

1-1 By: Carona S.B. No. 1098  
1-2 (In the Senate - Filed February 24, 2009; March 13, 2009,  
1-3 read first time and referred to Committee on Transportation and  
1-4 Homeland Security; April 8, 2009, rereferred to Committee on Health  
1-5 and Human Services; April 22, 2009, reported favorably by the  
1-6 following vote: Yeas 7, Nays 1; April 22, 2009, sent to printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the issuance of "Choose Life" license plates and the  
1-10 creation of the Choose Life account in the general revenue fund.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter G, Chapter 504, Transportation Code,  
1-13 is amended by adding Section 504.659 to read as follows:

1-14 Sec. 504.659. CHOOSE LIFE LICENSE PLATES. (a) The  
1-15 department shall issue specially designed license plates that  
1-16 include the words "Choose Life." The department shall design the  
1-17 license plates in consultation with the attorney general.

1-18 (b) After deduction of the department's administrative  
1-19 costs, the department shall deposit the remainder of the fee for  
1-20 issuance of license plates under this section in the state treasury  
1-21 to the credit of the Choose Life account established by Section  
1-22 402.035, Government Code.

1-23 SECTION 2. Subchapter B, Chapter 402, Government Code, is  
1-24 amended by adding Sections 402.035 and 402.036 to read as follows:

1-25 Sec. 402.035. CHOOSE LIFE ACCOUNT. (a) The Choose Life  
1-26 account is a separate account in the general revenue fund. The  
1-27 account is composed of:

1-28 (1) money deposited to the credit of the account under  
1-29 Section 504.659, Transportation Code; and

1-30 (2) gifts, grants, donations, and legislative  
1-31 appropriations.

1-32 (b) The attorney general administers the Choose Life  
1-33 account. The attorney general may spend money credited to the  
1-34 account only to:

1-35 (1) make grants to an eligible organization; and

1-36 (2) defray the cost of administering the account.

1-37 (c) The attorney general may not discriminate against an  
1-38 eligible organization because it is a religious or nonreligious  
1-39 organization.

1-40 (d) The attorney general may accept gifts, donations, and  
1-41 grants from any source for the benefit of the account.

1-42 (e) The attorney general by rule shall establish:

1-43 (1) guidelines for the expenditure of money credited  
1-44 to the Choose Life account; and

1-45 (2) reporting and other mechanisms necessary to ensure  
1-46 that the money is spent in accordance with this section.

1-47 (f) Money received by an eligible organization under this  
1-48 section may be spent only to provide for the material needs of  
1-49 pregnant women who are considering placing their children for  
1-50 adoption, including the provision of clothing, housing, prenatal  
1-51 care, food, utilities, and transportation, to provide for the needs  
1-52 of infants who are awaiting placement with adoptive parents, to  
1-53 provide training and advertising relating to adoption, and to  
1-54 provide pregnancy testing or preadoption or postadoption  
1-55 counseling, but may not be used to pay an administrative, legal, or  
1-56 capital expense.

1-57 (g) In this section, "eligible organization" means an  
1-58 organization in this state that:

1-59 (1) qualifies as a charitable organization under  
1-60 Section 501(c)(3), Internal Revenue Code of 1986;

1-61 (2) provides counseling and material assistance to  
1-62 pregnant women who are considering placing their children for  
1-63 adoption;

1-64 (3) does not charge for services provided;

2-1 (4) does not provide abortions or abortion-related  
2-2 services or make referrals to abortion providers;

2-3 (5) is not affiliated with an organization that  
2-4 provides abortions or abortion-related services or makes referrals  
2-5 to abortion providers; and

2-6 (6) does not contract with an organization that  
2-7 provides abortions or abortion-related services or makes referrals  
2-8 to abortion providers.

2-9 Sec. 402.036. CHOOSE LIFE ADVISORY COMMITTEE. (a) The  
2-10 attorney general shall appoint a seven-member Choose Life advisory  
2-11 committee.

2-12 (b) The committee shall:

2-13 (1) meet at least twice a year or as called by the  
2-14 attorney general;

2-15 (2) assist the attorney general in developing rules  
2-16 under Section 402.035(e); and

2-17 (3) review and make recommendations to the attorney  
2-18 general on applications submitted to the attorney general for  
2-19 grants funded with money credited to the Choose Life account.

2-20 (c) Members of the committee serve without compensation and  
2-21 are not entitled to reimbursement for expenses. Each member serves  
2-22 a term of four years, with the terms of three or four members  
2-23 expiring on January 31 of each odd-numbered year.

2-24 SECTION 3. This Act takes effect September 1, 2009.

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