

§55-4-290. Animal friendly – Animal population control endowment fund

- (a) Owners or lessees of motor vehicles who are residents of the state of Tennessee, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in §55-4-203, shall be issued an “Animal Friendly” new specialty earmarked license plate for a motor vehicle authorized by §55-4-210(c).
- (b) The new specialty earmarked plates provided for in this section shall contain an appropriate image, design or logo that depicts an animal or animals and indicates support for animal welfare.
- (c)
- (1) The funds produced from the sale of “Animal Friendly” new specialty earmarked license plates, pursuant to §55-4-215 shall be deposited in a special fund in the general fund to be used exclusively for grants to non-profit organizations or governmental agencies to provide low-cost spaying and neutering of unsterilized animals to prevent and/or reduce animal overpopulation as well as funding to defray costs incurred by the department of agriculture associated with the licensing of dog and cat dealers pursuant to title 44, chapter 17, part 1, not to exceed eighty thousand dollars (\$80,000) per year and not to be available to the department for such purposes after July 1, 2004. It is the intent of the general assembly that the department sustain a grant program to spay and neuter clinics in fiscal years 2003 and 2004 that at least approximates the level of grant allocations in fiscal year 2002 subject to satisfactory qualifications of the respective applicants.

During the first fiscal year in which revenues derived from the fees collected pursuant to title 44, chapter 17, part 1, exceed one hundred thirty thousand dollars (\$130,000), the department of agriculture shall allocate all such revenues in excess of one hundred thirty thousand dollars (\$130,000) to the animal population control endowment fund. The department of agriculture shall continue the procedure outlined in the preceding sentence during subsequent fiscal years until such time as the department has made reimbursements to the animal population control endowment fund in a total amount of one hundred sixty thousand dollars (\$160,000). The commissioner of agriculture is authorized to make grants to eligible organizations to operate animal sterilization programs from moneys available in the special fund.

- (2) There is hereby established a general fund reserve to be allocated by the general appropriations act which shall be known as the “animal population control endowment fund.” Moneys from the fund may be expended to fund activities authorized by this section. Any revenues deposited in this reserve shall remain in the reserve until expended for purposes consistent with this

section, and shall not revert to the general fund on any June 30. Any excess revenues on interest earned by such revenues shall not revert on any June 30, but shall remain available for appropriation in subsequent fiscal years. Any appropriation from such reserve shall not revert to the general fund on any June 30, but shall remain available for expenditure in subsequent fiscal years.

- (3) All revenues produced from the sale and renewal of the new specialty earmarked plates authorized by this section shall be allocated in accordance with the provisions of §55-4-215.

55-4-215. Allocation of revenue from new specialty earmarked plates.

- (a) Effective July 1, 1998, and for all subsequent fiscal years, all revenues produced from the sale or renewal of new specialty earmarked motor vehicle registration plates, as defined in § 55-4-209, after deducting the expense the department has incurred in designing, manufacturing and marketing such plates, shall be allocated as follows:
 - (1) Fifty percent (50%) of such funds shall be allocated to the nonprofit organization or state agency or fund earmarked to receive such funds by the statute authorizing the issuance of such plate. Such funds shall be used solely to fulfill the purpose or to accomplish the goal specified in the statute authorizing the issuance of such plate;
 - (2) Forty percent (40%) of such funds shall be allocated to the Tennessee arts commission created in title 4, chapter 20; and
 - (3) Ten percent (10%) of such funds shall be allocated to the state highway fund.
- (b) The revenues allocated to the Tennessee arts commission pursuant to subdivision (a)(2) shall be distributed by the arts commission in the form of grants to arts organizations or events which meet criteria established by the arts commission for receiving grants, within the following parameters:
 - (1) One third (1/3) of such funds shall be distributed to qualifying arts organizations or events in urban counties; and
 - (2) Two thirds (2/3) of such funds shall be distributed to qualifying arts organizations or events in rural counties.
 - (3) For the purposes of this section, "urban counties" are those counties that are included within a metropolitan statistical area, as defined by the federal office

of management and budget and as enumerated in the most current edition of Tennessee Statistical Abstract . “Rural counties” are those counties that are not included within a metropolitan statistical area, as defined by the federal office of management and budget.

- (4) Before the revenue allocated in subdivisions (b)(1) and (b)(2) are granted to the particular local arts organizations or events, an amount not to exceed three hundred ninety three thousand six hundred dollars (\$393,600) may be expended for other grants and activities as determined by the commission.
- (c) It is the legislative intent that funds statutorily earmarked from the sale or renewal of new specialty earmarked plates shall only be allocated to:
 - (1) A nonprofit organization;
 - (2) A department, agency or other instrumentality of state government; or
 - (3) A special reserve fund to be utilized by a state agency to effectuate a purpose deemed to be in the state's best interest.
- (d) Nothing in this section shall be construed as reallocating the revenues produced from the regular motor vehicle registration fees, or renewals thereof, imposed by part 1 of this chapter. Such revenues shall be allocated in accordance with the provisions of § 55-6-107.