 has not received the required number of applications to issue
20 that special plate within 2 years of the effective date of the
21 Public Act authorizing the special plate, the Secretary of
22 State's authority to issue the special plate is nullified.

23 (b) The Secretary of State, upon issuing a new series of

1 special license plates, shall notify all law enforcement
2 officials of the design, color and other special features of
3 the special license plate series.

4 (c) This Section shall not apply to the Secretary of
5 State's discretion as established in Section 3-611.

6 (d) If a law authorizing a special license plate provides
7 that the sponsoring organization is to designate a charitable
8 entity as the recipient of the funds from the sale of that
9 license plate, the designated charitable entity must be in
10 compliance with the registration and reporting requirements of
11 the Charitable Trust Act and the Solicitation for Charity Act.
12 In addition, the charitable entity must annually provide the
13 Secretary of State's office a letter of compliance issued by
14 the Illinois Attorney General's office verifying the entity is
15 in compliance with the Acts.

16 In the case of a law in effect before the effective date of
17 this amendatory Act of the 97th General Assembly, the name of
18 the charitable entity which is to receive the funds shall be
19 provided to the Secretary of State within one year after the
20 effective date of this amendatory Act of the 97th General
21 Assembly. In the case of a law that takes effect on or after
22 the effective date of this amendatory Act of the 97th General
23 Assembly, the name of the charitable entity which is to receive
24 the funds shall be provided to the Secretary of State within
25 one year after the law takes effect. If the organization fails
26 to designate an appropriate charitable entity within the

1 one-year period, or if the designated charitable entity fails
2 to annually provide the Secretary of State a letter of
3 compliance issued by the Illinois Attorney General's office,
4 any funds collected from the sale of plates authorized for that
5 organization and not previously disbursed shall be transferred
6 to the General Revenue Fund, and the special plates shall be
7 discontinued.

8 (e) If fewer than 1,000 sets of any special license plate
9 authorized by law and issued by the Secretary of State are
10 actively registered for 2 consecutive calendar years, the
11 Secretary of State may discontinue the issuance of that special
12 license plate.

13 (f) Where special license plates have been discontinued
14 pursuant to subsection (d) or (e) of this Section, all
15 previously issued plates of that type shall be recalled. Owners
16 of vehicles which were registered with recalled plates shall
17 not be charged a reclassification or registration sticker
18 replacement plate fee upon the issuance of new plates for those
19 vehicles.

20 (g) Beginning with the 2014 registration year, the
21 provisions of Section 3-600.1 control the issuance and
22 re-issuance of special plates.

23 (Source: P.A. 97-409, eff. 1-1-12.)

24 (625 ILCS 5/3-600.1 new)

25 Sec. 3-600.1. Special plates; issuance and reissuance.

1 (a) Beginning with the 2014 registration year, an
2 organization may apply to the Secretary of State and the
3 Secretary may authorize the issuance of a new series of special
4 plates. The Secretary shall not issue a series of special
5 plates unless enough applications, as prescribed by the
6 Secretary, have been received to pay for the total cost of
7 designing, manufacturing, and issuing the special license
8 plate. Where a special plate is authorized to raise funds for a
9 specific civic group, charitable entity, or other identified
10 organization, and where the Secretary of State has not received
11 the required number of applications to issue that special plate
12 within 2 years of the Secretary's approval of the special
13 plate, the Secretary may revoke its authorization of the new
14 plate.

15 (b) The Secretary, upon issuing a new series of special
16 license plates, shall notify all law enforcement officials of
17 the design, color, and other special features of the special
18 license plate series.

19 (c) Except for as provided under subsection (e), this
20 Section shall not affect the issuance or reissuance of special
21 license plate categories in existence on the effective date of
22 this amendatory Act of the 97th General Assembly, or the
23 Secretary's discretion under Section 3-611 of this Code.

24 (d) If the Secretary issues a special license plate with a
25 sponsoring organization that is to designate a charitable
26 entity as the recipient of the funds from the sale of that

1 license plate, the designated charitable entity must be in
2 compliance with the registration and reporting requirements of
3 the Charitable Trust Act and the Solicitation for Charity Act.
4 In addition, the charitable entity must annually provide the
5 Secretary of State's office a letter of compliance issued by
6 the Illinois Attorney General's office verifying the entity is
7 in compliance with the Acts. If the organization fails to
8 annually provide the Secretary a letter of compliance issued by
9 the Illinois Attorney General's office, any funds collected
10 from the sale of plates authorized for that organization and
11 not previously disbursed shall be transferred to the General
12 Revenue Fund, and the special plates shall be discontinued.

13 (e) If fewer than 1,000 sets of any special license plate
14 issued by the Secretary are actively registered for 2
15 consecutive calendar years, the Secretary may discontinue the
16 issuance of that special license plate.

17 (f) Where special license plates have been discontinued
18 pursuant to subsection (d) or (e) of this Section, all
19 previously issued plates of that type shall be recalled. Owners
20 of vehicles which were registered with recalled plates shall
21 not be charged a reclassification or registration sticker
22 replacement plate fee upon the issuance of new plates for those
23 vehicles.

1 INDEX

2 Statutes amended in order of appearance

3 625 ILCS 5/3-600 from Ch. 95 1/2, par. 3-600

4 625 ILCS 5/3-600.1 new