

SESSION OF 2011

**SUPPLEMENTAL NOTE ON SENATE
SUBSTITUTE FOR HOUSE BILL NO. 2132**

As Recommended by Senate Committee on
Transportation

Brief*

Senate Sub. for HB 2132 would authorize “Families of the Fallen” license plates for passenger vehicles and small trucks, to be issued on and after January 1, 2012.

The bill would define “Department of Defense-recognized next of kin of deceased military personnel” as any person entitled to receive the Department of Defense Gold Star lapel button or the lapel button for next of kin of deceased active duty personnel.

The bill would exempt this license plate from the \$40 distinctive license plate fee required for some distinctive license plates upon receipt of the metal plate. Upon the death of the person to whom the plate was issued, a surviving family member would be entitled to retain the plate.

Background

Representative Melanie Meier testified in support of the original bill, as did six family members of individuals who died while in active military service. No neutral or opposition testimony was offered.

According to testimony, those entitled to receive the military lapel buttons include the following categories of people related to a member of the armed forces who lost his

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

or her life while on active duty: the deceased service member's widow or widower, parent (including stepparent, adoptive parent, or foster parent who stood *in loco parentis*), child, stepchild, child through adoption, brother, half brother, sister, and half sister.

The House Committee on Transportation amended the original bill to require that proof of eligibility for the plate be required only when the vehicle owner first receives the plate, and not annually at registration.

Before the Senate Committee on Transportation, Representative Meier and eight family members who would qualify as Department of Defense-recognized next of kin testified in support of the bill. Opposition testimony was received from four people whose family members had died in combat, who stated eligibility for a Gold Star license plate should be reserved for those whose family members died in combat.

The Senate Committee on Transportation recommended a substitute bill, which names the license plate the "Families of the Fallen" plate and uses the term "Department of Defense-recognized next of kin of deceased military personnel," but does not change other provisions of the bill. The substitute bill incorporates the amendment of the House Committee on Transportation.

Other distinctive license plates related to military service are exempted from distinctive license plate fees. Kansas military-related plates are disabled veteran, National Guard, prisoner of war, Pearl Harbor survivor, Purple Heart recipient, Congressional Medal of Honor recipient, active or retired military, and Gold Star mother plates. Vietnam War veteran plates are to be issued beginning January 1, 2012.

The fiscal note prepared by the Division of the Budget on the original bill says that the Department of Revenue reported an initial supply of 3,000 Gold Star family (called "Families of the Fallen" in the substitute bill) license plates

would increase expenditures from the Division of Vehicles Operating Fund by \$24,780 (3,000 plates x \$8.26). The exemption from the personalized license plate fee would reduce revenue to the State Highway Fund by \$120,000 (3,000 x \$40). Any fiscal effect resulting from the passage of the bill was not included in amounts recommended in *The FY 2012 Governor's Budget Report*.