

SUBSTITUTE FOR
HOUSE BILL NO. 4495

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 811d (MCL 257.811d), as amended by 2006 PA 562,
and by adding section 811cc.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 811d. (1) As used in this chapter:

2 (a) "Fund-raising plate" means a registration plate authorized
3 to raise funds for a specified goal.

4 (b) "Collector plate" means a collector plate that matches any
5 registration plate developed and issued under this act.

6 (c) "Nonprofit" means that which is ~~exempt from taxation under~~
7 ~~section 501(c)(3) of~~ **ELIGIBLE FOR A CHARITABLE DEDUCTION UNDER** the
8 **UNITED STATES** internal revenue code ~~, 26 USC 501.~~ **OF 1986.**

1 (d) "Transportation administration collection fund" means the
2 fund created under section 810b.

3 (2) A fund-raising plate shall contain all of the following as
4 prescribed or approved by the secretary of state:

5 (a) The same generic background.

6 (b) Letters and numbers.

7 (c) The word "Michigan" and any other unique identifier
8 specified by the secretary of state.

9 (d) A design or logo.

10 (3) If the design or logo of a fund-raising plate uses 1 or
11 more designs, trade names, trademarks, service marks, emblems,
12 symbols, or other images that are owned by a Michigan university or
13 other person, the Michigan university or other person shall grant
14 to or obtain for the secretary of state both of the following
15 pursuant to a written agreement between the parties:

16 (a) A nonexclusive worldwide license to use those designs,
17 trade names, trademarks, service marks, emblems, symbols, or other
18 images on and in conjunction with the marketing, promotion, sale,
19 or copyrighting of the registration plate or image of the fund-
20 raising plate.

21 (b) The authority to merchandise the fund-raising plate or an
22 image of the fund-raising plate.

23 (4) In using or employing a design, trade name, trademark,
24 service mark, emblem, symbol, logo, or other image on and in
25 conjunction with the marketing, promotion, sale, copyrighting, or
26 merchandising of a fund-raising plate or image of the fund-raising
27 plate, the secretary of state may alter the size of the design,

1 trade name, trademark, service mark, emblem, symbol, logo, or other
2 image but shall not change the color or design of the design, trade
3 name, trademark, service mark, emblem, symbol, logo, or other image
4 without the prior written consent of the respective Michigan
5 university or other person. The secretary of state shall not use or
6 employ a design, trade name, trademark, service mark, emblem,
7 symbol, logo, or other image on and in conjunction with the
8 marketing, promotion, sale, copyrighting, or merchandising of a
9 fund-raising plate or an image of the fund-raising plate in any
10 manner that is offensive to the Michigan university or other person
11 that owns the design, trade name, trademark, service mark, emblem,
12 symbol, logo, or other image that is the subject of a written
13 agreement under subsection (3).

14 **SEC. 811CC. (1) NO LATER THAN AUGUST 1, 2019, THE SECRETARY OF**
15 **STATE SHALL DEVELOP UNDER SECTION 811E AND ISSUE UNDER SECTION 811F**
16 **A FUND-RAISING PLATE OR COLLECTOR PLATE RECOGNIZING THE KIWANIS**
17 **INTERNATIONAL MICHIGAN DISTRICT. THE FUND-RAISING PLATE OR**
18 **COLLECTOR PLATE AUTHORIZED IN THIS SECTION SHALL BEAR AN**
19 **APPROPRIATE LOGO, THE DESIGN OF WHICH THE KIWANIS INTERNATIONAL**
20 **MICHIGAN DISTRICT SHALL SUBMIT TO THE SECRETARY OF STATE.**

21 **(2) THE KIWANIS INTERNATIONAL MICHIGAN DISTRICT FUND IS**
22 **CREATED WITHIN THE STATE TREASURY. THE STATE TREASURER MAY RECEIVE**
23 **MONEY OR OTHER ASSETS FROM ANY SOURCE FOR DEPOSIT INTO THE FUND.**
24 **THE STATE TREASURER SHALL DIRECT THE INVESTMENT OF THE FUND. THE**
25 **STATE TREASURER SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM**
26 **FUND INVESTMENTS. MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR**
27 **SHALL REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.**

1 (3) THE SECRETARY OF STATE SHALL TRANSFER THE DONATION MONEY
2 FROM THE SALE OF FUND-RAISING PLATES RECOGNIZING THE KIWANIS
3 INTERNATIONAL MICHIGAN DISTRICT TO THE STATE TREASURER, WHO SHALL
4 CREDIT THE DONATION MONEY TO THE FUND ESTABLISHED UNDER SUBSECTION
5 (2) .

6 (4) THE STATE TREASURER SHALL DISBURSE MONEY IN THE FUND
7 ESTABLISHED UNDER SUBSECTION (2) ON A QUARTERLY BASIS TO THE
8 KIWANIS INTERNATIONAL MICHIGAN DISTRICT.

9 (5) THE STATE TREASURER SHALL BE THE ADMINISTRATOR OF THE FUND
10 CREATED IN SUBSECTION (2) FOR AUDITING PURPOSES.

11 Enacting section 1. This amendatory act takes effect 90 days
12 after the date it is enacted into law.