

By: Phillips, et al.

H.B. No. 238

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 504.662 to read as follows:

Sec. 504.662. 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 402.036, Government Code.

SECTION 2. Subchapter B, Chapter 402, Government Code, is amended by adding Sections 402.036 and 402.037 to read as follows:

Sec. 402.036. 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 504.662, 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) Money received by an eligible organization under this
17 section may be spent only to provide for the material needs of
18 pregnant women who are considering placing their children for
19 adoption, including the provision of clothing, housing, prenatal
20 care, food, utilities, and transportation, to provide for the needs
21 of infants who are awaiting placement with adoptive parents, to
22 provide training and advertising relating to adoption, and to
23 provide pregnancy testing or pre-adoption or postadoption
24 counseling, but may not be used to pay an administrative, legal, or
25 capital expense.

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

1 (1) is exempt from federal income taxation under
2 Section 501(a), Internal Revenue Code of 1986, by being listed as an
3 exempt charitable organization under Section 501(c)(3) of that
4 code;

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

8 (3) does not charge for services provided;

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

11 (5) is not affiliated with an organization that
12 provides abortions or abortion-related services or makes referrals
13 to abortion providers; and

14 (6) does not contract with an organization that
15 provides abortions or abortion-related services or makes referrals
16 to abortion providers.

17 Sec. 402.037. CHOOSE LIFE ADVISORY COMMITTEE. (a) The
18 attorney general shall appoint a seven-member Choose Life advisory
19 committee.

20 (b) The committee shall:

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

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

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

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

5 (d) Chapter 2110, Government Code, does not apply to the
6 committee.

7 SECTION 3. This Act takes effect September 1, 2011.