

# Legislative Analysis

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## **ORGAN & TISSUE DONATE LIFE FUND AND SPECIALTY LICENSE PLATE**

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**House Bill 4978 (Substitute H-1)**

**Sponsor: Rep. Kevin Daley**

**Committee: Transportation**

**Complete to 12-13-11**

### **A SUMMARY OF HOUSE BILL 4978 AS REPORTED FROM COMMITTEE**

Public Act 502 of 2004 created Section 217o of the Michigan Vehicle Code to establish an Organ and Tissue Donation Education Fund within the State Treasury and also amended Section 307 to require the Secretary of State to provide an opportunity for an individual to donate \$1 or more to the fund when obtaining a driver license.

House Bill 4978 would repeal Section 217o and replace it with new language establishing the Donate Life Fund as a successor to the fund created by Section 217o. The bill also would strike the language regarding the donations to the fund and authorize the Secretary of State to issue a fund-raising license plate recognizing anatomical gift donations, and require the revenue from those plates to be deposited in the Donate Life Fund. The design of the fund-raising license would be determined by the Secretary of State.

Under the bill, money currently in the Organ and Tissue Education Fund created in Section 217o (to be repealed) would be transferred to the new Donate Life Fund.

The Donate Life Fund would be created in the state treasury and the State Treasurer could receive money or other assets from any source for deposit into the fund. The treasurer would direct the investment of the fund and credit to the fund interest and earnings from fund investments. Money in the fund at the close of the fiscal year would have to remain in the fund and not lapse to the general fund. However, the Department of State would be the administrator of the fund for auditing purposes and would expend money from the fund, upon appropriation, for administration and maintenance of the state anatomical gift donation registry program as described under Part 101 of the Public Health Code. Any money remaining in the fund could be expended for the ongoing development and administration of the Department of State's public campaign concerning the Michigan Organ Donation program.

The bill also makes other technical changes to reflect changes in the names of state departments (for example, the elimination of the Department of History, Arts, and Libraries).

This amendatory act would take effect June 30, 2012.

## **FISCAL IMPACT:**

House Bill 4978 shifts administration of the Organ and Tissue Donation Education Fund to the Department of State. The costs of covering the administration of the fund would be covered by the service fee charged by the department for any original or renewal application for the new charitable license plate recognizing anatomical gift donation created under the provisions of this bill. The FY 2009-10 beginning balance of the Organ and Tissue Donation Education Fund was approximately \$3,900. Collections for FY 2009-10 totaled approximately \$600. Reviewing charitable license plate data shows that annual collections for the various charitable license plates in FY 2009-10 ranged from a low of \$18,100 (Support Our Troops) to a high of \$360,500 (USA Plate). Based on this data, changing the revenue generator to a charitable license plate would have a positive fiscal impact on the Fund.

## **POSITIONS:**

Department of State supports the bill. (12-7-11)

Gift of Life testified in support of the bill. (12-7-11)

Michigan Eye-Bank supports the bill. (12-7-11)

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