

By: Phillips

H.B. No. 109

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of "Choose Life" license plates and the creation of the Choose Life account in the general revenue fund.

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

SECTION 1. Subchapter G, Chapter 504, Transportation Code, is amended by adding Section 504.659 to read as follows:

Sec. 504.659. CHOOSE LIFE LICENSE PLATES. (a) The department shall issue specially designed license plates that include the words "Choose Life." The department shall design the license plates in consultation with the attorney general.

(b) After deduction of the department's administrative costs, the department shall deposit the remainder of the fee for issuance of license plates under this section in the state treasury to the credit of the Choose Life account established by Section 402.035, Government Code.

SECTION 2. Subchapter B, Chapter 402, Government Code, is amended by adding Sections 402.035 and 402.036 to read as follows:

Sec. 402.035. CHOOSE LIFE ACCOUNT. (a) The 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 Section 504.659, Transportation Code; and

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

1        (b) The attorney general administers the Choose Life  
2 account. The attorney general may spend money credited to the  
3 account only to:

4            (1) make grants to an eligible organization; and

5            (2) defray the cost of administering the account.

6        (c) The attorney general may not discriminate against an  
7 eligible organization because it is a religious or nonreligious  
8 organization.

9        (d) The attorney general may accept gifts, donations, and  
10 grants from any source for the benefit of the account.

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

12            (1) guidelines for the expenditure of money credited  
13 to the Choose Life account; and

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

16        (f) Of any money received by an eligible organization under  
17 this section, at least 50 percent must be spent to provide for the  
18 material needs of pregnant women who are considering placing their  
19 children for adoption, including the provision of clothing,  
20 housing, prenatal care, food, utilities, and transportation, and to  
21 provide for the needs of infants who are awaiting placement with  
22 adoptive parents. The remainder may be used to provide counseling,  
23 training, advertising, and pregnancy testing, but may not be used  
24 to pay an administrative, legal, or capital expense.

25        (g) In this section, "eligible organization" means an  
26 organization in this state that:

27            (1) qualifies as a charitable organization under

1 Section 501(c)(3), Internal Revenue Code of 1986;

2 (2) provides counseling and material assistance to  
3 pregnant women who are considering placing their children for  
4 adoption;

5 (3) does not charge for services provided;

6 (4) does not provide abortions or abortion-related  
7 services or make referrals to abortion providers;

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

11 (6) does not contract with an organization that  
12 provides abortions or abortion-related services or makes referrals  
13 to abortion providers.

14 Sec. 402.036. CHOOSE LIFE ADVISORY COMMITTEE. (a) The  
15 attorney general shall appoint a seven-member Choose Life advisory  
16 committee.

17 (b) The committee shall:

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

20 (2) assist the attorney general in developing rules  
21 under Section 402.035(e); and

22 (3) review and make recommendations to the attorney  
23 general on applications submitted to the attorney general for  
24 grants funded with money credited to the Choose Life account.

25 (c) Members of the committee serve without compensation and  
26 are not entitled to reimbursement for expenses. Each member serves  
27 a term of four years, with the terms of three or four members

1 expiring on January 31 of each odd-numbered year.

2 SECTION 3. This Act takes effect September 1, 2009.