

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 16-0581.01 Jery Payne x2157

HOUSE BILL 16-1009

HOUSE SPONSORSHIP

Buck,

SENATE SPONSORSHIP

Cooke,

House Committees

Transportation & Energy
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ISSUANCE OF FALLEN HEROES LICENSE PLATES, AND,**
102 **IN CONNECTION THEREWITH, 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 authorizes local authorities to be issued fallen hero license plates. Local authorities need only pay the required donation. The bill clarifies that the fallen hero license plate is a distinctive special license plate. The retirement date of the plate is repealed.

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.** In Colorado Revised Statutes, 42-1-102, **amend**
3 (24.5) as follows:

4 **42-1-102. Definitions.** As used in articles 1 to 4 of this title,
5 unless the context otherwise requires:

6 (24.5) "Distinctive special license plate" means a special license
7 plate that is issued to a person because ~~such~~ THE person has an immutable
8 characteristic or special achievement honor. ~~Such~~ A special achievement
9 honor ~~shall not include~~ EXCLUDES a common achievement such as
10 graduating from an institution of higher education. ~~Such~~ A special
11 achievement ~~shall include~~ INCLUDES honorable service in the armed
12 forces of the United States. "Distinctive special license plate" ~~shall~~
13 ~~include~~ INCLUDES a license plate that is issued to a person or the person's
14 family to honor ~~such~~ THE person's service in the armed forces OR A PEACE
15 OFFICER'S SACRIFICE IN THE LINE OF DUTY.

16 **SECTION 2.** In Colorado Revised Statutes, 42-3-242, **amend** (2)
17 (a), (3) (a), and (4) as follows:

18 **42-3-242. Special plates - fallen heroes.** (2) (a) There is hereby
19 established the fallen heroes special license plate. ~~The department may~~
20 ~~stop issuing the fallen heroes special license plate if a total of three~~
21 ~~thousand license plates are not issued by July 1, 2017. A person who was~~
22 ~~issued a fallen heroes special license plate on or before July 1, 2017, may~~
23 ~~continue to use the fallen heroes special license plate after July 1, 2017,~~
24 ~~regardless of whether the department stops issuing the special license~~
25 ~~plate.~~

26 (3) (a) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
27 PARAGRAPH (a), a person may apply for a fallen heroes license plate if the

1 person pays the taxes and fees required under this ~~section~~ ARTICLE and
2 provides to the department ~~or an authorized agent~~ a certificate, issued by
3 the Colorado chapter of the Concerns of Police Survivors, Inc., or its
4 successor organization, confirming that the applicant has donated fifty
5 dollars to the Colorado chapter of the Concerns of Police Survivors, Inc.

6 (II) A LOCAL AUTHORITY MAY BE ISSUED A FALLEN HEROES
7 LICENSE PLATE FOR A MOTOR VEHICLE THAT DOES NOT EXCEED SIXTEEN
8 THOUSAND POUNDS EMPTY WEIGHT IF THE LOCAL AUTHORITY PAYS ANY
9 TAXES AND FEES REQUIRED BY THIS ARTICLE AND PRESENTS TO THE
10 DEPARTMENT A CERTIFICATE SHOWING IT MADE THE DONATION REQUIRED
11 BY SUBPARAGRAPH (I) OF THIS PARAGRAPH (a). A PLATE ISSUED TO A
12 LOCAL AUTHORITY MUST CONTAIN A NOTIFICATION INDICATING THAT THE
13 PLATE WAS ISSUED TO A LOCAL AUTHORITY.

14 (4) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS
15 SUBSECTION (4), the amount of the taxes and fees for special license
16 plates under this section are the same as the amount of the taxes and fees
17 for regular motor vehicle license plates; except that the department shall
18 collect a one-time fee of twenty-five dollars for issuance or replacement
19 of the license plate. The department shall transmit the additional one-time
20 fee to the state treasurer, who shall credit the fee to the highway users tax
21 fund created in section 43-4-201, C.R.S.

22 (b) A LOCAL AUTHORITY NEED NOT PAY THE ONE-TIME FEE
23 IMPOSED IN PARAGRAPH (a) OF THIS SUBSECTION (4).

24 **SECTION 3. Appropriation.** (1) For the 2016-17 state fiscal
25 year, \$37,490 is appropriated to the department of revenue. This
26 appropriation consists of \$33,990 from the Colorado state titling and
27 registration account of the highway users tax fund created in section

1 42-1-211 (2), C.R.S., and \$3,500 from the license plate cash fund created
2 in 42-3-301 (1) (b), C.R.S. To implement this act, the department may use
3 this appropriation as follows:

4 (a) \$33,990 from the Colorado state titling and registration
5 account of the highway users tax fund for the purchase of information
6 technology services; and

7 (b) \$3,500 from the license plate cash fund for license plate
8 ordering.

9 (2) For the 2016-17 state fiscal year, \$33,990 is appropriated to
10 the office of the governor for use by the office of information technology.
11 This appropriation is from reappropriated funds received from the
12 department of revenue under paragraph (a) of subsection (1) of this
13 section. To implement this act, the office may use this appropriation to
14 provide information technology services for the department of revenue.

15 **SECTION 4. Act subject to petition - effective date -**
16 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
17 the expiration of the ninety-day period after final adjournment of the
18 general assembly (August 10, 2016, if adjournment sine die is on May 11,
19 2016); except that, if a referendum petition is filed pursuant to section 1
20 (3) of article V of the state constitution against this act or an item, section,
21 or part of this act within such period, then the act, item, section, or part
22 will not take effect unless approved by the people at the general election
23 to be held in November 2016 and, in such case, will take effect on the
24 date of the official declaration of the vote thereon by the governor.

25 (2) This act applies to license plate applications made on or after
26 January 1, 2017.