

AN ACT

relating to the issuance of Support Adoption specialty license plates and to the Support Adoption account and certain voluntary contributions to that account.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 402.036, Government Code, is amended to read as follows:

Sec. 402.036. SUPPORT ADOPTION [~~CHOOSE LIFE~~] ACCOUNT.

SECTION 2. Sections 402.036(a), (b), (b-1), (e), (f), and (g), Government Code, are amended to read as follows:

(a) The Support Adoption [~~Choose Life~~] account is a separate account in the general revenue fund. The account is composed of:

(1) money deposited to the credit of the account under Sections [~~Section~~] 504.662 and 521.015, Transportation Code; and

(2) gifts, grants, donations, and legislative appropriations.

(b) The attorney general administers the Support Adoption [~~Choose Life~~] account. The attorney general may spend money credited to the account only to:

(1) make grants to an eligible organization; and

(2) defray the cost of administering the account, including the cost of advertising authorized by Subsection (b-1).

(b-1) The attorney general may advertise that fees paid for the issuance of a license plate in accordance with Section 504.662,

1 Transportation Code, may be used to fund the grants described by
2 Subsection (b)(1), provided that the money spent under this
3 subsection does not exceed two percent of the amount of gross
4 receipts deposited to the Support Adoption [~~Choose Life~~] account
5 during the preceding state fiscal year.

6 (e) The attorney general by rule shall establish:

7 (1) guidelines for the expenditure of money credited
8 to the Support Adoption [~~Choose Life~~] account; and

9 (2) reporting and other mechanisms necessary to ensure
10 that the money is spent in accordance with this section.

11 (f) Money received by an eligible organization under this
12 section may be spent only to provide for the material needs of
13 pregnant women who are considering placing their children for
14 adoption, including the provision of clothing, housing, prenatal
15 care, food, utilities, and transportation, to provide for the needs
16 of children [~~infants~~] who are awaiting placement with adoptive
17 parents, to provide training and advertising relating to adoption,
18 and to provide pregnancy testing or pre-adoption or postadoption
19 counseling, but may not be used to pay an administrative, legal, or
20 capital expense.

21 (g) In this section, "eligible organization" means:

22 (1) an organization in this state that:

23 (A) [~~(1)~~] is exempt from federal income taxation
24 under Section 501(a), Internal Revenue Code of 1986, by being
25 listed as an exempt charitable organization under Section 501(c)(3)
26 of that code;

27 (B) [~~(2)~~] provides counseling and material

1 assistance to pregnant women who are considering placing their
2 children for adoption or to prospective adoptive parents;

3 (C) [~~3~~] does not charge for services provided,
4 except for adoption-related costs or fees;

5 (D) [~~4~~] does not provide abortions or
6 abortion-related services or make referrals to abortion providers;

7 (E) [~~5~~] is not affiliated with an organization
8 that provides abortions or abortion-related services or makes
9 referrals to abortion providers; and

10 (F) [~~6~~] does not contract with an organization
11 that provides abortions or abortion-related services or makes
12 referrals to abortion providers;

13 (2) an adoption agency, as defined by Section 162.402,
14 Family Code; and

15 (3) an authorized agency, as defined by Section
16 162.402, Family Code.

17 SECTION 3. The heading to Section 402.037, Government Code,
18 is amended to read as follows:

19 Sec. 402.037. SUPPORT ADOPTION [~~CHOOSE LIFE~~] ADVISORY
20 COMMITTEE.

21 SECTION 4. Sections 402.037(a) and (b), Government Code,
22 are amended to read as follows:

23 (a) The attorney general shall appoint a seven-member
24 Support Adoption [~~Choose Life~~] advisory committee.

25 (b) The committee shall:

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

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

3 (3) review and make recommendations to the attorney
4 general on applications submitted to the attorney general for
5 grants funded with money credited to the Support Adoption [~~Choose~~
6 ~~Life~~] account.

7 SECTION 5. Section 504.662, Transportation Code, is amended
8 to read as follows:

9 Sec. 504.662. SUPPORT ADOPTION [~~CHOOSE—LIFE~~] LICENSE
10 PLATES. (a) The department shall issue specially designed
11 license plates that include the words "Support Adoption [~~Choose~~
12 ~~Life~~]." The department shall design the license plates in
13 consultation with the attorney general.

14 (b) After deduction of the department's administrative
15 costs, the department shall deposit the remainder of the fee for
16 issuance of license plates under this section in the state treasury
17 to the credit of the Support Adoption [~~Choose—Life~~] account
18 established by Section 402.036, Government Code.

19 SECTION 6. Subchapter A, Chapter 521, Transportation Code,
20 is amended by adding Section 521.015 to read as follows:

21 Sec. 521.015. VOLUNTARY CONTRIBUTION TO SUPPORT
22 ADOPTION. (a) When a person applies for an original or renewal
23 driver's license or personal identification certificate under this
24 chapter, the person may contribute any amount to the Support
25 Adoption account established by Section 402.036, Government Code,
26 to support adoption.

27 (b) The department shall:

1 (1) include space on the first page of each
2 application for an original or renewal driver's license or personal
3 identification certificate that allows a person applying for an
4 original or renewal driver's license or personal identification
5 certificate to indicate the amount that the person is voluntarily
6 contributing to the account; and

7 (2) provide an opportunity for the person to
8 contribute to the account during the application process for an
9 original or renewal driver's license or personal identification
10 certificate on the department's Internet website.

11 (c) The department shall send any contribution made under
12 this section to the comptroller for deposit to the credit of the
13 Support Adoption account established by Section 402.036,
14 Government Code, not later than the 14th day of each month. Before
15 sending the money to the comptroller, the department may deduct
16 money equal to the amount of reasonable expenses for administering
17 this section.

18 SECTION 7. Not later than December 31, 2023, the Department
19 of Public Safety shall provide an opportunity for a person who
20 applies for an original or renewal driver's license or personal
21 identification certificate to make a voluntary contribution to
22 support adoption, as required by Section 521.015, Transportation
23 Code, as added by this Act.

24 SECTION 8. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 2376 passed the Senate on May 15, 2023, by the following vote: Yeas 28, Nays 3; and that the Senate concurred in House amendment on May 26, 2023, by the following vote: Yeas 28, Nays 3.

Secretary of the Senate

I hereby certify that S.B. No. 2376 passed the House, with amendment, on May 24, 2023, by the following vote: Yeas 142, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor