

# HOUSE BILL No. 5032

June 30, 2005, Introduced by Rep. Hildenbrand and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 811e (MCL 257.811e), as amended by 2001 PA 124, and by adding section 811o.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 811e. (1) The secretary of state may develop a Michigan  
2 university fund-raising registration plate as described in this  
3 section, and a matching Michigan university collector plate as  
4 described in section 811g.

5           (2) The secretary of state may develop 1 or more limited term  
6 registration plates to recognize a state-sponsored event, a  
7 Michigan university, or an accomplishment or occasion of a Michigan  
8 university.

9           (3) The secretary of state may ~~—, at any 1 time, —~~ develop ~~not~~

1 ~~more than 7 different~~ state-sponsored fund-raising registration  
2 plates as described in this section, and matching state-sponsored  
3 collector plates as described in section 811g. As used in this  
4 section, "state-sponsored fund-raising registration plate" means a  
5 fund-raising registration plate authorized by a public act to raise  
6 funds for a state-sponsored goal. The public act shall, at a  
7 minimum, do all of the following:

8 (a) Identify the purpose of the state-sponsored fund-raising  
9 registration plate.

10 (b) Create a fund or designate an existing fund to receive the  
11 money raised through the sale of state-sponsored fund-raising  
12 registration plates and matching collector plates.

13 (c) If a fund is created, name the person or entity  
14 responsible for administering the fund.

15 (4) The secretary of state may develop, promote, and market  
16 the fund-raising registration plates and matching collector plates  
17 issued under this section with the funds available through service  
18 fees.

19 (5) If the design or logo of a Michigan university fund-  
20 raising registration plate or a state-sponsored fund-raising  
21 registration plate uses 1 or more designs, trade names, trademarks,  
22 service marks, emblems, symbols, or other images that are owned by  
23 the Michigan university that is requesting the Michigan university  
24 fund-raising plate, the person or entity that is sponsoring a  
25 state-sponsored fund-raising plate, or any other person or entity,  
26 the Michigan university or sponsoring person or entity shall grant  
27 to or obtain for the secretary of state both of the following

1 pursuant to a written agreement between the parties:

2 (a) A nonexclusive worldwide license to use those designs,  
3 trade names, trademarks, service marks, emblems, symbols, or other  
4 images on and in conjunction with the marketing, promotion, sale,  
5 or copyrighting of the registration plate or image of the  
6 registration plate.

7 (b) The authority to merchandise the registration plate or an  
8 image of the registration plate.

9 (6) In using or employing a design, trade name, trademark,  
10 service mark, emblem, symbol, logo, or other image on and in  
11 conjunction with the marketing, promotion, sale, copyrighting, or  
12 merchandising of a registration plate or image of the registration  
13 plate, the secretary of state may alter the size of the design,  
14 trade name, trademark, service mark, emblem, symbol, logo, or other  
15 image but shall not change the color or design of the design, trade  
16 name, trademark, service mark, emblem, symbol, logo, or other image  
17 without the prior written consent of the respective Michigan  
18 university or sponsoring person or entity. The secretary of state  
19 shall not use or employ a design, trade name, trademark, service  
20 mark, emblem, symbol, logo, or other image on and in conjunction  
21 with the marketing, promotion, sale, copyrighting, or merchandising  
22 of a registration plate or an image of the registration plate in  
23 any manner that is offensive to the Michigan university or  
24 sponsoring person or entity that complies with subsection (5).

25 (7) As used in this section, "Michigan university fund-raising  
26 registration plate" means a fund-raising registration plate that is  
27 issued under this section at the request of a Michigan university.

1           SEC. 8110. (1) THE SECRETARY OF STATE SHALL DEVELOP UNDER  
2 SECTION 811E AND, UPON APPLICATION, MAY ISSUE UNDER SECTION 811F A  
3 STATE-SPONSORED ADOPTION FUND-RAISING REGISTRATION PLATE AND A  
4 MATCHING STATE-SPONSORED ADOPTION COLLECTOR PLATE AS PROVIDED UNDER  
5 SECTION 811G. THE PLATE SHALL BE OF A DESIGN AS DETERMINED BY THE  
6 SECRETARY OF STATE.

7           (2) THE ADOPTION FACILITATION FUND IS CREATED AS A SEPARATE  
8 FUND IN THE STATE TREASURY. THE STATE TREASURER MAY RECEIVE MONEY  
9 OR OTHER ASSETS FROM ANY SOURCE FOR DEPOSIT INTO THE FUND. THE  
10 STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE  
11 TREASURER SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND  
12 INVESTMENTS. THE STATE TREASURER SHALL ANNUALLY PRESENT TO THE  
13 SECRETARY OF STATE AN ACCOUNTING OF THE AMOUNT OF MONEY IN THE  
14 FUND. MONEY IN THE FUND SHALL BE EXPENDED ONLY AS PROVIDED IN THIS  
15 SECTION. MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL  
16 REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

17           (3) THE DEPARTMENT OF HUMAN SERVICES SHALL ADMINISTER THE  
18 ADOPTION FACILITATION FUND AND MAY EXPEND MONEY FROM THE FUND TO  
19 OFFSET THE COSTS OF ADOPTION BY MICHIGAN RESIDENTS. THE DEPARTMENT  
20 MAY ADOPT RULES UNDER THE ADMINISTRATIVE PROCEDURES ACT OF 1969,  
21 1969 PA 306, MCL 24.201 TO 24.328, SPECIFYING CRITERIA FOR THE  
22 AWARD OF GRANTS TO FACILITATE ADOPTION.

23           (4) ADOPTION FUND-RAISING REGISTRATION PLATE DONATIONS  
24 COLLECTED UNDER SECTION 811F AND MATCHING ADOPTION COLLECTOR PLATE  
25 FUND-RAISING DONATIONS COLLECTED UNDER SECTION 811G SHALL BE  
26 TRANSFERRED UNDER SECTION 811H BY THE SECRETARY OF STATE TO THE  
27 STATE TREASURER, WHO SHALL CREDIT THE DONATION MONEY TO THE

1 ADOPTION FACILITATION FUND.

2 (5) FOR PURPOSES OF THIS CHAPTER, "STATE-SPONSORED ADOPTION  
3 FUND-RAISING REGISTRATION PLATE" MEANS A REGISTRATION PLATE  
4 CONTAINING A SPECIALIZED DESIGN PERTAINING TO ADOPTION.