

Second Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO

REVISED

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

LLS NO. 10-0107.01 Jery Payne

HOUSE BILL 10-1214

HOUSE SPONSORSHIP

McCann,

SENATE SPONSORSHIP

Schwartz,

House Committees

Agriculture, Livestock, & Natural Resources  
Transportation & Energy  
Appropriations

Senate Committees

Agriculture and Natural Resources  
Appropriations

A BILL FOR AN ACT

101 CONCERNING FINANCIAL SUPPORT FOR EFFORTS TO REDUCE THE  
102 OVERPOPULATION OF PETS, AND, IN CONNECTION THEREWITH,  
103 AUTHORIZING THE ISSUANCE OF AN ADOPT A SHELTER PET  
104 LICENSE PLATE, AND 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>.)*

**Section 1** adds a representative of the western slope to the Colorado pet overpopulation authority. **Section 2** creates the adopt a

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  
May 7, 2010

HOUSE  
3rd Reading Unam ended  
March 25, 2010

HOUSE  
Am ended 2nd Reading  
March 23, 2010

shelter pet account (account) in the pet overpopulation fund. **Sections 3 and 4** continue the pet overpopulation contribution on tax returns until 2013.

**Section 5** creates the adopt a shelter pet special license plate for motor vehicles that do not exceed 16,000 pounds. The fees for the special license plate consist of normal registration fees plus 3 one-time fees equaling \$80: \$25 is credited to the highway users tax fund, \$25 is credited to the licensing services cash fund, and \$30 is credited to the account. In addition, the special plate requires an annual renewal fee of \$25 that is also credited to the account.

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

2 **SECTION 1.** 35-80-116.5 (2) (a) and (6), Colorado Revised  
3 Statutes, are amended to read:

4 **35-80-116.5. Pet overpopulation authority - creation - duties**  
5 **and powers - pet overpopulation fund.** (2) (a) The powers of the  
6 Colorado pet overpopulation authority shall be vested in a board of  
7 directors consisting of the following:

8 (I) One representative of the animal assistance foundation or its  
9 successor organization;

10 (II) One representative of the Colorado federation of animal  
11 welfare agencies or its successor organization;

12 (III) One representative of a state veterinary medical association;

13 (IV) One representative of an association organized for Colorado  
14 animal control officers;

15 (V) One representative from the department of agriculture;

16 (VI) One member from an animal rescue organization; ~~and~~

17 (VII) One member of the general public with an interest in animal  
18 welfare; AND

19 (VIII) ONE REPRESENTATIVE OF WESTERN COLORADO.

20 (6) EXCEPT AS PROVIDED IN SECTION 42-3-233, C.R.S., the

1 Colorado pet overpopulation authority, created pursuant to this section,  
2 shall not be funded by or through any state agency.

3 **SECTION 2.** 35-80-116.5 (5), Colorado Revised Statutes, is  
4 amended BY THE ADDITION OF THE FOLLOWING NEW  
5 PARAGRAPHS to read:

6 **35-80-116.5. Pet overpopulation authority - creation - duties**  
7 **and powers - pet overpopulation fund.** (5) (d) THERE IS HEREBY  
8 CREATED IN THE PET OVERPOPULATION FUND THE ADOPT A SHELTER PET  
9 ACCOUNT, WHICH CONSISTS OF MONEYS DONATED TO QUALIFY FOR THE  
10 ADOPT A SHELTER PET SPECIAL LICENSE PLATE PURSUANT TO SECTION  
11 42-3-233, C.R.S.

12 (e) THE AUTHORITY SHALL USE THE MONEYS IN THE ADOPT A  
13 SHELTER PET ACCOUNT TO SUPPORT THE SPAY AND NEUTERING AND OTHER  
14 MEDICAL COSTS OF ANIMALS IN ANIMAL SHELTERS AND RESCUES OR TO  
15 SUPPORT OVERPOPULATION EDUCATION PROGRAMS; EXCEPT THAT UP TO  
16 TEN PERCENT OF THE MONEYS IN THE ADOPT A SHELTER PET ACCOUNT MAY  
17 BE USED FOR THE ADMINISTRATION OF THE ACCOUNT.

18 ==  
19 ==

20 **SECTION 3.** Part 2 of article 3 of title 42, Colorado Revised  
21 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
22 read:

23 **42-3-233. Special plates - adopt a shelter pet - repeal.**  
24 (1) BEGINNING THE EARLIER OF JANUARY 1, 2011, OR WHEN THE  
25 DEPARTMENT IS ABLE TO ISSUE THE PLATES CREATED BY THIS SECTION,  
26 THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO QUALIFIED  
27 APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR MOTORCYCLES,

1 PASSENGER CARS, TRUCKS, AND NONCOMMERCIAL OR RECREATIONAL  
2 MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS  
3 EMPTY WEIGHT.

4 (2) (a) THERE IS HEREBY ESTABLISHED THE ADOPT A SHELTER PET  
5 SPECIAL LICENSE PLATE.

6 (b) THE DESIGN FOR THE SPECIAL LICENSE PLATE SHALL CONFORM  
7 WITH STANDARDS ESTABLISHED BY THE DEPARTMENT AND SHALL BE  
8 SUBJECT TO THE DEPARTMENT'S APPROVAL.

9 (3) A PERSON MAY APPLY FOR AN ADOPT A SHELTER PET SPECIAL  
10 LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED  
11 UNDER THIS SECTION.

12 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE  
13 PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES  
14 AND FEES SPECIFIED FOR REGULAR MOTOR VEHICLE LICENSE PLATES;  
15 EXCEPT THAT THE DEPARTMENT SHALL COLLECT THE FOLLOWING FEES  
16 AND DONATIONS:

17 (a) A ONE-TIME, TWENTY-FIVE-DOLLAR FEE FOR ISSUANCE OR  
18 REPLACEMENT OF THE LICENSE PLATE, WHICH FEE SHALL BE TRANSMITTED  
19 TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME TO THE  
20 HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201, C.R.S.;

21 (b) A ONE-TIME, THIRTY-DOLLAR DONATION FOR ISSUANCE OR  
22 REPLACEMENT OF THE LICENSE PLATE, WHICH DONATION SHALL BE  
23 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME  
24 TO THE ADOPT A SHELTER PET ACCOUNT IN THE PET OVERPOPULATION  
25 FUND CREATED IN SECTION 35-80-116.5, C.R.S.; AND

26 (c) AN ANNUAL TWENTY-FIVE-DOLLAR LICENSE PLATE RENEWAL  
27 DONATION, WHICH DONATION SHALL BE TRANSMITTED TO THE STATE

1       TREASURER, WHO SHALL CREDIT THE SAME TO THE ADOPT A SHELTER PET  
2       ACCOUNT IN THE PET OVERPOPULATION FUND CREATED IN SECTION  
3       35-80-116.5, C.R.S.; EXCEPT THAT THE DEPARTMENT AND ITS  
4       AUTHORIZED AGENTS MAY RETAIN THE PORTION OF THE DONATION  
5       NECESSARY TO OFFSET IMPLEMENTING THIS PARAGRAPH (c), UP TO A  
6       MAXIMUM OF TWO DOLLARS.

7               (5) AN APPLICANT MAY APPLY FOR PERSONALIZED ADOPT A  
8       SHELTER PET SPECIAL LICENSE PLATES. UPON PAYMENT OF THE  
9       ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a) FOR  
10       PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE SUCH  
11       PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN  
12       APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR  
13       VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS  
14       OR NUMBERS TO A NEW SET OF ADOPT A SHELTER PET SPECIAL LICENSE  
15       PLATES FOR THE VEHICLE UPON PAYMENT OF THE FEE IMPOSED BY SECTION  
16       42-3-211 (6) AND UPON TURNING IN SUCH EXISTING PLATES TO THE  
17       DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED ADOPT A  
18       SHELTER PET SPECIAL LICENSE PLATES UNDER THIS SUBSECTION (5) SHALL  
19       PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) FOR RENEWAL  
20       OF SUCH PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (5)  
21       ARE IN ADDITION TO ALL OTHER TAXES AND FEES IMPOSED FOR  
22       PERSONALIZED ADOPT A SHELTER PET SPECIAL LICENSE PLATES.

23               (6) (a) THE ADOPT A SHELTER PET LICENSE PLATE SHALL BE  
24       RETIRED IF THREE THOUSAND PLATES ARE NOT ISSUED BY JULY 1, 2014.

25               (b) EFFECTIVE JULY 1, 2014, THIS SECTION IS REPEALED IF THE  
26       DEPARTMENT NOTIFIES THE REVISOR OF STATUTES IN WRITING THAT THREE  
27       THOUSAND PLATES WERE NOT ISSUED BY JULY 1, 2014.

1           **SECTION 4.** 42-3-312, Colorado Revised Statutes, is amended  
2 to read:

3           **42-3-312. Special license plate surcharge.** In addition to any  
4 other fee imposed by this article, an applicant for a special license plate  
5 created by rule in accordance with section 42-3-207, as such section  
6 existed when the plate was created, or license plates issued pursuant to  
7 sections 42-3-211 to 42-3-218 and sections 42-3-221 to ~~42-3-232~~  
8 42-3-233 shall pay an issuance fee of twenty-five dollars; except that the  
9 fee shall not be imposed on special license plates exempted from  
10 additional fees for the issuance of a military special license plate by  
11 section 42-3-213 (1) (b) (II). The fee shall be transferred to the state  
12 treasurer and credited to the licensing services cash fund created in  
13 section 42-2-114.5.

14           **SECTION 5. Appropriation.** In addition to any other  
15 appropriation, there is hereby appropriated, out of any moneys in the  
16 license plate cash fund created in section 42-3-301 (1) (b), Colorado  
17 Revised Statutes, not otherwise appropriated, to the department of  
18 revenue, for allocation to the division of motor vehicles, driver and  
19 vehicle services, for the fiscal year beginning July 1, 2010, the sum of  
20 seventeen thousand seven hundred sixty dollars (\$17,760) cash funds, or  
21 so much thereof as may be necessary, for the implementation of this act.

22           **SECTION 6. Act subject to petition - effective date.** This act  
23 shall take effect at 12:01 a.m. on the day following the expiration of the  
24 ninety-day period after final adjournment of the general assembly (August  
25 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a  
26 referendum petition is filed pursuant to section 1 (3) of article V of the  
27 state constitution against this act or an item, section, or part of this act

1     within such period, then the act, item, section, or part shall not take effect  
2     unless approved by the people at the general election to be held in  
3     November 2010 and shall take effect on the date of the official  
4     declaration of the vote thereon by the governor.