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SENATE BILL NO. 801

Offered January 14, 2009

Prefiled September 2, 2008

A BILL to authorize the issuance of special license plates bearing the legend: "CHOOSE LIFE"; fees.

Patrons—Cuccinelli, Obenshain and Smith; Delegates: Abbitt, Athey, Byron, Cline, Cole, Cox, Frederick, Gear, Hugo, Ingram, Jones, Kilgore, Landes, Marsden, Marshall, D.W., Marshall, R.G., Nutter, Oder, Tata and Wright

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:**1. § 1. Special license plates; supporters of certain programs for expectant mothers.**

A. On receipt of an application and payment of the fee prescribed by this act, the Commissioner shall issue to the applicant special license plates bearing the legend: CHOOSE LIFE.

B. The annual fee for plates issued pursuant to this act shall be \$25 in addition to the prescribed fee for state license plates. For each such \$25 fee collected in excess of 1,000 registrations pursuant to this act, \$15 shall be paid into the state treasury and credited to a special nonreverting fund known as the Choose Life Fund, established within the Department of Accounts. These funds shall be paid annually to the localities in which the vehicles are registered and shall be distributed by the localities to which they are paid to nongovernmental, not-for-profit agencies, located within their boundaries, that provide counseling and other services intended to meet the needs of expectant mothers who are committed to placing their children for adoption.

C. No funds under this act shall be distributed to any agency that is involved or associated with abortion activities, including, but not necessarily limited to, counseling for or referrals to abortion clinics, providing medical abortion-related procedures, or pro-abortion advertising. No funds under this act shall be distributed to any agency that charges for services received.

D. Agencies that receive funds under this act shall use at least 70 percent of such funds to provide for the material needs of pregnant women who are committed to placing their children for adoption, including clothing, housing, medical care, food, utilities, and transportation. Such funds may also be used to meet the needs of infants awaiting placement with adoptive parents. The remaining funds may be used for adoption counseling, training, or advertising, but shall not be used for administrative, legal, or capital expenditures.

E. Each agency receiving funds under this section shall submit an annual audit, prepared by a certified public accountant, to the locality from which it receives such funds. The Auditor of Public Accounts shall review the distribution and expenditure of funds under this section at least every three years to ensure that funds are disbursed and expended in accordance with the provisions of this act.

F. Any unused funds in excess of 10 percent of the funds received by an agency during a single fiscal year shall be returned to the locality from which they were received. Such locality shall then distribute such returned funds to other agencies, if any, qualified to receive funds under this act.

INTRODUCED

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