

HB314 INTRODUCED



1 HB314
2 XCPWZ77-1
3 By Representatives Travis, Lovvorn, Standridge, Bolton,
4 McCampbell, Gray, Kirkland
5 RFD: Public Safety and Homeland Security
6 First Read: 07-Mar-24



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SYNOPSIS:

Under existing law, volunteer firefighters are eligible to receive a firefighter distinctive license plate.

This bill would expand eligibility for the firefighter distinctive license plate to include fire chaplains.

Section 111.05 of the Constitution of Alabama of 2022, prohibits a general law whose purpose or effect would be to require a new or increased expenditure of local funds from becoming effective with regard to a local governmental entity without enactment by a 2/3 vote unless: it comes within one of a number of specified exceptions; it is approved by the affected entity; or the Legislature appropriates funds, or provides a local source of revenue, to the entity for the purpose.

The purpose or effect of this bill would be to require a new or increased expenditure of local funds within the meaning of the section. However, the bill does not require approval of a local governmental entity or enactment by a 2/3 vote to become effective because it comes within one of the specified exceptions contained in the section.



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A BILL

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TO BE ENTITLED

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AN ACT

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34 Relating to motor vehicle registrations and license
35 plates; to amend Section 32-6-271, Code of Alabama 1975, to
36 expand eligibility for the firefighter distinctive license
37 plate to include fire chaplains; and in connection therewith
38 would have as its purpose or effect the requirement of a new
39 or increased expenditure of local funds within the meaning of
40 Section 111.05 of the Constitution of Alabama of 2022.

41 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

42 Section 1. Section 32-6-271, Code of Alabama 1975, is
43 amended to read as follows:

44 "§32-6-271

45 (a) (1) A firefighter, upon application and subject to
46 this division, may be issued a distinctive ~~motor vehicle~~
47 license plate as identification as a firefighter. In addition
48 to the proper numbers, words, and insignias used on the
49 standard license plate issued for motor vehicles, the
50 firefighter distinctive license plates ~~issued to firefighters~~
51 shall bear a red Maltese cross emblem on each side to the left
52 and right of the regular tag numbers. The words "Fire Fighter"
53 should be centered at the bottom of the license plate.

54 (2)a. A fire chaplain, who is a member of the Alabama
55 Fellowship of Fire Chaplains, upon application and subject to
56 this division, may be issued one firefighter distinctive



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57 license plate.

58 b. Proof of service as a fire chaplain shall be
59 verified by an affidavit signed by the President of the
60 Alabama Fellowship of Fire Chaplains attesting that the
61 applicant is a member in good standing of that organization
62 and eligible to receive the firefighter distinctive license
63 plate. An individual who is no longer a member in good
64 standing of the Alabama Fellowship of Fire Chaplains is
65 ineligible to receive the firefighter distinctive license
66 plate.

67 (b) In addition to any other fees provided for by law,
68 an annual additional fee of one dollar (\$1.00) is added to the
69 cost of the firefighter distinctive license plate provided for
70 in this division, effective January 1, 2022. The annual
71 additional fee collected pursuant to this section shall be
72 distributed by each licensing official to the ~~state~~
73 Comptroller, ~~the state Comptroller~~ who shall distribute the
74 net proceeds monthly as follows:

75 (1) Fifty cents (\$.50) shall be deposited into a fund
76 managed by the Alabama Joint Fire Council and shall be used
77 for the purpose of expanding and maintaining the Alabama
78 Firefighter Memorial located in Tuscaloosa.

79 (2) Fifty cents (\$.50) shall be distributed to the
80 Alabama Joint Fire Council to be used for expenses associated
81 with the Firefighter Peer Support Program.

82 (3) Fees collected for firefighter distinctive license
83 plates issued to fire chaplains shall be distributed to the
84 Alabama Fellowship of Fire Chaplains.



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85 (c) The funds generated by this fee shall be subject to
86 audit from either the Department of Examiners of Public
87 Accounts or an independent certified public accountant once
88 every three calendar years effective January 1, 2022.

89 (d) The firefighter distinctive license plates issued
90 under this section shall be used only upon and for personally
91 owned, private passenger vehicles, to include station wagons
92 and pick-up trucks, registered in the name of the applicant
93 and, when issued to the applicant, shall be used upon the
94 vehicle for which it is issued in lieu of the standard license
95 plate normally issued for the vehicle.

96 (e) Any individual who is proven to have falsely
97 obtained or falsely certified an individual to obtain a
98 firefighter distinctive license plate issued under this
99 section shall be guilty of a Class C misdemeanor and, upon
100 conviction, shall be punished according to law.

101 (f) The Department of Revenue may adopt any rules
102 necessary to administer this section."

103 Section 2. Although this bill would have as its purpose
104 or effect the requirement of a new or increased expenditure of
105 local funds, the bill is excluded from further requirements
106 and application under Section 111.05 of the Constitution of
107 Alabama of 2022, because the bill defines a new crime or
108 amends the definition of an existing crime.

109 Section 3. This act shall become effective on January
110 1, 2025.