

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

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 11-0763.01 Jery Payne

HOUSE BILL 11-1216

HOUSE SPONSORSHIP

Riesberg and Gerou, Baumgardner, Court, Ferrandino, Kefalas, Looper, Miklosi, Pabon, Soper, McCann

SENATE SPONSORSHIP

Aguilar, Bacon, King S., Newell, Tochtrop, Williams S.

House Committees

Transportation
Appropriations

Senate Committees

Transportation
Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE FUNDING OF PROGRAMS THAT HELP PERSONS WITH**
102 **DISABILITIES OBTAIN BENEFITS BY THE SALE OF UNIQUELY**
103 **VALUABLE REGISTRATION NUMBERS FOR VEHICLES, AND**
104 **MAKING AN APPROPRIATION THEREFOR.**

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>.)

A disabled-benefit support contract committee is created to contract with a private entity to help persons with disabilities obtain

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.

SENATE
Am ended 2nd Reading
April 12, 2011

HOUSE
3rd Reading Unam ended
March 8, 2011

HOUSE
Am ended 2nd Reading
March 7, 2011

benefits. The committee consists of the following 9 members appointed by the governor:

- ! 3 members who are disabled and currently receiving disability benefits or have received application assistance;
- ! One member of a statewide, cross-disability organization representing persons with disabilities;
- ! One member who is trained to increase access to disability benefits for persons with disabilities by an organization supported by the United States social security administration;
- ! One member who is a medical doctor;
- ! One member who is a mental health professional;
- ! One member who is an expert in nonprofit management; and
- ! One member appointed by the executive director of the department of personnel.

The members serve 3-year terms.

Standards are set for the contract to provide assistance. A fund is created to implement the assistance program.

The bill authorizes the public and private sale of unique combinations of letters and numbers imprinted on license plates (registration numbers). The license plate auction group is created within the governor's office to raise money by auctioning to a buyer the right to use a registration number and to create a market for the sale of registration numbers. The state's royalty for a private sale is 25%. The group consists of 7 members who are appointed by and serve at the pleasure of the following:

- ! The executive director of the department of revenue;
- ! The governor;
- ! The president of the senate;
- ! The Colorado advisory council for persons with disabilities;
- ! The director of the Colorado office of economic development;
- ! The chief of the Colorado state patrol; and
- ! The Colorado housing and finance authority.

Procedures are set for selling and issuing a registration number.

Purchasers of the registration numbers are authorized to use alternative sources for license plates if the alternatives comply with state standards.

The moneys raised from the program are put in a newly created fund and used to pay the expenses of implementing the program, to help persons with disabilities obtain benefits, and to augment the general fund.

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

2 **SECTION 1.** Article 30 of title 24, Colorado Revised Statutes, is
3 amended BY THE ADDITION OF A NEW PART to read:

4 **PART 21**
5 **DISABILITY ASSISTANCE ACT**

6 **24-30-2101. Short title.** THIS PART 21 SHALL BE KNOWN AND
7 MAY BE CITED AS THE "LAURA HERSHEY DISABILITY-BENEFIT SUPPORT
8 ACT".

9 **24-30-2102. Definitions.** AS USED IN THIS PART 21, UNLESS THE
10 CONTEXT OTHERWISE REQUIRES:

11 (1) "COMMITTEE" MEANS THE DISABLED-BENEFIT SUPPORT
12 CONTRACT COMMITTEE CREATED IN SECTION 24-30-2103.

13 (2) "DISABILITY BENEFITS" MEANS CASH PAYMENTS FROM SOCIAL
14 SECURITY DISABILITY INSURANCE UNDER TITLE II OF THE FEDERAL
15 "SOCIAL SECURITY ACT", 42 U.S.C. SEC. 401 ET SEQ., AS AMENDED, CASH
16 PAYMENTS MADE BY THE FEDERAL GOVERNMENT TO PERSONS WHO ARE
17 AGED, BLIND, OR DISABLED UNDER TITLE XVI OF THE FEDERAL "SOCIAL
18 SECURITY ACT", 42 U.S.C. SEC. 401 ET SEQ., AS AMENDED, AND
19 LONG-TERM CARE UNDER THE "COLORADO MEDICAL ASSISTANCE ACT",
20 ARTICLES 4 TO 6 OF TITLE 25.5, C.R.S.

21 (3) "NONPROFIT ENTITY" MEANS AN ENTITY INCORPORATED UNDER
22 THE "COLORADO REVISED NONPROFIT CORPORATION ACT", ARTICLES 121
23 TO 137 OF TITLE 7, C.R.S., OR A TAX-EXEMPT ENTITY UNDER 26 U.S.C.
24 SEC. 501 (c) (3) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986".

25 (4) "RECIPIENT" MEANS A PERSON WHO RECEIVES DISABILITY
26 BENEFITS OR LONG-TERM CARE SERVICES.

27 **24-30-2103. Disabled-benefit support contract committee.**

1 (1) THE DISABLED-BENEFIT SUPPORT CONTRACT COMMITTEE IS HEREBY
2 CREATED WITHIN THE DEPARTMENT OF PERSONNEL. THE COMMITTEE
3 CONSISTS OF NINE MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

4 (a) THREE MEMBERS WHO ARE DISABLED AND CURRENTLY
5 RECEIVING DISABILITY BENEFITS OR HAVE RECEIVED APPLICATION
6 ASSISTANCE;

7 (b) ONE MEMBER OF A STATEWIDE, CROSS-DISABILITY
8 ORGANIZATION REPRESENTING PERSONS WITH DISABILITIES;

9 (c) ONE MEMBER WHO IS TRAINED TO INCREASE ACCESS TO
10 DISABILITY BENEFITS FOR PERSONS WITH DISABILITIES BY AN
11 ORGANIZATION SUPPORTED BY THE UNITED STATES SOCIAL SECURITY
12 ADMINISTRATION;

13 (d) ONE MEMBER WHO IS A MEDICAL DOCTOR;

14 (e) ONE MEMBER WHO IS A MENTAL HEALTH PROFESSIONAL;

15 (f) ONE MEMBER WHO IS AN EXPERT IN NONPROFIT MANAGEMENT;

16 AND

17 (g) ONE MEMBER APPOINTED BY THE EXECUTIVE DIRECTOR OF THE
18 DEPARTMENT OF PERSONNEL.

19 (2) MEMBERS OF THE COMMITTEE SERVE THREE-YEAR TERMS;
20 EXCEPT THAT MEMBERS APPOINTED UNDER PARAGRAPH (a) OF
21 SUBSECTION (1) OF THIS SECTION SERVE AN INITIAL TERM OF ONE YEAR,
22 AND MEMBERS APPOINTED UNDER PARAGRAPHS (b), (c), AND (d) OF
23 SUBSECTION (1) OF THIS SECTION SERVE AN INITIAL TERM OF TWO YEARS.

24 (3) AN ACT OF THE COMMITTEE IS VOID UNLESS A MAJORITY OF THE
25 MEMBERS HAS VOTED IN FAVOR OF THE ACT.

26 (4) THE COMMITTEE SHALL IMPLEMENT SECTION 24-30-2104 USING
27 THE DISABILITY-BENEFIT SUPPORT FUND CREATED IN SECTION 24-30-2105.

1 (5) THE COMMITTEE IS AUTHORIZED TO SEEK AND ACCEPT GRANTS
2 OR DONATIONS FROM PRIVATE OR PUBLIC SOURCES FOR THE PURPOSES OF
3 THIS PART 21; EXCEPT THAT THE COMMITTEE SHALL NOT ACCEPT A GIFT,
4 GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE
5 INCONSISTENT WITH THIS PART 21 OR PART 13 OF ARTICLE 75 OF THIS TITLE
6 REGARDING THE STATUS OF GRANTS AND DONATIONS MADE TO STATE
7 AGENCIES. THE COMMITTEE SHALL TRANSMIT THE MONEYS TO THE THE
8 DISABILITY-BENEFIT SUPPORT FUND.

9 (6) THE COMMITTEE HAS THE FOLLOWING DUTIES AND POWERS:

10 (a) TO SUE AND BE SUED AND OTHERWISE ASSERT OR DEFEND THE
11 COMMITTEE'S LEGAL INTERESTS;

12 (b) TO PREPARE AND SIGN CONTRACTS;

13 (c) TO HAVE AND EXERCISE ALL RIGHTS AND POWERS NECESSARY
14 OR INCIDENTAL TO, OR IMPLIED FROM, THE SPECIFIC POWERS GRANTED IN
15 THIS PART 21; AND

16 (d) TO FIX THE TIME AND PLACE AT WHICH MEETINGS MAY BE
17 HELD.

18 (7) THE COMMITTEE MAY HIRE EMPLOYEES OR OBTAIN THE
19 SERVICES OF PROFESSIONAL ADVISORS.

20 (8) THE ATTORNEY GENERAL IS THE LEGAL COUNSEL FOR THE
21 COMMITTEE.

22 **24-30-2104. Program to assist persons to obtain disability**
23 **benefits - repeal.** (1) WITHIN SIX MONTHS AFTER THE FIRST TRANSFER
24 TO THE DISABILITY-BENEFIT SUPPORT FUND FROM THE REGISTRATION
25 NUMBER FUND CREATED IN SECTION 42-1-407, C.R.S., THE COMMITTEE
26 SHALL INVITE NONPROFIT ENTITIES TO SUBMIT A PROPOSAL FOR A
27 PROGRAM TO AID PERSONS WITH DISABILITIES IN ACCESSING DISABILITY

1 BENEFITS. TO QUALIFY, THE NONPROFIT ORGANIZATION MUST BE BASED
2 IN COLORADO AND GOVERNED BY A BOARD THAT:

3 (a) IS COMPOSED OF PERSONS WITH A DEMONSTRATED
4 COMMITMENT TO IMPROVING THE LIVES OF RECIPIENTS WITH DISABILITIES;

5 (b) CONTAINS MEMBERS WHO UNDERSTAND A RANGE OF
6 SIGNIFICANT DISABILITIES, INCLUDING PHYSICAL AND MENTAL; AND

7 (c) CONTAINS A MAJORITY OF EITHER:

8 (I) RECIPIENTS WITH DISABILITIES; OR

9 (II) FAMILY MEMBERS OF RECIPIENTS WITH DISABILITIES WHO
10 HAVE EXPERIENCE IN REPRESENTING THE INTERESTS OF A PERSON WITH A
11 DISABILITY.

12 (2) (a) (I) THE COMMITTEE SHALL REVIEW THE PROPOSED
13 PROGRAMS AND SHALL AWARD A CONTRACT TO THE NONPROFIT ENTITY
14 THAT BEST MEETS THE REQUIREMENTS OF THIS SECTION IN ACCORDANCE
15 WITH THE "PROCUREMENT CODE", ARTICLES 101 TO 112 OF THIS TITLE.

16 (II) THE TERM OF THE CONTRACT IS ONE YEAR. BEFORE THE
17 CONTRACT EXPIRES, THE COMMITTEE SHALL EVALUATE WHETHER THE
18 NONPROFIT ENTITY AND THE CONTRACT ARE REASONABLY MEETING THE
19 REQUIREMENTS OF THIS SECTION, INCLUDING OBJECTIVE AND
20 QUANTITATIVE EVALUATIONS, WHENEVER POSSIBLE, OF THE SATISFACTION
21 OF PROGRAM PARTICIPANTS, THE PROGRAM'S SUCCESS IN OBTAINING
22 DISABILITY BENEFITS FOR PROGRAM PARTICIPANTS, THE PROGRAM'S
23 EFFECTIVENESS AT HELPING PROGRAM PARTICIPANTS OBTAIN JOBS, AND
24 IMPROVEMENTS IN THE QUALITY OF LIFE OF PROGRAM PARTICIPANTS. THE
25 COMMITTEE SHALL INCLUDE THE EVALUATION CRITERIA IN THE CONTRACT.

26 (III) THE COMMITTEE MAY RENEW THE CONTRACT ANNUALLY FOR
27 UP TO FIVE YEARS. AFTER FIVE YEARS, THE COMMITTEE SHALL REOPEN

1 THE CONTRACT TO A COMPETITIVE BID PROCESS.

2 (b) THE COMMITTEE SHALL NOT AWARD THE CONTRACT UNLESS
3 THE PROPOSAL INCLUDES:

4 (I) A SYSTEM FOR EVALUATING WHETHER A PERSON WITH A
5 DISABILITY IS REASONABLY ABLE TO NAVIGATE THE APPLICATION PROCESS
6 TO OBTAIN DISABILITY BENEFITS, HEALTH CARE, AND EMPLOYMENT;

7 (II) A SYSTEM FOR PRIORITIZING THE NEED OF APPLICANTS BASED
8 UPON THE EVALUATIONS;

9 (III) A PLAN FOR ASSISTING PERSONS WITH DISABILITIES IN
10 NAVIGATING THE PROCESSES OF OBTAINING AND RETAINING DISABILITY
11 BENEFITS, HEALTH CARE, AND EMPLOYMENT;

12 (IV) A PLAN FOR ESTABLISHMENT OF WORKING RELATIONSHIPS
13 WITH STATE AGENCIES, COUNTY DEPARTMENTS OF HUMAN SERVICES,
14 HEALTH CARE PROVIDERS, THE UNITED STATES SOCIAL SECURITY
15 ADMINISTRATION, AND THE BUSINESS COMMUNITY;

16 (V) A POLICY OF PREFERENTIAL HIRING OF PERSONS WITH
17 DISABILITIES;

18 (VI) REASONABLE STANDARDS FOR ACCOUNTING CONTROL OF
19 EXPENDITURES;

20 (VII) METRICS TO EVALUATE THE PROGRAM'S QUALITY AND
21 COST-EFFECTIVENESS;

22 (VIII) EFFECTIVE JULY 1, 2016, THE ABILITY TO SERVE PERSONS
23 WITH DISABILITIES STATEWIDE; AND

24 (IX) A PLAN FOR SERVING PERSONS WITH DISABILITIES STATEWIDE
25 WITHIN FIVE YEARS. THIS SUBPARAGRAPH (IX) IS REPEALED, EFFECTIVE
26 JULY 1, 2016.

27 (c) THE COMMITTEE SHALL NOT DISCRIMINATE AGAINST A

1 CONTRACTING ENTITY FOR ADVOCACY CONCERNING PERSONS WITH
2 DISABILITIES.

3 (3) THE ENTITY AWARDED A CONTRACT UNDER THIS SECTION
4 SHALL MAKE QUARTERLY REPORTS OF EXPENDITURES TO THE
5 DEPARTMENT OF PERSONNEL, _____ WHICH SHALL MAKE THE REPORTS
6 AVAILABLE TO THE COMMITTEE. THE COMMITTEE SHALL INCLUDE IN THE
7 CONTRACT A METHOD AND FORMAT FOR MAKING THE REPORTS.

8 **24-30-2105. Disability-benefit support fund.** THE
9 DISABILITY-BENEFIT SUPPORT FUND IS HEREBY CREATED IN THE STATE
10 TREASURY. THE MONEYS IN THE FUND CONSIST OF AMOUNTS
11 TRANSFERRED TO THE FUND UNDER SECTION 42-1-407, C.R.S., OR
12 TRANSFERRED TO THE FUND UNDER SECTION 24-30-2103 (5). THE
13 COMMITTEE SHALL USE THE MONEYS IN THE FUND TO IMPLEMENT THIS
14 PART 21; EXCEPT THAT THE COMMITTEE MAY DIRECT THE STATE
15 TREASURER TO TRANSFER MONEYS IN THE FUND TO THE REGISTRATION
16 NUMBER FUND CREATED IN SECTION 42-1-407, C.R.S., TO FUND THE
17 IMPLEMENTATION OF PART 4 OF ARTICLE 1 OF TITLE 42, C.R.S. THE
18 COMMITTEE SHALL NOT USE MORE THAN FIVE PERCENT OF THE MONEY IN
19 THE FUND TO ADMINISTER THIS PART 11. THE STATE TREASURER SHALL
20 CREDIT ALL INTEREST EARNED ON THE INVESTMENT OF MONEYS IN THE
21 FUND TO THE FUND. AT THE END OF EACH FISCAL YEAR, THE MONEYS IN
22 THE FUND, INCLUDING INCOME EARNED FROM INVESTMENT, REMAIN IN THE
23 FUND. THE GENERAL ASSEMBLY SHALL APPROPRIATE THE MONEYS IN THE
24 FUND TO THE DEPARTMENT OF PERSONNEL OR GOVERNOR'S OFFICE TO
25 IMPLEMENT THIS PART 21.

26 **24-30-2106. Implementation.** THE GENERAL ASSEMBLY DOES
27 NOT INTEND TO REQUIRE THE DEPARTMENT OF PERSONNEL TO EXPEND

1 MONEYS TO IMPLEMENT THIS PART 21. NOTWITHSTANDING ANY OTHER
2 SECTION OF THIS PART 21, THE DEPARTMENT OF PERSONNEL AND THE
3 COMMITTEE NEED NOT IMPLEMENT THIS PART 21 UNTIL THE
4 DISABILITY-BENEFIT SUPPORT FUND CONTAINS ENOUGH MONEY TO
5 IMPLEMENT THIS PART 21.

6 **24-30-2107. Sunset - repeal.** (1) THIS PART 21 IS REPEALED,
7 EFFECTIVE SEPTEMBER 1, 2021.

8 (2) PRIOR TO SUCH REPEAL, THE DEPARTMENT OF REGULATORY
9 AGENCIES SHALL REVIEW THE ASSISTANCE PROGRAM FOR DISABILITY
10 BENEFITS AS PROVIDED FOR IN SECTION 24-34-104.

11 **SECTION 2.** 24-34-104, Colorado Revised Statutes, is amended
12 BY THE ADDITION OF A NEW SUBSECTION to read:

13 **24-34-104. General assembly review of regulatory agencies**
14 **and functions for termination, continuation, or reestablishment.**

15 (52.5) THE FOLLOWING AGENCIES, FUNCTIONS, OR BOTH, SHALL
16 TERMINATE ON SEPTEMBER 1, 2021:

17 (a) THE ASSISTANCE PROGRAM FOR DISABILITY BENEFITS UNDER
18 PART 21 OF ARTICLE 30 OF THIS TITLE.

19 **SECTION 3.** Article 1 of title 42, Colorado Revised Statutes, is
20 amended BY THE ADDITION OF A NEW PART to read:

21 PART 4

22 LICENSE PLATE AUCTIONS

23 **42-1-401. Definitions.** AS USED IN THIS PART 4, UNLESS THE
24 CONTEXT OTHERWISE REQUIRES:

25 (1) "GROUP" MEANS THE LICENSE PLATE AUCTION GROUP CREATED
26 IN SECTION 42-1-403.

27 (2) "REGISTRATION NUMBER" MEANS THE UNIQUE COMBINATION

1 OF LETTERS AND NUMBERS ASSIGNED TO A VEHICLE BY THE DEPARTMENT
2 UNDER SECTION 42-3-201 AND REQUIRED TO BE DISPLAYED ON THE
3 LICENSE PLATE BY SECTION 42-3-202.

4 (3) "VEHICLE" MEANS A VEHICLE REQUIRED TO BE REGISTERED
5 PURSUANT TO PART 1 OF ARTICLE 3 OF THIS TITLE.

6 **42-1-402. License to buy and sell selected registration numbers**
7 **for license plates.** (1) THE STATE OR A PERSON MAY SELL, AND THE
8 STATE OR A PERSON MAY PURCHASE, THE EXCLUSIVE RIGHT TO USE A
9 REGISTRATION NUMBER SELECTED BY THE GROUP UNDER SECTION
10 42-1-404 FOR THE PURPOSE OF REGISTERING A VEHICLE UNDER ARTICLE 3
11 OF THIS TITLE.

12 (2) THE RIGHT TO USE A REGISTRATION NUMBER IS A PERPETUAL
13 LICENSE, THE USE OF WHICH IS SUBJECT TO COMPLIANCE WITH THIS PART
14 4.

15 **42-1-403. License plate auction group.** (1) THE LICENSE PLATE
16 AUCTION GROUP IS HEREBY CREATED WITHIN THE OFFICE OF THE
17 GOVERNOR.

18 (2) THE GROUP CONSISTS OF SEVEN MEMBERS, APPOINTED AS
19 FOLLOWS:

20 (a) ONE MEMBER WHO IS APPOINTED BY THE EXECUTIVE DIRECTOR
21 OF THE DEPARTMENT OF REVENUE AND WHO IS NOT A MEMBER OF THE
22 COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES CREATED
23 IN SECTION 24-45.5-103, C.R.S.;

24 (b) ONE MEMBER WHO IS APPOINTED BY THE GOVERNOR TO
25 REPRESENT PERSONS WITH DISABILITIES AND WHO IS NOT A MEMBER OF
26 THE COLORADO ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES;

27 (c) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE TO

1 REPRESENT PERSONS WITH DISABILITIES;

2 (d) ONE MEMBER APPOINTED BY THE COLORADO ADVISORY
3 COUNCIL FOR PERSONS WITH DISABILITIES;

4 (e) ONE MEMBER APPOINTED BY THE DIRECTOR OF THE COLORADO
5 OFFICE OF ECONOMIC DEVELOPMENT;

6 (f) ONE MEMBER APPOINTED BY THE CHIEF OF THE COLORADO
7 STATE PATROL; AND

8 (g) ONE MEMBER APPOINTED BY THE CHIEF INFORMATION OFFICER
9 APPOINTED UNDER SECTION 24-37.5-103, C.R.S.

10 (3) AN ACT OF THE GROUP IS VOID UNLESS A MAJORITY OF THE
11 GOVERNING BODY VOTES FOR THE ACT.

12 (4) THE MEMBERS OF THE GROUP SERVE AT THE PLEASURE OF THE
13 APPOINTING ENTITY.

14 (5) THE GROUP HAS THE FOLLOWING DUTIES AND POWERS:

15 (a) TO ADOPT AND USE A SEAL AND TO ALTER THE SAME AT ITS
16 PLEASURE;

17 (b) TO SUE AND BE SUED AND OTHERWISE ASSERT OR DEFEND THE
18 GROUP'S LEGAL INTERESTS;

19 (c) TO ACQUIRE OFFICE SPACE, EQUIPMENT, SERVICES, SUPPLIES,
20 AND INSURANCE NECESSARY TO CARRY OUT THE PURPOSES OF THIS PART
21 4;

22 (d) TO ACCEPT ANY GIFTS, GRANTS, AND LOANS OF MONEY,
23 PROPERTY, OR OTHER AID FROM THE FEDERAL GOVERNMENT, THE STATE,
24 ANY STATE AGENCY, OR ANY OTHER SOURCE IF THE GROUP COMPLIES WITH
25 THIS PART 4 AND PART 13 OF ARTICLE 75 OF THIS TITLE;

26 (e) TO HAVE AND EXERCISE ALL RIGHTS AND POWERS NECESSARY
27 OR INCIDENTAL TO, OR IMPLIED FROM, THE SPECIFIC POWERS GRANTED IN

1 THIS PART 4;

2 (f) TO FIX THE TIME AND PLACE AT WHICH MEETINGS MAY BE
3 HELD;

4 (g) TO ELECT A MEMBER AS EXECUTIVE DIRECTOR OF THE GROUP
5 AND OTHER OFFICERS; AND

6 (h) TO HIRE EMPLOYEES AND PROFESSIONAL ADVISERS AS NEEDED.

7 (6) THE ATTORNEY GENERAL IS THE LEGAL COUNSEL FOR THE
8 GROUP.

9 **42-1-404. Sale of registration numbers by group.** (1) THE
10 GROUP SHALL RAISE MONEY BY AUCTIONING TO A BUYER THE RIGHT TO
11 USE VALUABLE LETTER AND NUMBER COMBINATIONS FOR A REGISTRATION
12 NUMBER.

13 (2) (a) THE GROUP SHALL STUDY THE MARKET AND DETERMINE
14 WHICH REGISTRATION NUMBERS ARE THE MOST VALUABLE, INCLUDING
15 BOTH THE TYPES OF PLATES CURRENTLY ISSUED AND ANY TYPE OF PLATE
16 THAT HAS BEEN HISTORICALLY ISSUED. BASED ON THE STUDY, THE GROUP
17 SHALL SELECT THE MOST VALUABLE REGISTRATION NUMBERS AND
18 REQUEST THE DEPARTMENT TO VERIFY WHETHER PLATES WITH THE
19 REGISTRATION NUMBERS ARE CURRENTLY ISSUED. THE GROUP SHALL NOT
20 SEND THE REQUEST TO THE DEPARTMENT MORE THAN ONCE EVERY SIX
21 MONTHS.

22 (b) UPON RECEIVING THE GROUP'S REQUEST, THE DEPARTMENT
23 SHALL VERIFY WHETHER THE PLATES ARE CURRENTLY ISSUED. IF THE
24 PLATE IS NOT CURRENTLY ISSUED, THE DEPARTMENT SHALL RESERVE THE
25 REGISTRATION NUMBER UNTIL THE GROUP NOTIFIES THE DEPARTMENT TO
26 RELEASE THE REGISTRATION NUMBER.

27 (c) IF A REGISTRATION NUMBER IS NOT CURRENTLY ISSUED, THE

1 GROUP MAY AUCTION THE RIGHT TO USE THE REGISTRATION NUMBER IN A
2 MANNER CALCULATED TO BRING THE HIGHEST PRICE; EXCEPT THAT THE
3 DEPARTMENT MAY DENY THE SALE OR USE OF A REGISTRATION NUMBER
4 THAT IS OFFENSIVE OR INAPPROPRIATE.

5 **42-1-405. Creation of a private market for registration**

6 **numbers - fee.** (1) THE GROUP SHALL RAISE MONEY BY CREATING A
7 MARKET, WHICH MAY INCLUDE AN ON-LINE AUCTION SITE, FOR
8 REGISTRATION NUMBERS USING METHODS THAT ARE COMMERCIALY
9 REASONABLE, ACCOUNT FOR EXPENDITURES, AND ENSURE THE
10 COLLECTION OF THE STATE'S APPROVAL AND TRANSFER ROYALTY.

11 (2) THE ROYALTY FOR THE STATE'S APPROVAL AND TRANSFER OF
12 THE RIGHT TO USE A REGISTRATION NUMBER IS TWENTY-FIVE PERCENT OF
13 THE SALE PRICE OF THE TRANSFER. AT THE TIME OF SALE, THE PURCHASER
14 SHALL PAY THE ROYALTY TO THE GROUP. THIS PAYMENT IS NOT IN LIEU OF
15 THE NORMAL REGISTRATION FEES OR SPECIFIC OWNERSHIP TAX.

16 (3) A PERSON SHALL NOT SELL A REGISTRATION NUMBER AND THE
17 DEPARTMENT SHALL NOT ASSIGN A REGISTRATION NUMBER AS A RESULT
18 OF THE RIGHT TO USE THE NUMBER BEING SOLD TO A VEHICLE UNLESS THE
19 REGISTRATION NUMBER WAS SOLD USING THE MARKET CREATED BY THE
20 GROUP.

21 ==

22 **42-1-406. Administration.** (1) THE GROUP SHALL NOTIFY THE
23 DEPARTMENT WHEN THE RIGHT TO USE A REGISTRATION NUMBER HAS
24 BEEN SOLD AND THE GROUP HAS COLLECTED THE STATE'S SALE PROCEEDS
25 OR APPROVAL AND TRANSFER ROYALTY. UPON RECEIVING THE NOTICE,
26 THE DEPARTMENT SHALL CREATE A RECORD IN THE COLORADO STATE
27 TITLING AND REGISTRATION SYSTEM, CREATED IN SECTION 42-1-211,

1 CONTAINING THE NAME OF THE BUYER, THE VEHICLE IDENTIFICATION
2 NUMBER, IF APPLICABLE, AND THE CORRESPONDING REGISTRATION
3 NUMBER.

4 (2) IF THE REGISTRATION NUMBER CONSISTS OF A COMBINATION OF
5 LETTERS AND NUMBERS THAT IS NOT WITHIN THE NORMAL FORMAT OF
6 LICENSE PLATE CURRENTLY PRODUCED FOR THE DEPARTMENT, THE
7 DEPARTMENT SHALL ISSUE THE PLATES AS PERSONALIZED PLATES UNDER
8 SECTION 42-3-211.

9 (3) THE GROUP SHALL TRANSFER THE MONEYS COLLECTED UNDER
10 THIS PART 4 TO THE STATE TREASURER, WHO SHALL CREDIT THEM TO THE
11 REGISTRATION NUMBER FUND CREATED IN SECTION 42-1-407.

12 (4) THE GROUP MAY CONTRACT WITH ONE OR MORE PUBLIC OR
13 PRIVATE ENTITIES TO IMPLEMENT THIS PART 4.

14 (5) ANY MONEYS RECEIVED BY THE GROUP SHALL BE DEPOSITED
15 IN THE REGISTRATION NUMBER FUND.

16 **42-1-407. Registration number fund.** (1) THE REGISTRATION
17 NUMBER FUND IS HEREBY CREATED IN THE STATE TREASURY. THE
18 MONEYS IN THE FUND CONSIST OF THE PROCEEDS FROM THE SALE OF
19 REGISTRATION NUMBERS UNDER SECTION 42-1-404 AND THE ROYALTY
20 FROM PRIVATE SALES OF REGISTRATION NUMBERS UNDER SECTION
21 42-1-405.

22 (2) THE GENERAL ASSEMBLY SHALL APPROPRIATE THE AMOUNTS
23 NECESSARY, NOT TO EXCEED FIVE PERCENT OF THE FUND, TO IMPLEMENT
24 THIS PART 4 FROM THE REGISTRATION NUMBER FUND TO THE DEPARTMENT,
25 GOVERNOR'S OFFICE, AND THE GROUP.

26 (3) (a) (I) EXCEPT AS SPECIFIED IN PARAGRAPH (b) OF THIS
27 SUBSECTION (3), AT THE END OF EACH FISCAL YEAR, THE STATE

1 TREASURER SHALL TRANSFER ONE MILLION FIVE HUNDRED THOUSAND
2 DOLLARS, OR THE BALANCE OF THE REGISTRATION NUMBER FUND IF THE
3 BALANCE IS A LESSER AMOUNT, FROM THE REGISTRATION NUMBER FUND
4 TO THE DISABILITY-BENEFIT SUPPORT FUND CREATED IN SECTION
5 24-30-2105, C.R.S.

6 (II) IF ANY MONEYS REMAIN IN THE REGISTRATION NUMBER FUND
7 AFTER THE TRANSFER REQUIRED BY SUBPARAGRAPH (I) OF THIS
8 PARAGRAPH (a), THE STATE TREASURER SHALL TRANSFER TWO MILLION
9 FIVE HUNDRED THOUSAND DOLLARS, OR THE BALANCE OF THE FUND IF THE
10 BALANCE IS A LESSER AMOUNT, FROM THE REGISTRATION NUMBER FUND
11 TO THE GENERAL FUND.

12 (III) IF ANY MONEYS REMAIN IN THE REGISTRATION NUMBER FUND
13 AFTER THE TRANSFERS REQUIRED BY SUBPARAGRAPHS (I) AND (II) OF THIS
14 PARAGRAPH (a), THE STATE TREASURER SHALL TRANSFER THE BALANCE
15 FROM THE REGISTRATION NUMBER FUND TO THE DISABILITY-BENEFIT
16 SUPPORT FUND CREATED BY SECTION 24-30-2105, C.R.S.

17 (b) THE TREASURER SHALL ADJUST THE TRANSFERS REQUIRED BY
18 PARAGRAPH (a) OF THIS SUBSECTION (3) ON JULY 1 OF EACH YEAR IN
19 PROPORTION TO THE AGGREGATE CHANGE IN THE UNITED STATES
20 DEPARTMENT OF LABOR BUREAU OF LABOR STATISTICS CONSUMER PRICE
21 INDEX FOR ALL URBAN CONSUMERS FOR THE DENVER-BOULDER-GREELEY
22 CONSOLIDATED METROPOLITAN STATISTICAL AREA. THE TREASURER MAY
23 ROUND THE DOLLAR AMOUNT OF THE ADJUSTMENT TO THE NEAREST TEN
24 DOLLARS.

25 **SECTION 4. Appropriation.** (1) In addition to any other
26 appropriation, there is hereby appropriated, out of any moneys in the
27 Colorado state titling and registration account of the highway users tax

1 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
2 otherwise appropriated, to the department of revenue, for allocation to the
3 information technology division, for the fiscal year beginning July 1,
4 2011, the sum of two thousand nine hundred sixty dollars (\$2,960) cash
5 funds, or so much thereof as may be necessary, for the implementation of
6 this act.

7 (2) In addition to any other appropriation, there is hereby
8 appropriated to the governor - lieutenant governor - state planning and
9 budgeting, for allocation to the office of information technology, for the
10 fiscal year beginning July 1, 2011, the sum of two thousand nine hundred
11 sixty dollars (\$2,960), or so much thereof as may be necessary, for the
12 programming services to be provided to the department of revenue related
13 to the implementation of this act. Said sum shall be from reappropriated
14 funds received from the department of revenue out of the appropriation
15 made in subsection (1) of this section.

16 **SECTION 5. Safety clause.** The general assembly hereby finds,
17 determines, and declares that this act is necessary for the immediate
18 preservation of the public peace, health, and safety.