

HOUSE BILL No. 5139

October 7, 2003, Introduced by Reps. Hunter, Richardville, Kooiman, Gaffney, Nofs,
McConico, Condino, Phillips and Hood 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 sections 811p and 811q; and to repeal acts and
parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 811e. (1) The secretary of state may develop a
2 Michigan university fund-raising registration plate as described
3 in this section, and a matching Michigan university collector
4 plate as 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
8 Michigan 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
5 a fund-raising registration plate authorized by a public act to
6 raise funds for a state-sponsored goal. The public act shall, at
7 a 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
11 the 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
17 plates issued under this section with the funds available through
18 service fees.

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

1 ~~or~~ sponsoring person or entity, **or professional sports team**
2 shall grant to or obtain for the secretary of state both of the
3 following pursuant to a written agreement between the parties:

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

9 (b) The authority to merchandise the registration plate or an
10 image of the registration plate.

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

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

5 Sec. 811p. (1) The secretary of state shall develop under
6 section 811e and, upon application, may issue under section 811f
7 a state-sponsored professional sports team fund-raising
8 registration plate and a matching state-sponsored professional
9 sports team fund-raising collector plate as provided under
10 section 811g. The plate shall be of a design as determined by
11 the secretary of state that includes a logo of 1 of the following
12 professional sports teams:

13 (a) Detroit Red Wings.

14 (b) Detroit Lions.

15 (c) Detroit Pistons.

16 (d) Detroit Shock.

17 (e) Detroit Fury.

18 (f) Detroit Tigers.

19 (2) A professional sports team that enters into a written
20 agreement with the secretary of state for the development of a
21 plate under this section shall agree that the service fees
22 derived from the sale of a state-sponsored registration plate
23 bearing its logo and matching collector plate shall be deposited
24 in the professional sports team fund created in section 811q to
25 be disbursed to 1 or more youth sports programs in this state
26 engaged in the same sport as the professional sports team.

27 (3) State-sponsored professional sports team fund-raising

1 registration plate service fees collected under this section by
2 the secretary of state shall be identified and segregated by the
3 secretary of state into a separate account. The secretary of
4 state shall on a quarterly basis transfer the balance of the
5 state-sponsored professional sports team registration plate
6 service fees to the state treasurer, who shall credit the fee
7 money to the professional sports team fund created in section
8 811q. The money credited to the professional sports team fund
9 shall only be expended as provided in section 811q.

10 (4) This section is repealed September 30, 2005.

11 Sec. 811q. (1) The professional sports team fund is created
12 within the state treasury.

13 (2) The state treasurer may receive money or other assets
14 from any source for deposit into the fund. The state treasurer
15 shall direct the investment of the fund. The state treasurer
16 shall credit to the fund interest and earnings from fund
17 investments.

18 (3) Money in the fund at the close of the fiscal year shall
19 remain in the fund and shall not lapse to the general fund.

20 (4) The department of treasury shall disburse money in the
21 fund on a quarterly basis as follows:

22 (a) From the money received from the sale of Detroit Red
23 Wings logo registration plates, the state treasurer shall
24 distribute 50% of that amount to the Michigan amateur hockey
25 association and 50% of that amount to the Little Caesars amateur
26 hockey league.

27 (b) From the money received from the sale of Detroit Lions

1 logo registration plates, the state treasurer shall distribute
2 50% of that amount to the Detroit police athletic league to
3 support the football program and 50% to Southeastern Michigan Pop
4 Warner football.

5 (c) From the money received from the sale of Detroit Fury
6 logo registration plates, the state treasurer shall distribute
7 50% of that amount to the Detroit police athletic league to
8 support the football program and 50% to Southeastern Michigan Pop
9 Warner football.

10 (d) From the money received from the sale of Detroit Pistons
11 logo registration plates, the state treasurer shall distribute
12 75% of that amount to the Michigan amateur athletic union and 25%
13 to the Detroit neighborhood basketball program to support boys'
14 basketball programs.

15 (e) From the money received from the sale of Detroit Shock
16 logo registration plates, the state treasurer shall distribute
17 75% of that amount, on a quarterly basis, to the Michigan amateur
18 athletic union and 25% to the Detroit neighborhood basketball
19 program to support girls' basketball programs.

20 (f) From the money received from the sale of Detroit Tigers
21 logo registration plates, the state treasurer shall distribute
22 100% of that amount, on a quarterly basis, to the Michigan youth
23 baseball association.

24 (5) The organizations receiving money under this section
25 shall use the money to purchase equipment or uniforms or to pay
26 the costs of athletic facilities' improvements, training of
27 athletes, or conducting sports camps.