

**First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 11-0344.01 Jery Payne

HOUSE BILL 11-1236

HOUSE SPONSORSHIP

Todd, Court, Fields, McCann, McKinley, Miklosi

SENATE SPONSORSHIP

(None),

House Committees
Transportation

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING A REPEAL OF THE REQUIREMENT THAT A CERTAIN**
102 **NUMBER OF GROUP SPECIAL LICENSE PLATES BE ISSUED.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill repeals the requirement that each group special license plate be issued to a certain number of people, usually 3,000, before the department retires or stops issuing the plate. The bill also repeals the requirement that the proponents obtain commitments from at least 3,000 people before a bill is introduced to create a new special license plate.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** 42-3-207 (2), Colorado Revised Statutes, is
3 amended to read:

4 **42-3-207. Special plates - rules - new plates - retirement.**

5 (2) Before a bill is introduced in the general assembly that contains, or
6 any bill is amended to contain, a provision that establishes a new category
7 or type of group special license plate, the person, group, or association
8 proposing ~~such~~ THE special license plate shall submit to the department
9 a proposal for a group special license plate and certify ~~by March 1 of each~~
10 ~~year~~ that at least three thousand of such special plates are to be issued
11 within one year after the authorization of such plates. The department
12 shall verify that any proposed group special license plates meet the
13 three-thousand-plate requirement. ~~and shall submit a consolidated~~
14 ~~proposal, containing all proposed group special license plates that meet~~
15 ~~such plate requirement.~~

16 **SECTION 2.** 42-3-214 (7), Colorado Revised Statutes, is
17 amended to read:

18 **42-3-214. Special plates - alumni associations - retirement.**

19 (7) The DEPARTMENT SHALL RETIRE THE special ALUMNI license plates
20 authorized by this section ~~shall be retired~~ unless ~~such~~ THE plates have
21 been issued for at least five hundred vehicles by ~~March 1, 2011~~ JULY 1,
22 2016. A PERSON WHO WAS ISSUED A SPECIAL ALUMNI LICENSE PLATE ON
23 OR BEFORE JULY 1, 2016, MAY CONTINUE TO USE THE PLATE AFTER JULY
24 1, 2016.

25 **SECTION 3.** 42-3-222 (3) and (6), Colorado Revised Statutes,
26 are amended to read:

1 **42-3-222. Special plates - support public education.** (3) (a) A
2 person may apply for a support public education special license plate if
3 the person pays the taxes and fees required under this section and
4 provides to the department or an authorized agent a certificate, issued by
5 impact on education, inc., COLORADO LEGACY FOUNDATION, or its EITHER
6 ENTITY'S successor, confirming that ~~such~~ THE person has donated twenty
7 dollars to ~~impact on education, inc., EITHER ORGANIZATION or its EITHER~~
8 ENTITY'S successor. When receiving ~~such~~ THE donation, impact on
9 education, inc., COLORADO LEGACY FOUNDATION, OR EITHER ENTITY'S
10 SUCCESSOR, shall ask the donor to specify in writing which nonprofit
11 education organization qualified under paragraph (c) of this subsection
12 (3) should receive the moneys. Impact on education, inc., COLORADO
13 LEGACY FOUNDATION, or its EITHER ENTITY'S successor, shall compile and
14 provide to the donor and the department a list of organizations that the
15 entity has verified qualify for donations under paragraph (c) of this
16 subsection (3).

17 (b) ~~All the moneys collected by Impact on education, inc.,~~
18 COLORADO LEGACY FOUNDATION, or its EITHER ENTITY'S successor
19 ~~pursuant to this subsection (3) shall be used~~ USE THE MONEYS COLLECTED
20 UNDER THIS SUBSECTION (3) to support programs that focus on student
21 learning in public schools located in Colorado.

22 (c) Impact on education, inc., COLORADO LEGACY FOUNDATION,
23 OR EITHER ENTITY'S SUCCESSOR shall transmit the entire donation to the
24 nonprofit education organization pursuant to paragraph (a) of this
25 subsection (3) if the organization:

26 (I) Exists;

27 (II) Is affiliated with a school district or the state charter institute;

1 (III) Is a nonprofit entity exempt from federal income taxes
2 pursuant to section 501 (c) (3) of the federal "Internal Revenue Code of
3 1986", as amended; and

4 (IV) Agrees to spend all of the donation on programs that focus
5 on student learning in Colorado.

6 (d) ~~Moneys collected by Impact on education, inc., COLORADO~~
7 ~~LEGACY FOUNDATION, or its EITHER ENTITY'S successor pursuant to this~~
8 ~~subsection (3) shall not be used~~ USE THE MONEYS COLLECTED UNDER THIS
9 SUBSECTION (3) to support political parties, candidates for public office,
10 ballot initiatives, referenda, or any other political activities.

11 (6) The department may stop issuing the support public education
12 special license plate if three thousand license plates are not issued by July
13 1, 2016. A person WHO WAS ISSUED A SUPPORT PUBLIC EDUCATION
14 SPECIAL LICENSE PLATE ON OR BEFORE JULY 1, 2016, may continue to use
15 the support public education special license plate after July 1, 2016.

16 **SECTION 4.** 42-3-224 (2) (a), Colorado Revised Statutes, is
17 amended to read:

18 **42-3-224. Special plates - Colorado "Kids First".** (2) (a) There
19 is hereby established the Colorado "Kids First" special license plate. The
20 department may stop issuing the Colorado "Kids First" special license
21 plate if three thousand license plates are not issued by July 1, 2016.
22 A person WHO WAS ISSUED A COLORADO "KIDS FIRST" SPECIAL LICENSE
23 PLATE ON OR BEFORE JULY 1, 2016, may continue to use the Colorado
24 "Kids First" special license plate after July 1, 2016.

25 **SECTION 5.** 42-3-225 (2) (b), Colorado Revised Statutes, is
26 amended to read:

27 **42-3-225. Special plates - Italian-American heritage.**

1 (2) (b) The department may stop issuing the Italian-American heritage
2 special license plate if at least three thousand plates are not issued by July
3 1, 2011 2016. A person WHO WAS ISSUED AN ITALIAN-AMERICAN
4 HERITAGE SPECIAL LICENSE PLATE ON OR BEFORE JULY 1, 2016, may
5 continue to use the Italian-American heritage special license plate after
6 July 1, 2011 2016.

7 **SECTION 6.** 42-3-227 (6), Colorado Revised Statutes, is
8 amended to read:

9 **42-3-227. Special plates - Colorado horse development**
10 **authority.** (6) The department may stop issuing the Colorado horse
11 development authority special license plate if three thousand license
12 plates are not issued by July 1, 2011 2016. A person WHO WAS ISSUED A
13 COLORADO HORSE DEVELOPMENT AUTHORITY SPECIAL LICENSE PLATE ON
14 OR BEFORE JULY 1, 2016, may continue to use the Colorado horse
15 development authority special license plate after July 1, 2011 2016.

16 **SECTION 7.** 42-3-228 (6), Colorado Revised Statutes, is
17 amended to read:

18 **42-3-228. Special plates - Colorado carbon fund.** (6) The
19 department may stop issuing the Colorado carbon fund special license
20 plate if three thousand license plates are not issued by July 1, 2011 2016.
21 A person WHO WAS ISSUED A COLORADO CARBON FUND SPECIAL LICENSE
22 PLATE ON OR BEFORE JULY 1, 2016, may continue to use the Colorado
23 carbon fund special license plate after July 1, 2011 2016.

24 **SECTION 8.** 42-3-229 (2) (a), Colorado Revised Statutes, is
25 amended to read:

26 **42-3-229. Special plates - boy scouts - repeal.** (2) (a) There is
27 hereby established the boy scouts centennial special license plate, which

1 shall be issued from July 15, 2009, to June 30, 2011 2016, or so long as
2 the department has the special license plates in stock, whichever occurs
3 later.

4 **SECTION 9.** 42-3-230 (6), Colorado Revised Statutes, is
5 amended to read:

6 **42-3-230. Special plates - "Alive at Twenty-five".** (6) The
7 DEPARTMENT SHALL RETIRE THE "Alive at Twenty-five" license plate ~~shall~~
8 ~~be retired~~ if three thousand plates are not issued by July 1, 2013 2016. A
9 PERSON WHO WAS ISSUED AN "ALIVE AT TWENTY-FIVE" LICENSE PLATE ON
10 OR BEFORE JULY 1, 2016, MAY CONTINUE TO USE THE PLATE AFTER JULY
11 1, 2016.

12 **SECTION 10.** 42-3-231 (6), Colorado Revised Statutes, is
13 amended to read:

14 **42-3-231. Special plates - Colorado ski country - repeal.**
15 (6) (a) The DEPARTMENT SHALL RETIRE THE Colorado ski country special
16 license ~~plates shall be retired~~ PLATE if three thousand license plates are
17 not issued by July 1, 2011 2016. A PERSON WHO WAS ISSUED A
18 COLORADO SKI COUNTRY SPECIAL LICENSE PLATE ON OR BEFORE JULY 1,
19 2016, MAY CONTINUE TO USE THE PLATE AFTER JULY 1, 2016.

20 (b) ~~This section is repealed, effective July 1, 2012, unless the~~
21 ~~department notifies the revisor of statutes prior to July 1, 2012, in writing,~~
22 ~~that three thousand license plates were issued by July 1, 2011.~~

23 **SECTION 11.** 42-3-232 (6), Colorado Revised Statutes, is
24 amended to read:

25 **42-3-232. Special plates - donate life - repeal.** (6) (a) The
26 DEPARTMENT SHALL RETIRE THE donate life special license ~~plates shall be~~
27 ~~retired~~ PLATE if three thousand license plates are not issued by July 1,

1 ~~2013~~ 2016. A PERSON WHO WAS ISSUED A DONATE LIFE SPECIAL LICENSE
2 PLATE ON OR BEFORE JULY 1, 2016, MAY CONTINUE TO USE THE PLATE
3 AFTER JULY 1, 2016.

4 (b) ~~This section is repealed, effective July 1, 2014, unless the~~
5 ~~department notifies the revisor of statutes prior to July 1, 2014, in writing,~~
6 ~~that three thousand license plates were issued by July 1, 2013.~~

7 **SECTION 12.** 42-3-233 (6), Colorado Revised Statutes, is
8 amended to read:

9 **42-3-233. Special plates - Colorado state parks.** (6) The
10 department may stop issuing the Colorado state parks special license plate
11 if three thousand license plates are not issued by July 1, ~~2014~~ 2016. A
12 person WHO WAS ISSUED A COLORADO STATE PARKS SPECIAL LICENSE
13 PLATE ON OR BEFORE JULY 1, 2016, may continue to use the Colorado
14 state parks special license plate after July 1, ~~2014~~ 2016.

15 **SECTION 13.** 42-3-234 (6), Colorado Revised Statutes, is
16 amended to read:

17 **42-3-234. Special plates - adopt a shelter pet - repeal.**
18 (6) (a) The DEPARTMENT SHALL RETIRE THE adopt a shelter pet license
19 plate ~~shall be retired~~ if three thousand plates are not issued by July 1,
20 ~~2014~~ 2016. A PERSON WHO WAS ISSUED AN ADOPT A SHELTER PET LICENSE
21 PLATE ON OR BEFORE JULY 1, 2016, MAY CONTINUE TO USE THE PLATE
22 AFTER JULY 1, 2016.

23 (b) ~~Effective July 1, 2014, this section is repealed if the~~
24 ~~department notifies the revisor of statutes in writing that three thousand~~
25 ~~plates were not issued by July 1, 2014.~~

26 **SECTION 14. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.