

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 459
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HOUSE PRINCIPAL CLERK

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HOUSE DRH40245-MMf-91D* (03/13)

Short Title: HBCU Innovation Fund. (Public)

Sponsors: Representatives Farmer-Butterfield, Pierce, and Michaux (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO CREATE THE HISTORICALLY BLACK COLLEGES AND UNIVERSITIES
3 ENDOWMENT FUND AND THE HBCU INNOVATION SPECIAL REGISTRATION
4 PLATE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Chapter 116 of the General Statutes is amended by adding a new
7 Article to read:

8 "Article 34.

9 "North Carolina Historically Black Colleges and Universities Endowment Fund.

10 **"§ 116-290. Establishment of the North Carolina Historically Black Colleges and**
11 **Universities Innovation Endowment Fund.**

12 (a) There is established the North Carolina Historically Black Colleges and Universities
13 Innovation Endowment Fund (HBCU Innovation Fund). The Fund shall be a special fund
14 consisting of (i) moneys credited to it under G.S. 20-81.12 from the sale of "HBCU Innovation"
15 special registration plates; (ii) proceeds of any gifts, grants, or contributions to the State that are
16 specifically designated for inclusion in the Fund; (iii) appropriations made to it by the General
17 Assembly; and (iv) interest accrued to it thereon. Moneys in the Fund shall be available for
18 expenditure only upon an act of appropriation by the General Assembly.

19 (b) The General Assembly shall only appropriate moneys in the North Carolina
20 Historically Black Colleges and Universities Endowment Fund for programs and initiatives that
21 increase the rates of enrollment, retention, and graduation rates at the historically black colleges
22 and universities of The University of North Carolina."

23 **SECTION 2.** G.S. 20-79.4(b) is amended by adding a new subdivision to read:

24 "(b) Types. – The Division shall issue the following types of special registration plates:

25 ...

26 (i) HBCU Innovation. – Issuable to the registered owner of a motor vehicle in
27 accordance with G.S. 20-81.12. The plate shall display the logos for each of
28 the historically black colleges and universities in The University of North
29 Carolina."

30 **SECTION 3.** G.S. 20-81.12 is amended by adding a new subsection to read:

31 "(i) HBCU Innovation Plates. – The Division must receive 300 or more applications for
32 the HBCU Innovation plate before the plate may be developed. The Division shall transfer
33 quarterly the money in the Collegiate and Cultural Attraction Plate Account derived from the
34 sale of HBCU Innovation plates to the North Carolina Education Endowment Fund established
35 pursuant to G.S. 115C-472.16."

36 **SECTION 4.** G.S. 20-79.7 reads as rewritten:



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"§ 20-79.7. Fees for special registration plates and distribution of the fees.

(a1) Fees. – All other special registration plates are subject to the regular motor vehicle registration fee in G.S. 20-87 or G.S. 20-88 plus an additional fee in the following amount:

Special Plate	Additional Fee Amount
Greensboro Symphony Guild	\$30.00
<u>HBCU Innovation</u>	<u>\$20.00</u>
Historical Attraction	\$30.00

(b) Distribution of Fees. – The Special Registration Plate Account and the Collegiate and Cultural Attraction Plate Account are established within the Highway Fund. The Division must credit the additional fee imposed for the special registration plates listed in subsection (a) of this section among the Special Registration Plate Account (SRPA), the Collegiate and Cultural Attraction Plate Account (CCAPA), the Clean Water Management Trust Fund (CWMTF), which is established under G.S. 113A-253, and the Parks and Recreation Trust Fund, which is established under G.S. 113-44.15, as follows:

<u>Special Plate</u>	<u>SRPA</u>	<u>CCAPA</u>	<u>NHTF</u>	<u>PRTF</u>
Harley Owners' Group	\$10	\$15	0	0
<u>HBCU Innovation</u>	<u>\$10</u>	<u>\$10</u>	<u>0</u>	<u>0</u>
High School Insignia	\$10	\$10	0	0

SECTION 5. G.S. 20-63(b1) reads as rewritten:

"(b1) The following special registration plates do not have to be a "First in Flight" plate as provided in subsection (b) of this section. The design of the plates that are not "First in Flight" plates must be developed in accordance with G.S. 20-79.4(a3). For special plates authorized in G.S. 20-79.7 on or after July 1, 2013, the Division may not issue the plate on a background under this subsection unless it receives at least 200 applications for the plate in addition to the applications required under G.S. 20-79.4 or G.S. 20-81.12.

(44) I Support Teachers.

(45) HBCU Innovation."

SECTION 6. The Revisor of Statutes is authorized to alphabetize, number, and renumber the special registration plates listed in G.S. 20-79.4(b) to ensure that all the special registration plates are listed in alphabetical order and numbered accordingly.

SECTION 7. Article 9 of Subchapter I of Chapter 105 of the General Statutes is amended by adding a new section to read:

"§ 105-269.8. Contribution of income tax refund or payment to the Historically Black Colleges and Universities Innovation Endowment Fund.

Any taxpayer entitled to a refund of income taxes under Article 4 of this Chapter, or any taxpayer who desires to make a contribution, may elect to contribute all or part of the refund or may make a contribution to the North Carolina Historically Black Colleges and Universities Innovation Endowment Fund established pursuant to G.S. 116-290 to be used in accordance with that statute. The Secretary shall provide appropriate language and space on the income tax form in which to make the election or contribution. The taxpayer's election or contribution becomes irrevocable upon filing the taxpayer's income tax return for the taxable year. The Secretary shall transmit the amounts designated pursuant to this section to the State Treasurer for credit to the North Carolina Historically Black Colleges and Universities Innovation Endowment Fund."

1 **SECTION 8.** Section 7 of this act is effective for taxable years beginning on or
2 after January 1, 2016. The remainder of the act becomes effective July 1, 2015.