

BILL ANALYSIS

Senate Research Center
82R1017 VOO-F

S.B. 257
By: Carona
Health & Human Services
2/9/2011
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, 24 states offer a license plate that reads "Choose Life," which is meant to promote adoption. The use of these license plates has raised more than \$12 million for the mission of supporting pregnant women who are considering adoption. Texas does not have such a license plate and is missing the opportunity to promote awareness for adoption. The "Choose Life" license plate is a simple way to advance the cause of life at no cost to the taxpayers.

S.B. 257 would amend Section 504 of the Transportation Code to create the "Choose Life" license plate. The bill establishes a "Choose Life" account in the general revenue fund. From the revenues generated from the sale of the license plates, the Texas Department of Transportation would recoup its general revenue fund administrative costs and the remainder of the funds would be deposited into the new account. The funds would then be used to provide resources for women who are pregnant and considering adoption, infants who are awaiting placement with adoptive parents, training and advertising related to adoption, or to provide for pregnancy testing and pre-adoption and post-adoption counseling.

As proposed, S.B. 257 provides for the issuance of "Choose Life" license plates and the creation of the Choose Life account in the general revenue fund.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the attorney general in SECTION 2 (Section 402.036, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter G, Chapter 504, Transportation Code, by adding Section 504.662, as follows:

Sec. 504.662. CHOOSE LIFE LICENSE PLATES. (a) Requires the Texas Department of Motor Vehicles (TxDMV) to issue specially designed license plates that include the words "Choose Life." Requires TxDMV to design the license plates in consultation with the attorney general.

(b) Requires TxDMV, after deduction of TxDMV's administrative costs, to deposit the remainder of the fee for issuance of license plates under this section in the state treasury to the credit of the Choose Life account (account) established by Section 402.036, Government Code.

SECTION 2. Amends Subchapter B, Chapter 402, Government Code, by adding Sections 402.036 and 402.037, as follows:

Sec. 402.036. CHOOSE LIFE ACCOUNT. (a) Provides that the account is a separate account in the general revenue fund. Provides that the account is composed of money deposited to the credit of the account under Section 504.662, Transportation Code, and gifts, grants, donations, and legislative appropriations.

(b) Provides that the attorney general administers the account. Authorizes the attorney general to spend money credited to the account only to make grants to an eligible organization and to defray the cost of administering the account.

(c) Prohibits the attorney general from discriminating against an eligible organization because it is a religious or nonreligious organization.

(d) Authorizes the attorney general to accept gifts, donations, and grants from any source for the benefit of the account.

(e) Requires the attorney general by rule to establish guidelines for the expenditure of money credited to the account, and reporting and other mechanisms necessary to ensure that the money is spent in accordance with this section.

(f) Authorizes that money received by an eligible organization under this section be spent only to provide for the material needs of pregnant women who are considering placing their children for adoption, including the provision of clothing, housing, prenatal care, food, utilities, transportation, to provide for the needs of infants who are awaiting placement with adoptive parents, to provide training and advertising relating to adoption, and to provide pregnancy testing or pre-adoption or post-adoption counseling. Prohibits money received by an eligible organization under this section from being used to pay an administrative, legal, or capital expense.

(g) Defines "eligible organization."

Sec. 402.037. CHOOSE LIFE ADVISORY COMMITTEE. (a) Requires the attorney general to appoint a seven-member Choose Life advisory committee (committee).

(b) Requires the committee to:

(1) meet at least twice a year or as called by the attorney general;

(2) assist the attorney general in developing rules under Section 402.036(e); and

(3) review and make recommendations to the attorney general on applications submitted to the attorney general for grants funded with money credited to the account.

(c) Provides that members of the committee serve without compensation and are not entitled to reimbursement for expenses. Provides that each member serves a term of four years, with the terms of three or four members expiring on January 31 of each odd-numbered year.

(d) Provides that Chapter 2110 (State Agency Advisory Committees), Government Code, does not apply to the committee.

SECTION 3. Effective date: September 1, 2011.