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HOUSE BILL 11-1316

BY REPRESENTATIVE(S) Priola, Duran, Hamner, Todd, Williams A.;
also SENATOR(S) Johnston, Aguilar, Giron, Guzman, King S., Newell,
Spence, Tochtrop, Williams S.

CONCERNING THE CREATION OF CERTAIN SPORTS SPECIAL LICENSE PLATES
FOR KROENKE SPORTS CHARITIES, AND MAKING AN APPROPRIATION
THEREFOR.

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

SECTION 1. Part 2 of article 3 of title 42, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

42-3-239. Special plates - Colorado Avalanche or Denver Nuggets. (1) BEGINNING THE EARLIER OF JANUARY 1, 2012, OR WHEN THE DEPARTMENT IS ABLE TO ISSUE THE PLATES, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS UNDER THIS SECTION FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

(2) (a) THERE IS HEREBY ESTABLISHED THE COLORADO AVALANCHE AND DENVER NUGGETS SPECIAL LICENSE PLATES. THE DEPARTMENT MAY

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

STOP ISSUING EITHER THE COLORADO AVALANCE OR DENVER NUGGETS SPECIAL LICENSE PLATE IF A TOTAL OF THREE THOUSAND LICENSE PLATES, OF EITHER DESIGN, ARE NOT ISSUED BY JULY 1, 2016. A PERSON MAY CONTINUE TO USE EITHER THE COLORADO AVALANCHE OR DENVER NUGGETS SPECIAL LICENSE PLATE AFTER JULY 1, 2016.

(b) KROENKE SPORTS CHARITIES MAY DESIGN THE SPECIAL LICENSE PLATES, BUT THE DESIGN MUST CONFORM WITH STANDARDS ESTABLISHED BY THE DEPARTMENT.

(3) (a) A PERSON MAY APPLY FOR A COLORADO AVALANCHE OR DENVER NUGGETS SPECIAL LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR AN AUTHORIZED AGENT A CERTIFICATE, ISSUED BY KROENKE SPORTS CHARITIES OR ITS SUCCESSOR ORGANIZATION, CONFIRMING THAT THE APPLICANT HAS DONATED FORTY-FIVE DOLLARS TO KROENKE SPORTS CHARITIES.

(b) KROENKE SPORTS CHARITIES, OR ITS SUCCESSOR ORGANIZATION, SHALL FILE WITH THE DEPARTMENT AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

(4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE PLATES UNDER THIS SECTION ARE THE SAME AS THE AMOUNT OF THE TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT THE DEPARTMENT SHALL COLLECT A ONE-TIME FEE OF TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF EACH SUCH LICENSE PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201, C.R.S.

(5) AN APPLICANT MAY APPLY FOR PERSONALIZED COLORADO AVALANCHE OR DENVER NUGGETS SPECIAL LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE THE PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF COLORADO AVALANCHE OR DENVER NUGGETS SPECIAL LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE REQUIRED

BY SECTION 42-3-211 (6) (a) AND UPON TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED COLORADO AVALANCHE OR DENVER NUGGETS SPECIAL LICENSE PLATES UNDER THIS SUBSECTION (5) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6) (b) FOR RENEWAL OF THE PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES AND FEES.

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

42-3-312. Special license plate surcharge. In addition to any other fee imposed by this article, an applicant for a special license plate created by rule in accordance with section 42-3-207, as such section existed when the plate was created, or license plates issued pursuant to sections 42-3-211 to 42-3-218, ~~and~~ sections 42-3-221 to 42-3-234, AND SECTION 42-3-239 shall pay an issuance fee of twenty-five dollars; except that the fee ~~shall not be~~ IS NOT imposed on special license plates exempted from additional fees for the issuance of a military special license plate by section 42-3-213 (1) (b) (II). The DEPARTMENT SHALL TRANSFER THE fee ~~shall be transferred~~ to the state treasurer, ~~and credited~~ WHO SHALL CREDIT IT TO the licensing services cash fund created in section 42-2-114.5.

SECTION 3. Appropriation. (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the Colorado state titling and registration account of the highway users tax fund created in section 42-1-211 (2), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the information technology division, for the fiscal year beginning July 1, 2011, the sum of six thousand six hundred sixty dollars (\$6,660) cash funds, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated to the governor - lieutenant governor - state planning and budgeting, for allocation to the office of information technology, for the fiscal year beginning July 1, 2011, the sum of six thousand six hundred sixty dollars (\$6,660), or so much thereof as may be necessary, for the programming services to be provided to the department of revenue related to the implementation of this act. Said sum shall be from reappropriated funds received from the department of revenue out of the appropriation

made in subsection (1) of this section.

(3) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the license plate cash fund created in section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise appropriated, to the department of revenue, for allocation to the division of motor vehicles, for the fiscal year beginning July 1, 2011, the sum of thirty-five thousand five hundred twenty dollars (\$35,520) cash funds, or so much thereof as may be necessary, for the implementation of this act.

SECTION 4. Act subject to petition - effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part shall not take effect unless

approved by the people at the general election to be held in November 2012 and shall take effect on the date of the official declaration of the vote thereon by the governor.

Frank McNulty
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Brandon C. Shaffer
PRESIDENT OF
THE SENATE

Marilyn Eddins
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____

John W. Hickenlooper
GOVERNOR OF THE STATE OF COLORADO