

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**PREAMENDED**

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

LLS NO. 12-0323.01 Kate Meyer x4348

**HOUSE BILL 12-1117**

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**HOUSE SPONSORSHIP**

**Balmer,**

**SENATE SPONSORSHIP**

**Nicholson,**

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**House Committees**  
Local Government

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE ABILITY OF A LOCAL GOVERNMENT TO PERMIT, IN**  
102 **ITS DISCRETION, THE COLLECTION OF CHARITABLE**  
103 **SOLICITATIONS FROM MOTORISTS ON A CERTAIN NUMBER OF**  
104 **DAYS PER CALENDAR YEAR.**

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**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 gives state approval for a local government, in its discretion, to allow nonprofit and charitable organizations to solicit

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.*

contributions from motorists on a maximum of 5 days per calendar year.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 6.5 to title  
3 29 as follows:

4 **ARTICLE 6.5**

5 **Charitable Solicitations from Motorists**

6 **29-6.5-101. Legislative declaration.** (1) THE GENERAL  
7 ASSEMBLY HEREBY FINDS, DETERMINES, AND DECLARES THAT:

8 (a) FOR OVER FIFTY YEARS, FIREFIGHTERS ACROSS COLORADO  
9 HAVE ENGAGED IN CHARITABLE FUNDRAISING EVENTS TO:

10 (I) SUPPORT MEDICAL RESEARCH OF DEBILITATING DISEASES SUCH  
11 AS MUSCULAR DYSTROPHY;

12 (II) PROVIDE COMPREHENSIVE HEALTH CARE AND SUPPORT  
13 SERVICES, ADVOCACY, AND EDUCATION ON BEHALF OF CHILDREN AND  
14 ADULTS WITH NEUROMUSCULAR DISEASES; AND

15 (III) CONDUCT SUMMER CAMPS FOR CHILDREN WITH MUSCULAR  
16 DYSTROPHY;

17 (b) THE MOST SUCCESSFUL FUNDRAISING EVENT THAT  
18 FIREFIGHTERS HAVE EMPLOYED IS THE SIGNATURE "FILL THE BOOT"  
19 CAMPAIGN, WHICH CONSISTS OF FIREFIGHTERS ASKING MOTORISTS PASSING  
20 FIRE STATIONS TO CONTRIBUTE TO THE CAUSES SPECIFIED IN PARAGRAPH

21 (a) OF THIS SUBSECTION (1) BY PUTTING MONEY INTO FIREFIGHTER BOOTS  
22 OR FACSIMILES OF FIREFIGHTER BOOTS; AND

23 (c) OTHER NONPROFIT AND CHARITABLE ORGANIZATIONS WOULD  
24 BENEFIT FROM THE ABILITY TO SOLICIT AND ACCEPT DONATIONS IN A  
25 SIMILAR MANNER.

1           (2) THEREFORE, IT IS THE INTENT OF THE GENERAL ASSEMBLY IN  
2 ENACTING THIS ARTICLE TO CLARIFY THAT LOCAL GOVERNMENTS MAY, IN  
3 THEIR DISCRETION, ALLOW LAW ENFORCEMENT PERSONNEL AND  
4 FIREFIGHTERS, OTHER LOCAL PUBLIC SAFETY PERSONNEL, AND NONPROFIT  
5 OR CHARITABLE ORGANIZATIONS TO CONDUCT FUNDRAISING ACTIVITIES.

6           **29-6.5-102. Definitions.** AS USED IN THIS ARTICLE, UNLESS THE  
7 CONTEXT OTHERWISE REQUIRES:

8           (1) "CHARITABLE ORGANIZATION" HAS THE SAME MEANING AS SET  
9 FORTH IN SECTION 6-16-103 (1), C.R.S.

10           (2) "CHARITABLE PURPOSE" HAS THE SAME MEANING AS SET FORTH  
11 IN SECTION 6-16-103 (2), C.R.S.

12           (3) "LOCAL GOVERNMENT" MEANS ANY COUNTY, TOWN, CITY, CITY  
13 AND COUNTY, MUNICIPALITY, OR OTHER LOCAL ENTITY HAVING THE  
14 AUTHORITY TO ENACT LOCAL ORDINANCES.

15           **29-6.5-103. Local government authorization for solicitation of**  
16 **charitable donations.** (1) A LOCAL GOVERNMENT MAY PERMIT, IN ITS  
17 DISCRETION, A CHARITABLE ORGANIZATION TO ENGAGE IN A SOLICITATION  
18 FOR A CHARITABLE PURPOSE, WHICH SOLICITATION INVOLVES PERSONS  
19 STANDING IN OR ADJACENT TO A PUBLIC ROADWAY AND SOLICITING  
20 DONATIONS FROM MOTORISTS, IF:

21           (a) THE PERSONS SOLICIT IN AN AREA THAT IS ENTIRELY WITHIN  
22 THE JURISDICTION OF THE LOCAL GOVERNMENT; AND

23           (b) THE NUMBER OF DAYS FOR WHICH A LOCAL GOVERNMENT  
24 GRANTS PERMISSION FOR SUCH SOLICITATIONS DOES NOT EXCEED FIVE  
25 DAYS IN ANY CALENDAR YEAR PER CHARITABLE ORGANIZATION.

26           **SECTION 2. 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.