

BILL ANALYSIS

C.S.H.B. 1655
By: Wohlgemuth
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The state has the right to advocate for particular public policies that are deemed appropriate by the legislature. The state has frequently exercised this right with respect to speciality license plates, as it has sanctioned a number of advocacy messages such as “Be an Organ Donor,” “Animal Friendly,” and “Read to Succeed.” Many of these plates raise funds for specific organizations and/or issues. The purpose of C.S.H.B. 1655 is to create “Choose Life” specialty license plates that would raise funds to assist pregnant women who are considering placing their children for adoption, to provide for the needs of infants awaiting adoption, and for counseling, training, and pregnancy testing.

RULEMAKING AUTHORITY

It is the opinion of the committee that rulemaking authority is expressly granted to the attorney general in SECTION 2 (Section 402.031(e), Government Code) of this bill.

ANALYSIS

C.S.H.B. 1655 amends Subchapter F, Chapter 502, of the Transportation Code to require the Texas Department of Transportation (TXDOT) to issue specially designed license plates that include the words “Choose Life.” The license plates shall be designed in consultation with the attorney general. The revenue raised by the \$30 fee for each plate would send \$5 to the state highway fund and \$25 to the Choose Life account established in the State Treasury.

C.S.H.B. 1655 amends Subchapter B, Chapter 402, of the Government Code to provide that the Choose Life account is a separate account in the general revenue fund composed of money deposited to the credit of the account through the sale of “Choose Life” license plates, as well as gifts, grants, donations, and legislative appropriations. The bill provides that the attorney general administers the Choose Life account, and is authorized to spend money credited to the account to defray administrative expenses and to award grants to eligible charitable organizations. The bill provides a detailed definition of an “eligible organization” that may receive grants under the Act. The bill prohibits the attorney general from discriminating against an eligible organization because it is a religious or nonreligious organization. The bill provides that at least 50 percent of any money received by an eligible organization must be spent to provide for the needs of pregnant women who are considering placing their children for adoption, and for the needs of infants who are awaiting placement with adoptive parents. The bill further provides that any remaining money may be used to provide counseling, training, and pregnancy testing, but may not be used to pay an administrative, legal, or capital expense. The bill also requires the attorney general to appoint a Choose Life advisory committee to assist in decisions regarding expenditures, reporting, and grants funded by money credited to the account.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 1655 adds language which prohibits the attorney general from discriminating against an eligible organization because it is a religious or nonreligious organization. The substitute also adds language which details the appropriate ways in which money from the Choose Life account that is granted to an eligible organization may be spent.

BILL ANALYSIS

C.S.H.B. 1655
By: Wohlgemuth
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The state has the right to advocate for particular public policies that are deemed appropriate by the legislature. The state has frequently exercised this right with respect to speciality license plates, as it has sanctioned a number of advocacy messages such as “Be an Organ Donor,” “Animal Friendly,” and “Read to Succeed.” Many of these plates raise funds for specific organizations and/or issues. The purpose of C.S.H.B. 1655 is to create “Choose Life” specialty license plates that would raise funds to assist pregnant women who are considering placing their children for adoption, to provide for the needs of infants awaiting adoption, and for counseling, training, and pregnancy testing.

RULEMAKING AUTHORITY

It is the opinion of the committee that rulemaking authority is expressly granted to the attorney general in SECTION 2 (Section 402.031(e), Government Code) of this bill.

ANALYSIS

C.S.H.B. 1655 amends Subchapter F, Chapter 502, of the Transportation Code to require the Texas Department of Transportation (TXDOT) to issue specially designed license plates that include the words “Choose Life.” The license plates shall be designed in consultation with the attorney general. The revenue raised by the \$30 fee for each plate would send \$5 to the state highway fund and \$25 to the Choose Life account established in the State Treasury.

C.S.H.B. 1655 amends Subchapter B, Chapter 402, of the Government Code to provide that the Choose Life account is a separate account in the general revenue fund composed of money deposited to the credit of the account through the sale of “Choose Life” license plates, as well as gifts, grants, donations, and legislative appropriations. The bill provides that the attorney general administers the Choose Life account, and is authorized to spend money credited to the account to defray administrative expenses and to award grants to eligible charitable organizations. The bill provides a detailed definition of an “eligible organization” that may receive grants under the Act. The bill prohibits the attorney general from discriminating against an eligible organization because it is a religious or nonreligious organization. The bill provides that at least 50 percent of any money received by an eligible organization must be spent to provide for the needs of pregnant women who are considering placing their children for adoption, and for the needs of infants who are awaiting placement with adoptive parents. The bill further provides that any remaining money may be used to provide counseling, training, and pregnancy testing, but may not be used to pay an administrative, legal, or capital expense. The bill also requires the attorney general to appoint a Choose Life advisory committee to assist in decisions regarding expenditures, reporting, and grants funded by money credited to the account.

EFFECTIVE DATE

September 1, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 1655 adds language which prohibits the attorney general from discriminating against an eligible organization because it is a religious or nonreligious organization. The substitute also adds language which details the appropriate ways in which money from the Choose Life account that is granted to an eligible organization may be spent.