

Senate Bill No. 673

Passed the Senate September 14, 2017

Secretary of the Senate

Passed the Assembly September 11, 2017

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2017, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 5168 of the Vehicle Code, relating to license plates.

LEGISLATIVE COUNSEL'S DIGEST

SB 673, Newman. Pet Lover's specialized license plates.

Existing law establishes a specialized license plate program and requires the Department of Motor Vehicles (DMV) to issue specialized license plates on behalf of a sponsoring state agency that meets certain requirements. Existing law requires that the DMV charge specified additional fees for the issuance, renewal, or transfer of specialized license plates, and requires the DMV to deposit the fees, less the DMV's costs, into the Specialized License Plate Fund. Existing law requires that moneys in the fund be allocated, upon appropriation by the Legislature, to each sponsoring agency in proportion to the amount that is attributable to the agency's specialized license plate program. Existing law requires the sponsoring state agency to use these moneys to fund projects and programs that promote the state agency's official policy, mission, or work.

Existing law requires the DMV to deposit fees for the issuance, renewal, or transfer of the Pet Lover's specialized license plates, less the DMV's costs, into the Pet Lover's Fund in the Specialized License Plate Fund, for the deposit of revenue derived from these specialized license plates. Existing law requires that these funds be allocated, upon appropriation by the Legislature, to the Veterinary Medical Board for disbursement by a nonprofit organization selected by the board to fund grants to providers of no-cost or low-cost animal sterilization services. Existing law requires the board to determine eligibility requirements for the grants, establish the grant application process, and develop program specifics. Existing law authorizes the board to contract with an entity, including a nonprofit organization, to provide advice, consultation, and administrative services for purposes of implementing and administering the grant program. Existing law requires the board to provide oversight for the disbursal of grant funds under the grant program.

This bill would revise and recast those provisions by, among other things, substituting the Department of Food and Agriculture for the Veterinary Medical Board for those purposes. The bill would require the department to allocate the grant funds, as specified, to eligible veterinary facilities, as defined, that offer low-cost or no-cost animal sterilization services. The bill would authorize the department to contract with an eligible nonprofit organization, as defined, to perform marketing and promotional activities. The bill would also require the department to administer and oversee the grant program, and would require the department to collaborate with an eligible nonprofit organization to provide advice and consultation for the purposes of developing and implementing the program.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The Pet Lover’s specialized license plate, sponsored by the California Spay and Neuter License Plate Fund, Inc., and the Veterinary Medical Board, has been in existence since 2013.

(b) Due to various administrative issues, funds deposited into the Pet Lover’s Fund have yet to be expended for the plate’s original intent to fund providers of no-cost or low-cost animal sterilization services.

(c) The sponsors have pursued several measures to rectify this issue and as such, seek to transfer authority to administer the Pet Lover’s specialized license plate program and the Pet Lover’s Fund from the Veterinary Medical Board to the Department of Food and Agriculture.

(d) It is therefore the intent of the Legislature that the Department of Food and Agriculture work with the previous administering partners, the Veterinary Medical Board and the California Spay and Neuter License Plate Fund, Inc., to achieve the stated goal of the Pet Lover’s specialized license plate program.

SEC. 2. Section 5168 of the Vehicle Code is amended to read:

5168. (a) The fees specified in Section 5157 shall be imposed for the issuance, renewal, or transfer of the Pet Lover’s specialized license plates. Notwithstanding subdivision (c) of Section 5157, after deducting its administrative costs, the department shall deposit

the revenue derived from the additional fees into the Pet Lover's Fund, which is hereby established in the Specialized License Plate Fund.

(b) Upon appropriation by the Legislature, the moneys in the Pet Lover's Fund shall be allocated to the Department of Food and Agriculture. There shall not be an allocation to the Department of Food and Agriculture pursuant to subdivision (c) of Section 5157.

(c) The Department of Food and Agriculture shall allocate those grant funds to eligible veterinary facilities that offer low-cost or no-cost animal sterilization services.

(1) In administering the grants, the Department of Food and Agriculture may prioritize both of the following:

(A) Eligible veterinary facilities located in or serving underserved communities or those that can demonstrate financial need.

(B) Eligible veterinary facilities that have previously provided or currently provide low-cost or no-cost animal sterilization services.

(2) For the purposes of this subdivision, "eligible veterinary facilities" mean those facilities that are all of the following:

(A) Registered and in good standing with the Veterinary Medical Board, pursuant to Section 4853 of the Business and Professions Code.

(B) Overseen by a responsible licensee manager licensed and in good standing with the Veterinary Medical Board, pursuant to Chapter 11 (commencing with Section 4800) of Division 2 of the Business and Professions Code.

(C) (i) Operated by a city, county, city and county, an animal care or control agency, or a nonprofit meeting the requirements of Section 501(c)(3) of the federal Internal Revenue Code that is registered and in good standing with the Secretary of State.

(ii) A city, county, or city and county animal control agency or nonprofit shelter holding a municipal contract that offers spay and neuter services for dogs and cats owned by individual members of the public is required to be current on its yearly rabies reporting requirements to the State Department of Public Health, Veterinary Public Health Section.

(d) Annual administrative costs for the program shall not exceed 25 percent of the funds collected from the issuance of the Pet Lover's license plates, and may include funds for marketing and

other promotional activities associated with encouraging application for, or renewal of, Pet Lover’s license plates and collaboration expenses. The Department of Food and Agriculture may contract with an eligible nonprofit organization to perform the marketing and promotional activities authorized.

(1) The eligible nonprofit organization selected by the Department of Food and Agriculture pursuant to this subdivision shall not use more than 5 percent of the moneys received pursuant to this section for administrative costs.

(2) For the purposes of this subdivision, “eligible nonprofit organization” means a nonprofit entity that is all of the following:

(A) Qualifies for tax exempt status under Section 501(c)(3) of the federal Internal Revenue Code and subdivision (d) of Section 23701 of the Revenue and Taxation Code.

(B) Registered and in good standing with the Secretary of State.

(C) Chartered and headquartered in this state.

(D) Has demonstrated experience in advertising, marketing, and promoting specialized license plates in existence prior to 2016 pursuant to this article.

(e) The Department of Food and Agriculture shall determine eligibility requirements for the grants, establish the grant application process, and develop program specifics. The Department of Food and Agriculture shall collaborate with an eligible nonprofit organization, as defined in paragraph (2) of subdivision (d), to provide advice and consultation for the purposes of developing and implementing the grant program. The Department of Food and Agriculture shall administer and oversee the grant program.

Approved _____, 2017

Governor