

1 AN ACT relating to the Colon Cancer Screening Program fund and making an
2 appropriation therefor.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 141 IS CREATED TO
5 READ AS FOLLOWS:

6 *(1) Effective for taxable years beginning on or after January 1, 2019, any taxpayer*
7 *required to file a return under KRS 141.180 who is entitled to an income tax*
8 *refund and who desires to contribute to the Kentucky Colon Cancer Screening*
9 *Program fund established in KRS 214.543 may designate an amount, not to*
10 *exceed the amount of the refund, to be paid to the fund. A designation made*
11 *under this section shall not affect the income tax liability of the taxpayer, but it*
12 *shall reduce the income tax refund by the amount designated.*

13 *(2) The tax refund designation authorized by this section shall be printed on the face*
14 *of the Kentucky individual income tax form.*

15 *(3) The instructions accompanying the individual income tax return shall include a*
16 *description of the Kentucky Colon Cancer Screening Program fund and the*
17 *purposes for which the funds from the income tax checkoff may be used.*

18 *(4) The department shall, by July 1, 2020, and by July 1 of each year thereafter,*
19 *transfer the funds designated by taxpayers under this section to the Kentucky*
20 *Colon Cancer Screening Program fund established in KRS 214.543.*

21 ➔SECTION 2. A NEW SECTION OF KRS CHAPTER 186 IS CREATED TO
22 READ AS FOLLOWS:

23 *(1) Upon application to the county clerk of the county of his or her residence, the*
24 *owner or lessee of a motor vehicle registered under KRS 186.050(1) or (3)(a) or a*
25 *motorcycle registered under KRS 186.050(2) may obtain a Colon Cancer*
26 *Prevention special license plate.*

27 *(2) Each initial or renewal application for a Colon Cancer Prevention special license*

1 plate shall be subject to payment of the fees set forth in Section 3 of this Act.

2 (3) The EF portion of the fees collected under Section 3 of this Act for a Colon
 3 Cancer Prevention special license plate shall be used to support the Kentucky
 4 Colon Cancer Screening Program and are hereby appropriated to Kentucky
 5 Colon Cancer Screening Program fund established in KRS 214.543 for that
 6 purpose, subject to the distribution and auditing requirements set forth in KRS
 7 186.164.

8 (4) The Colon Cancer Prevention special license plate shall be administered in the
 9 same manner as other special license plates as prescribed in Section 3 of this Act.

10 (5) The Transportation Cabinet shall consult with the Colon Cancer Screening
 11 Advisory Committee on the design of the Colon Cancer Prevention special license
 12 plate.

13 ➔Section 3. KRS 186.162 is amended to read as follows:

14 (1) As used in this chapter~~[section and in KRS 186.043, 186.164, 186.166, 186.1722,~~
 15 ~~and 186.174]~~:

16 (a) "Special license plate" means a unique license plate issued under this chapter
 17 to a group or organization that readily identifies the operator of the motor
 18 vehicle or motorcycle bearing the plate as a member of a group or
 19 organization, or a supporter of the work, goals, or mission of a group or
 20 organization. The term shall not include regular license plates issued under
 21 KRS 186.240;

22 (b) "Street rod" means a modernized private passenger motor vehicle
 23 manufactured prior to the year 1949, or designed or manufactured to resemble
 24 a vehicle manufactured prior to 1949;

25 (c) "SF" means the portion of an initial or renewal fee to obtain a special license
 26 plate that is dedicated for use by the Transportation Cabinet;

27 (d) "CF" means the portion of an initial or renewal fee to obtain a special license

1 plate that is dedicated for use by a county clerk; and

2 (e) "EF" means the portion of an initial or renewal fee to obtain a special license
3 plate that is mandated by this chapter to be dedicated for use by a particular
4 group or organization.

5 (2) The initial purchase fee and renewal fee for a special license plate created under this
6 chapter shall be as established in this subsection and includes the name of group or
7 organization and the total initial and renewal fee required for the plate. The amount
8 in parentheses indicates how the total fee is required to be divided:

9 (a) Disabled veterans who receive assistance to purchase a vehicle from the
10 United States Department of Veterans' Affairs, veterans declared by the
11 United States Department of Veterans' Affairs to be one hundred percent
12 (100%) service-connected disabled, and recipients of the Congressional Medal
13 of Honor:

14 1. Initial Fee: \$0 (\$0 SF/\$0 CF/\$0 EF).

15 2. Renewal Fee: \$0 (\$0 SF/\$0 CF/\$0 EF).

16 (b) Former prisoners of war and survivors of Pearl Harbor:

17 1. Initial Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans'
18 program trust fund established under KRS 40.460).

19 2. Renewal Fee: \$3 (\$0 SF/\$3 CF/\$0 EF).

20 (c) Members of the Kentucky National Guard and recipients of the Purple Heart:

21 1. Initial Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans'
22 program trust fund established under KRS 40.460).

23 2. Renewal Fee: \$8 (\$0 SF/\$3 CF/\$5 EF to the veterans'
24 program trust fund established under KRS 40.460).

25 (d) Members of the Civil Air Patrol; active, retired, veteran, reserve, or auxiliary
26 members of the United States Army, Navy, Air Force, Marine Corps, or Coast
27 Guard; Merchant Marines who served between December 7, 1941, and August

1 15, 1945; recipients of the Silver Star Medal, or the Bronze Star Medal
 2 awarded for valor; persons who wish to receive Gold Star Mothers, Gold Star
 3 Fathers, or Gold Star Spouses license plates beyond the two (2) exempted
 4 from fees under KRS 186.041(6); individuals eligible for a special military
 5 service academy license plate under KRS 186.041(8); and disabled veterans
 6 who have been declared to be between fifty percent (50%) and ninety-nine
 7 percent (99%) service-connected disabled by the United States Department of
 8 Veterans' Affairs:

- 9 1. Initial Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans'
 10 program trust fund established under KRS 40.460).
- 11 2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans'
 12 program trust fund established under KRS 40.460).

13 (e) Recipients of the Distinguished Service Cross, Navy Cross, or Air Force
 14 Cross:

- 15 1. Initial Fee: \$3 (\$0 SF/\$3 CF/\$0 EF).
- 16 2. Renewal Fee: \$3 (\$0 SF/\$3 CF/\$0 EF).

17 (f) Disabled license plates:

- 18 1. Initial Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).
- 19 2. Renewal Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).

20 (g) Historic vehicles:

- 21 1. Initial Fee for two plates: \$53 (\$50 SF/\$3 CF/\$0 EF).
- 22 2. Renewal Fee: Do not renew annually.

23 (h) Members of Congress:

- 24 1. Initial Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).
- 25 2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans'
 26 program trust fund established under KRS 40.460).

27 (i) Firefighters:

- 1 1. Initial Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).
- 2 2. Renewal Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).
- 3 (j) Emergency management:
- 4 1. Initial Fee: \$28 (\$25 SF/\$3 CF/\$0 EF).
- 5 2. Renewal Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).
- 6 (k) Fraternal Order of Police:
- 7 1. Initial Fee: \$38 (\$25 SF/\$3 CF/\$10 EF to the Kentucky
- 8 FOP Death Benefit Fund).
- 9 2. Renewal Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the Kentucky
- 10 FOP Death Benefit Fund).
- 11 (l) Law Enforcement Memorial:
- 12 1. Initial Fee: \$38 (\$25 SF/\$3 CF/\$10 EF to the Kentucky Law
- 13 Enforcement Memorial Foundation, Inc.).
- 14 2. Renewal Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the Kentucky Law
- 15 Enforcement Memorial Foundation, Inc.).
- 16 (m) Personalized plates:
- 17 1. Initial Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).
- 18 2. Renewal Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).
- 19 (n) Street rods:
- 20 1. Initial Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).
- 21 2. Renewal Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).
- 22 (o) Nature plates:
- 23 1. Initial Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to Kentucky
- 24 Heritage Land Conservation Fund established under KRS 146.570).
- 25 2. Renewal Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to Kentucky
- 26 Heritage Land Conservation Fund established under KRS 146.570).
- 27 (p) Amateur radio:

1 1. Initial Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).

2 2. Renewal Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).

3 (q) Kentucky General Assembly:

4 1. Initial Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).

5 2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans'
6 program trust fund established under KRS 40.460).

7 (r) Kentucky Court of Justice:

8 1. Initial Fee: \$40 (\$37 SF/\$3 CF/\$0 EF).

9 2. Renewal Fee: \$8 (\$0 SF/\$3 CF/\$5 EF to the veterans'
10 program trust fund established under KRS 40.460).

11 (s) Masons:

12 1. Initial Fee: \$28 (\$25 SF/\$3 CF/\$0 EF).

13 2. Renewal Fee: \$15 (\$12 SF/\$3 CF/\$0 EF).

14 (t) Collegiate plates:

15 1. Initial Fee: \$50 (\$37 SF/\$3 CF/\$10 EF to the general
16 scholarship fund of the university whose name will be borne on the
17 plate).

18 2. Renewal Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the general
19 scholarship fund of the university whose name will be borne on the
20 plate).

21 (u) Independent Colleges:

22 1. Initial Fee: \$38 (\$25 SF/\$3 CF/\$10 EF to the Association of
23 Independent Kentucky Colleges and Universities for distribution to the
24 general scholarship funds of the Association's members).

25 2. Renewal Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the Association of
26 Independent Kentucky Colleges and Universities for distribution to the
27 general scholarship funds of the Association's members).

- 1 (v) Child Victims:
- 2 1. Initial Fee: \$38 (\$25 SF/\$3 CF/\$10 EF to the child victims'
- 3 trust fund established under KRS 41.400).
- 4 2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the child victims'
- 5 trust fund established under KRS 41.400).
- 6 (w) Kentucky Horse Council:
- 7 1. Initial Fee: \$38 (\$25 SF/\$3 CF/\$10 EF to the Kentucky
- 8 Horse Council).
- 9 2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the Kentucky
- 10 Horse Council).
- 11 (x) Ducks Unlimited:
- 12 1. Initial Fee: \$38 (\$25 SF/\$3 CF/\$10 EF to Kentucky Ducks
- 13 Unlimited).
- 14 2. Renewal Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to Kentucky Ducks
- 15 Unlimited).
- 16 (y) Spay neuter:
- 17 1. Initial Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the animal control
- 18 and care fund established under KRS 258.119).
- 19 2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the animal control
- 20 and care fund established under KRS 258.119).
- 21 (z) Gold Star Mothers, Gold Star Fathers, or Gold Star Spouses:
- 22 1. Initial Fee: \$0 (\$0 SF/\$0 CF/ \$0 EF).
- 23 2. Renewal Fee: \$0 (\$0 SF/\$0 CF/ \$0 EF).
- 24 3. A person may receive a maximum of two (2) plates under this paragraph
- 25 free of charge and may purchase additional plates for fees as established
- 26 in subsection (2)(d) of this section.
- 27 (aa) I Support Veterans:

1 1. Initial Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the Kentucky
2 Department of Veterans' Affairs).

3 2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the Kentucky
4 Department of Veterans' Affairs).

5 (ab) Gold Star Siblings, Gold Star Sons, or Gold Star Daughters:

6 1. Initial Fee: \$25 (\$12 SF/\$3 CF/\$10 EF to the veterans'
7 program trust fund established under KRS 40.460).

8 2. Renewal Fee: \$20 (\$12 SF/\$3 CF/\$5 EF to the veterans'
9 program trust fund established under KRS 40.460).

10 **(ac) Colon Cancer Prevention:**

11 **1. Initial Fee: \$40 (\$27 SF/\$3 CF/\$10 EF to the Kentucky**
12 **Colon Cancer Screening Program Fund established in KRS 214.543).**

13 **2. Renewal Fee: \$30 (\$12 SF/\$3 CF/\$15 EF to the Kentucky**
14 **Colon Cancer Screening Program fund established in KRS 214.543).**

15 (3) Any special license plate may be combined with a personalized license plate for a
16 twenty-five dollar (\$25) state fee in addition to all other fees for the particular
17 special license plate established in this section and in KRS 186.164(3). The twenty-
18 five dollar (\$25) fee required under this subsection shall be divided between the
19 cabinet and the county clerk of the county where the applicant is applying for the
20 license plate with the cabinet receiving twenty dollars (\$20) and the county clerk
21 receiving five dollars (\$5).

22 (4) Owners and lessees of motorcycles registered under KRS 186.050(2) may be
23 eligible to receive special license plates issued under this section or established
24 under the provisions of KRS 186.164 after the cabinet has received three hundred
25 (300) applications and initial state fees from the sponsoring organization.
26 Applicants for a special license plate for a motorcycle shall be required to pay the
27 fee for a special plate as prescribed in this section or in KRS 186.164. The fee paid

1 for the special plate for a motorcycle shall be in lieu of the registration fee required
2 under KRS 186.050(2).

3 ➔Section 4. KRS 186.166 is amended to read as follows:

4 (1) The Transportation Cabinet shall, unless directed otherwise by the General
5 Assembly, perpetually produce the following special license plates: military license
6 plates, U.S. Congressional license plates, firefighter license plates, emergency
7 management license plates, Fraternal Order of Police license plates, Law
8 Enforcement Memorial license plates, street rod license plates, nature license plates,
9 amateur radio license plates, Kentucky General Assembly license plates, Kentucky
10 Court of Justice license plates, Masonic Order license plates, collegiate license
11 plates, independent college and university license plates, Colon Cancer Prevention
12 license plates, child victims' trust fund license plates, Kentucky Horse Council
13 license plates, Ducks Unlimited license plates, Gold Star Mothers, Fathers, and
14 Spouses license plates, Gold Star Siblings, Sons, and Daughters license plates,
15 Silver Star Medal license plates, Bronze Star Medal license plates, spay neuter
16 license plates, service academy license plates, and I Support Veterans license plates.

17 (2) The design of the plates identified for perpetual production under this section may
18 be revised upon request of a group or organization requesting a design revision
19 under the provisions of KRS 186.164(15).

20 (3) (a) The design of a Purple Heart license plate shall not include any representation
21 of the word "Kentucky" that is a registered trademark or slogan which appears
22 on a general issue license plate.

23 (b) The design of a Purple Heart license plate shall include a representation of the
24 Purple Heart medal and the words "Combat Wounded."

25 ➔Section 5. KRS 214.543 is amended to read as follows:

26 (1) (a) There is hereby created a restricted fund to be known as the Kentucky Colon
27 Cancer Screening Program fund.

- 1 (b) The fund shall be administered by the Finance and Administration Cabinet.
- 2 (c) The fund shall include moneys appropriated by the General Assembly for the
3 purpose of the Colon Cancer Screening Program, moneys collected under
4 Sections 1 and 3 of this Act, and moneys collected under KRS 214.542.
- 5 (2) Moneys in the fund shall be used by the department to administer KRS 214.540 to
6 214.544.
- 7 (3) Notwithstanding KRS 45.229, any moneys remaining in the fund at the close of the
8 fiscal year shall not lapse but shall be carried forward into the succeeding fiscal year
9 to be used in accordance with subsection (2) of this section.
- 10 (4) Interest earned on any moneys in the fund shall accrue to the fund.
- 11 (5) Moneys in the fund are hereby appropriated for the purposes set forth in KRS
12 214.540 to 214.544.
- 13 ➔Section 6. Sections 2, 3, and 4 of this Act take effect on January 1, 2020.