



BETH HARWELL
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

House of Representatives State of Tennessee

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CHIEF ENGROSSING CLERK
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June 11, 2013

The Honorable Tre Hargett
Secretary of State
Nashville, Tennessee 37243

Dear Mr. Secretary of State:

I am transmitting herewith House Bill No. 32, Senate Bill No. 1152, Public Chapter No. 318. House Bill No. 32 was transmitted to the Governor on May 1, 2013 and signed by the Governor May 13, 2013.

In enrolling the Conference Committee Report adopted by both houses April 19, 2013, a typographical error occurred, the caption and the enacting clause was omitted.

We have attached the corrected House Bill No. 32, Conference Committee Report enrolled properly with caption and enacting clause and signed by both Speakers. We regret the mistake and enclose the correct House Bill No. 32 as passed for the Governor's signature.


Betty Kay Francis
Chief Engrossing Clerk

BKF/
Attachment (1)



State of Tennessee

PUBLIC CHAPTER NO. 318

HOUSE BILL NO. 32

By Representatives Sexton, Goins, Powell, Van Huss, Eldridge, Ryan Williams, Joe Carr, Shipley

Substituted for: Senate Bill No. 1152

By Senators Burks, Crowe

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 4, Part 2, relative to memorial plates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE

SECTION 1. Tennessee Code Annotated, Section 55-4-236(a), is amended by deleting the language "the Congressional Medal of Honor," and "the Air Medal,".

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 4, is amended by adding the following as a new, appropriately designated section:

55-4-_____.

(a) Notwithstanding any other law to the contrary, the department shall provide and issue, free of charge, to each resident of this state who is a recipient of the Congressional Medal of Honor, upon presentation of proper application, Medal of Honor memorial registration plates for no more than two (2) motor vehicles or motor homes which are registered or leased for private use in the name of any one (1) recipient. For the purposes of this section, "private use" vehicle means any motor vehicle authorized by §.55-4-210(c) or motor home that is not used for hire or for any other commercial purpose.

(b) The Medal of Honor memorial plates provided for in this section shall be the same as regular registration plates, but shall be of a distinctive design which denotes the importance of these distinguished veterans and the high regard in which this state holds the heroic recipients of the highest military decoration. The legend shall read "Medal of Honor." The registration number of the plate shall include the letters "CM" and a unique identifying number.

(c)

(1) Notwithstanding any other law to the contrary, eligibility for the Medal of Honor memorial plate shall be determined by the department by consulting the appropriate information on the:

(A) DD214 form and a copy of the orders that awarded the medal or copy of the certificate or citation granting the medal, in the case of an applicant who has been discharged from the armed forces;

(B) Copy of the orders that awarded the medal or copy of the certificate or citation granting the medal, in the case of an applicant who has not been discharged from the armed forces; or

(C) A written communication from the department of veterans affairs, in the case of an applicant who does not possess the documentation required by subdivision (A) or (B).

(2) The form, documentation or communication required by subdivision (c)(1) shall certify that the application for the plate is submitted by a recipient of the Congressional Medal of Honor.

(3) Any person issued a Medal of Honor plate under this chapter prior to the effective date of this act, shall submit to the department of revenue the appropriate information required by this subsection within thirty (30) days after the effective date of this act. If any such person to whom a Medal of Honor plate has been issued does not comply with this subdivision (c)(3) or the department of revenue determines that the person is not eligible for the plate, the person shall surrender the plate to the county clerk of the county of the person's residence within thirty (30) days of noncompliance or determination of ineligibility, whichever is sooner.

SECTION 3. Tennessee Code Annotated, Section 55-4-236, is amended by adding the following as a new, appropriately designated subsection:

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(1) Notwithstanding any provision of this section or any other law to the contrary, eligibility for the memorial plates provided for in this section shall be determined by the department by consulting the appropriate information on the:

(A) DD214 form and a copy of the orders that awarded the medal or copy of the certificate or citation granting the medal, in the case of an applicant who has been discharged from the armed forces;

(B) Copy of the orders that awarded the medal or copy of the certificate or citation granting the medal, in the case of an applicant who has not been discharged from the armed forces; or

(C) A written communication from the department of veterans affairs, in the case of an applicant who does not possess the documentation required by subdivision (A) or (B).

(2) The form, documentation, or communication required by subdivision () (1) shall certify that the application for the plate is submitted by a recipient of the military decorations described in this section, as appropriate.

SECTION 4. Tennessee Code Annotated, Section 55-4-240, is amended by:

(1) Deleting the language "Air Medal," and "Medal of Honor," and

(2) Inserting the language "§ 55-4-___ pertaining to recipients of the Congressional Medal of Honor," between the language "former prisoners of war," and the language "§ 55-4-236".

SECTION 5. Tennessee Code Annotated, Section 55-4-278, is amended by:

(1) Deleting the language "the Air Medal," and "the Medal of Honor," wherever it appears;

(2) Inserting the language "by § 55-4-___ pertaining to recipients of the Congressional Medal of Honor," between the language "former prisoners of war," and the language "by § 55-4-236" wherever such language appears; and

(3) Deleting the language "Silver Star" and by substituting instead the language "Air Medal, Silver Star,".

SECTION 6. Tennessee Code Annotated, Section 55-4-202(c)(4)(B), is amended by deleting the subdivision and redesignating the remaining subdivisions accordingly.

SECTION 7. Tennessee Code Annotated, Section 55-4-202(c)(5)(E), is amended by adding the following as a new, appropriately designated subdivision:

() Air Medal recipients;

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SECTION 8. Tennessee Code Annotated, Section 55-4-203(b), is amended by deleting subdivision (2) in its entirety and by renumbering the remaining subdivisions accordingly.

SECTION 9. Tennessee Code Annotated, Section 55-4-203(c)(1), is amended by adding the following as a new, appropriately designated subdivision:

() Air Medal recipients;

SECTION 10. Tennessee Code Annotated, Section 55-4-231(a), is amended by:

(1) Deleting the language "A recipient of the Silver Star or a recipient of the Bronze Star" and by substituting instead the language "A recipient of the Silver Star, the Bronze Star, or the Air Medal"; and

(2) Deleting the language "Silver Star or Bronze Star" and by substituting instead the language "Air Medal, Silver Star, or Bronze Star".

SECTION 11. Tennessee Code Annotated, Section 55-4-231(b), is amended by adding the following as a new subdivision (3):

(3) The Air Medal plates provided for in this section shall include an identification legend distinctive to recipients of the Air Medal. The legend shall read "Air Medal." The registration number of the plate shall include the letters "RE" and a unique identifying number.

SECTION 12. Tennessee Code Annotated, Section 55-4-231(c), is amended by:

(1) Deleting the language "Silver Star plates and Bronze Star plates" and by substituting instead the language "Air Medal plates, Silver Star plates, and Bronze Star plates"; and

(2) Deleting the language "by a recipient of the Silver Star or a recipient of the Bronze Star" and by substituting instead the language "by a recipient of the Silver Star, the Bronze Star, or the Air Medal".

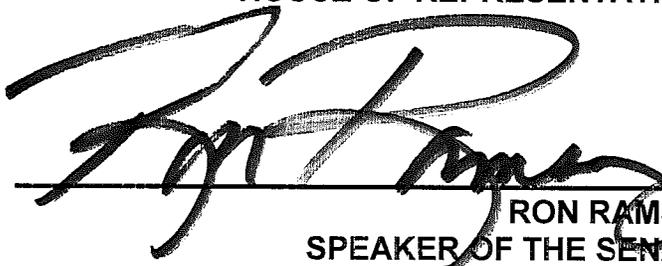
SECTION 13. Notwithstanding any law to the contrary, any person issued an Air Medal memorial license plate prior to the effective date of this act, shall be entitled to retain the plate for vehicular use upon compliance with all motor vehicle laws relating to registration and licensing of motor vehicles. Such Air Medal memorial license plates issued prior to the effective date of this act, shall be considered military cultural plates upon their first renewal on or after July 1, 2014; provided, that upon such renewal, the plates shall be subject to the annual regular registration fee. Any Air Medal military cultural plates initially issued on or after the effective date of this act, shall be subject to the annual regular registration fee and the fee applicable to that category of plates pursuant to § 55-4-203(c)(1).

SECTION 14. This act shall take effect upon becoming a law, the public welfare requiring it.

HOUSE BILL NO. 32

PASSED: April 19, 2013


BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES


RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 21st day of June 2013


BILL HASLAM, GOVERNOR