

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. 12-0875.01 Jery Payne x2157

SENATE BILL 12-171

SENATE SPONSORSHIP

Shaffer B. and Brophy,

HOUSE SPONSORSHIP

Becker,

Senate Committees

Finance
Appropriations

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE COLORADO CONSERVATION AND**
102 **RECREATION FUND, AND, IN CONNECTION THEREWITH,**
103 **CREATING THE COLORADO CONSERVATION LICENSE PLATE AND**
104 **MAKING AN APPROPRIATION.**

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 creates the Colorado conservation and recreation fund and program and designates the program as an enterprise. The program is

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.

directed to build a conservation and recreation center at Bonny lake and to use any remaining moneys for similar programs. The program is given bonding authority. The program may enter into business relationships with nonprofit entities and exercise the powers necessary for an enterprise.

The bill also creates the Colorado conservation license plate. A person becomes eligible to use the plate by donating \$150 to the Colorado conservation and recreation fund. In addition to the normal motor vehicle fees, the plate requires 2 one-time fees of \$25. One of the fees is credited to the highway users tax fund and the other to the licensing services cash fund.

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

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3 **SECTION 1.** In Colorado Revised Statutes, **add** 42-3-241 as
4 follows:

5 **42-3-241. License plates - Colorado conservation.**

6 (1) BEGINNING THE EARLIER OF JANUARY 1, 2013, OR WHEN THE
7 DEPARTMENT IS ABLE TO ISSUE THE PLATES, THE DEPARTMENT SHALL
8 ISSUE LICENSE PLATES TO QUALIFIED APPLICANTS UNDER THIS SECTION FOR
9 MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR
10 RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN
11 THOUSAND POUNDS EMPTY WEIGHT; EXCEPT THAT THE DEPARTMENT
12 SHALL NOT ISSUE THE PLATE UNTIL SECTION 42-3-207 IS COMPLIED WITH.

13 (2) (a) THERE IS HEREBY ESTABLISHED THE COLORADO
14 CONSERVATION LICENSE PLATE. THE DEPARTMENT MAY STOP ISSUING THE
15 COLORADO CONSERVATION LICENSE PLATE IF A TOTAL OF THREE
16 THOUSAND LICENSE PLATES ARE NOT ISSUED BY JULY 1, 2017. A PERSON
17 WHO WAS ISSUED A COLORADO CONSERVATION LICENSE PLATE ON OR
18 BEFORE JULY 1, 2017, MAY CONTINUE TO USE THE COLORADO
19 CONSERVATION LICENSE PLATE AFTER JULY 1, 2017, REGARDLESS OF

1 WHETHER THE DEPARTMENT STOPS ISSUING THE COLORADO
2 CONSERVATION LICENSE PLATE.

3 (b) THE THREE RIVERS ALLIANCE MAY DESIGN THE SPECIAL
4 LICENSE PLATE IF THE PLATE CONFORMS WITH STANDARDS ESTABLISHED
5 BY THE DEPARTMENT.

6 (3) (a) A PERSON MAY APPLY FOR A COLORADO CONSERVATION
7 LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED
8 UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR AN
9 AUTHORIZED AGENT A CERTIFICATE ISSUED BY THREE RIVERS ALLIANCE,
10 OR ITS SUCCESSOR ORGANIZATION, CONFIRMING THAT THE APPLICANT HAS
11 DONATED FIFTY DOLLARS.

12 (b) THREE RIVERS ALLIANCE, OR ITS SUCCESSOR ORGANIZATION,
13 SHALL FILE WITH THE DEPARTMENT AN ANNUAL STATEMENT VERIFYING
14 THAT IT IS A NONPROFIT ORGANIZATION.

15 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE
16 PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES
17 AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES.

18 (5) AN APPLICANT MAY APPLY FOR PERSONALIZED COLORADO
19 CONSERVATION LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE
20 REQUIRED BY SECTION 42-3-211 (6) (a) FOR PERSONALIZED LICENSE
21 PLATES, THE DEPARTMENT MAY ISSUE THE PLATES IF THE APPLICANT
22 COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING
23 PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT
24 MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET
25 OF COLORADO CONSERVATION LICENSE PLATES FOR THE VEHICLE UPON
26 PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6) (a) AND UPON
27 TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO

1 HAS OBTAINED PERSONALIZED COLORADO CONSERVATION LICENSE PLATES
2 UNDER THIS SUBSECTION (4) SHALL PAY THE ANNUAL FEE IMPOSED BY
3 SECTION 42-3-211 (6) (b) FOR RENEWAL OF THE PERSONALIZED PLATES.
4 THE FEES UNDER THIS SUBSECTION (4) ARE IN ADDITION TO ALL OTHER
5 APPLICABLE TAXES AND FEES.

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8 **SECTION 2. Appropriation.** (1) In addition to any other
9 appropriation, there is hereby appropriated, out of any moneys in the
10 Colorado state titling and registration account of the highway users tax
11 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
12 otherwise appropriated, to the department of revenue, for the fiscal year
13 beginning July 1, 2012, the sum of \$2,960, or so much thereof as may be
14 necessary, to be allocated for the purchase of computer center services
15 related to the implementation of this act.

16 (2) In addition to any other appropriation, there is hereby
17 appropriated to the governor - lieutenant governor - state planning and
18 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,
19 or so much thereof as may be necessary, for allocation to the office of
20 information technology, for the provision of computer center services for
21 the department of revenue related to the implementation of this act. Said
22 sum is from reappropriated funds received from the department of
23 revenue out of the appropriation made subsection (1) of this section.

24 (3) In addition to any other appropriation, there is hereby
25 appropriated, out of any moneys in the license plate cash fund created in
26 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
27 appropriated, to the department of revenue, for the fiscal year beginning

1 July 1, 2012, the sum of \$5,920, or so much thereof as may be necessary,
2 for allocation to the division of motor vehicles for the purchase of license
3 plates and tabs related to the implementation of this act.

4 **SECTION 3. Act subject to petition - effective date -**
5 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
6 the expiration of the ninety-day period after final adjournment of the
7 general assembly (August 8, 2012, if adjournment sine die is on May 9,
8 2012); except that, if a referendum petition is filed pursuant to section 1
9 (3) of article V of the state constitution against this act or an item, section,
10 or part of this act within such period, then the act, item, section, or part
11 will not take effect unless approved by the people at the general election
12 to be held in November 2012 and, in such case, will take effect on the
13 date of the official declaration of the vote thereon by the governor.

14 (2) The provisions of this act apply to applications submitted on
15 or after January 1, 2013.