

First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

**PREAMENDED**

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

LLS NO. 15-1099.01 Jery Payne x2157

**HOUSE BILL 15-1378**

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**HOUSE SPONSORSHIP**

**Young and Brown,**

**SENATE SPONSORSHIP**

**Aguilar and Grantham,**

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**House Committees**  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE SALE OF VALUABLE REGISTRATION NUMBERS FOR**  
102 **BENEFITTING PEOPLE WITH DISABILITIES, AND, IN CONNECTION**  
103 **THEREWITH, MAKING AND REDUCING AN APPROPRIATION.**

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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/bills summaries>.)*

The bill transfers the functions of the license plate auction group to the Colorado disability funding committee and transfers this committee from the department of personnel to the department of human services by a **type 1** transfer. The bill also makes the following changes:

! The registration number fund and the pilot support fund

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.*

and the functions of those funds are transferred to the disability support fund.

- ! The Colorado disability funding committee is required to enter into a contract to delegate business decisions to a contract entity.
- ! 2 seats are added to the committee: One with expertise in the areas of marketing, advertising, and public relations and one to serve as a liaison to the Colorado advisory council for persons with disabilities.
- ! The committee is required to enter into an agreement with the department of revenue to implement the program.
- ! The departments of revenue and public safety have veto power over action of the committee or contract entity.
- ! The committee will study managing and making grants and contracts for other entities and issue a report to the general assembly.
- ! Registration numbers are authorized to be sold without an auction.
- ! Any funding for special license plate options must go directly to the division of correctional industries rather than the department of revenue.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend with**  
3 **relocated provisions** part 22 of article 30 of title 24 as follows:

4 **PART 22**

5 **LAURA HERSHEY DISABILITY SUPPORT ACT**

6 **24-30-2201. Short title.** This part 22 shall be known and may be  
7 cited as the "Laura Hershey ~~Disability-Benefit~~ **DISABILITY** Support Act".

8 **24-30-2202. Definitions.** As used in this part 22, unless the  
9 context otherwise requires:

10 (1) "Committee" means the ~~disability-benefit support contract~~  
11 **COLORADO DISABILITY FUNDING** committee created in section  
12 **24-30-2203.**

13 (2) "CONTRACT ENTITY" MEANS THE ENTITY THE COMMITTEE

1 CONTRACTS WITH TO IMPLEMENT SECTIONS 24-30-2205 TO 24-30-2207.

2 (3) "DISABILITY" OR "DISABLED" MEANS AN INDIVIDUAL WHO:

3 (a) HAS A PHYSICAL OR MENTAL IMPAIRMENT THAT  
4 SUBSTANTIALLY LIMITS A MAJOR LIFE ACTIVITY;

5 (b) HAS A RECORD OF SUCH AN IMPAIRMENT; OR

6 (c) IS REGARDED AS HAVING SUCH AN IMPAIRMENT.

7 ~~(2)~~ (4) "Disability benefits" means cash payments from social  
8 security disability insurance under Title II of the federal "Social Security  
9 Act", 42 U.S.C. sec. 401 et seq., as amended, cash payments made by the  
10 federal government to persons who are aged, blind, or disabled under  
11 Title XVI of the federal "Social Security Act", 42 U.S.C. sec. 401 et seq.,  
12 as amended, and long-term care under the "Colorado Medical Assistance  
13 Act", articles 4 to 6 of title 25.5, C.R.S.

14 (5) "FUND" MEANS THE DISABILITY SUPPORT FUND CREATED IN  
15 SECTION 24-30-2210.

16 ~~(3)~~ (6) "Nonprofit entity" means ~~an entity incorporated under the~~  
17 ~~"Colorado Revised Nonprofit Corporation Act", articles 121 to 137 of~~  
18 ~~title 7, C.R.S., or a tax-exempt entity under 26 U.S.C. sec. 501 (c) (3) of~~  
19 ~~the federal "Internal Revenue Code of 1986".~~

20 ~~(4)~~ (7) "Recipient" means a person who receives disability  
21 benefits or long-term care services.

22 (8) [Formerly 42-1-401 (2)] "Registration number" means the  
23 unique combination of letters and numbers assigned to a vehicle by the  
24 department OF REVENUE under section 42-3-201, C.R.S., and required to  
25 be displayed on the license plate by section 42-3-202, C.R.S.

26 (9) [Formerly 42-1-401 (3)] "Vehicle" means a vehicle required  
27 to be registered pursuant to BY part 1 of article 3 of this title 42, C.R.S.

1           **24-30-2203. Colorado disability funding committee - repeal.**

2           (1) The ~~disability-benefit support contract~~ COLORADO DISABILITY  
3           FUNDING committee is hereby created within the department of personnel.  
4           The committee consists of ~~thirteen~~ FIFTEEN members appointed by the  
5           governor as follows:

6                   (a) Five members who are persons with disabilities; ~~and currently~~  
7                   ~~receiving disability benefits or have received application assistance;~~

8                   (b) One member of a statewide, cross-disability organization  
9                   representing persons with disabilities;

10                  (c) One member who is trained to increase access to disability  
11                  benefits for persons with disabilities by an organization supported by the  
12                  United States social security administration;

13                  (d) One member who is a medical doctor;

14                  (e) One member who is a mental health professional;

15                  (f) One member who is an expert in nonprofit management;

16                  (g) One member ~~appointed by the executive director of the~~ WHO  
17                  REPRESENTS THE department of personnel WITH EXPERIENCE IN STATE  
18                  PROCUREMENT;

19                  (h) One member who has experience and expertise in business;  
20                  ~~and~~

21                  (i) One member who has experience with grant programs;

22                  (j) ONE MEMBER WITH EXPERTISE IN THE AREAS OF MARKETING,  
23                  ADVERTISING, AND PUBLIC RELATIONS; AND

24                  (k) ONE NONVOTING MEMBER WHO:

25                           (I) IS A PERSON WITH DISABILITIES; AND

26                           (II) SERVES AS A LIAISON TO AND IS A MEMBER OF THE COLORADO  
27                           ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES.

1 (2) Members of the committee serve three-year terms; except that  
2 members appointed under paragraph (a) of subsection (1) of this section  
3 serve an initial term of one year, and members appointed under  
4 paragraphs (b), (c), and (d) of subsection (1) of this section serve an  
5 initial term of two years.

6 (3) An act of the committee is void unless a majority of the  
7 APPOINTED members has voted in favor of the act.

8 (4) The committee shall implement ~~section 24-30-2204~~ THIS PART  
9 22 using the ~~disability-benefit support fund. created in section~~  
10 ~~24-30-2205.~~

11 ~~(4.5) The committee shall implement section 24-30-2204.5 using~~  
12 ~~the disability investigational and pilot support fund created in section~~  
13 ~~24-30-2205.5.~~

14 (5) The committee ~~is authorized to~~ MAY seek and accept grants or  
15 donations from private or public sources for the purposes of this part 22;  
16 except that the committee shall not accept a gift, grant, or donation that  
17 is subject to conditions that are inconsistent with this part 22 or part 13  
18 of article 75 of this title , regarding the status of grants and donations  
19 made to state agencies. The committee shall transmit the moneys to the  
20 ~~disability-benefit support fund.~~

21 (6) The committee has ~~the following duties and powers~~ POWER TO:

22 (a) ~~To~~ Sue and be sued and otherwise assert or defend the  
23 committee's legal interests;

24 (b) ~~To~~ Prepare and sign contracts;

25 (c) ~~To~~ Have and exercise all rights and powers necessary ~~or~~ TO,  
26 incidental to, or implied from the specific powers granted in this part 22;  
27 ~~and~~

1 (d) ~~To~~ Fix the time and place at which meetings may be held;

2 (e) ADOPT AND USE A SEAL AND ALTER THE SEAL AT ITS PLEASURE;

3 (f) AUTHORIZE THE CONTRACT ENTITY TO RETAIN A PORTION OF  
4 THE SALE PRICE OF EACH REGISTRATION NUMBER SOLD;

5 (g) CREATE INCENTIVES FOR HOLDERS TO TURN IN CURRENTLY  
6 ISSUED REGISTRATION NUMBERS FOR SALE BY THE COMMITTEE IF ANY  
7 ACTUAL COSTS ARE REIMBURSED TO THE STATE;

8 (h) AUTHORIZE THE CONTRACT ENTITY TO EXCLUSIVELY SELL THE  
9 RIGHT TO USE ADDITIONAL LICENSE PLATE OPTIONS, SUCH AS  
10 HISTORICALLY ISSUED BACKGROUNDS, FOR A FEE IF THE OPTION IS  
11 APPROVED BY THE DEPARTMENT OF REVENUE AND THE COLORADO STATE  
12 PATROL;

13 (i) REIMBURSE MEMBERS OF THE COMMITTEE FOR EXPENSES  
14 INCURRED IN THE PERFORMANCE OF THEIR DUTIES UNDER THIS PART 22 IF  
15 THE MEMBER IS NOT REIMBURSED FROM ANOTHER SOURCE AND IF FAILURE  
16 TO REIMBURSE THE MEMBER WOULD BE A SUBSTANTIAL DISINCENTIVE TO  
17 PERFORM THE MEMBER'S DUTIES;

18 (j) CREATE ONE OR MORE TASK FORCES CONSISTING OF MEMBERS  
19 OF THE COMMITTEE AND ANY OTHER MEMBERS THE COMMITTEE  
20 DETERMINES ARE USEFUL TO STUDY ISSUES FALLING UNDER THE  
21 COMMITTEE'S DUTIES AND POWERS AND TO MAKE RECOMMENDATIONS TO  
22 THE COMMITTEE CONCERNING THESE ISSUES; AND

23 (k) OBTAIN THE SERVICES OF PROFESSIONAL ADVISORS AND  
24 ADMINISTRATIVE SUPPORT.

25 (7) ~~The committee may hire employees or obtain the services of~~  
26 ~~professional advisors.~~ THE COMMITTEE SHALL:

27 (a) ENTER INTO AN AGREEMENT WITH AN ENTITY TO IMPLEMENT

1 SECTIONS 24-30-2205 TO 24-30-2207 IN ACCORDANCE WITH THE  
2 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF THIS TITLE;

3 (b) ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF  
4 REVENUE AND THE COLORADO STATE PATROL TO IMPLEMENT THE SALES  
5 OF REGISTRATION NUMBERS UNDER THIS PART 22. THE AGREEMENT MUST:

6 (I) ALLOW THE DEPARTMENT OF REVENUE OR THE DEPARTMENT OF  
7 PUBLIC SAFETY TO PROHIBIT ANY ACTION BY THE COMMITTEE OR THE  
8 CONTRACT ENTITY; AND

9 (II) SPECIFY THE ADMINISTRATIVE PROCESS FOR NOTIFYING THE  
10 DEPARTMENT OF REVENUE OF A SALE AND TRANSMITTING ANY  
11 INFORMATION REQUIRED BY THE DEPARTMENT OF REVENUE.

12 (c) RETAIN THE RIGHT TO DECIDE WHICH REGISTRATION NUMBERS  
13 THE CONTRACT ENTITY MAY SELL, WHICH RIGHT MUST BE EXPRESSED IN  
14 THE AGREEMENT WITH THE CONTRACT ENTITY;

15 (d) RETAIN THE RIGHT TO DECIDE THE PRICE AT WHICH EACH  
16 REGISTRATION NUMBER IS SOLD, WHICH RIGHT MUST BE EXPRESSED IN THE  
17 AGREEMENT WITH THE CONTRACT ENTITY;

18 (e) RETAIN THE RIGHT TO DECIDE ANY DECISION THAT AFFECTS  
19 THE POLICY OF THE STATE OF COLORADO, WHICH RIGHT MUST BE  
20 EXPRESSED IN THE AGREEMENT WITH THE CONTRACT ENTITY; AND

21 (f) DELEGATE TO THE CONTRACT ENTITY:

22 (I) THE DUTY TO SELL REGISTRATION NUMBERS IN ACCORDANCE  
23 WITH THE AGREEMENT; AND

24 (II) ALL BUSINESS DECISIONS CONCERNING THE MARKETING AND  
25 SALE OF REGISTRATION NUMBERS.

26 (8) The attorney general is the legal counsel for the committee.

27 (9) THE COMMITTEE, COMMITTEE MEETINGS, AND COMMITTEE

1 ACTIONS ARE SUBJECT TO THE OPEN MEETINGS LAW IN PART 4 OF ARTICLE  
2 6 OF THIS TITLE ; THE "COLORADO OPEN RECORDS ACT", PART 2 OF  
3 ARTICLE 72 OF THIS TITLE ; AND ETHICS IN GOVERNMENT IN ARTICLE XXIX  
4 OF THE COLORADO CONSTITUTION.

5 (10) (a) THE COMMITTEE SHALL STUDY FEASIBILITY AND BENEFITS  
6 OF CONTRACTING TO MANAGE AND MAKE GRANTS AND CONTRACTS FOR  
7 OTHER ENTITIES AND ISSUE A REPORT TO THE GENERAL ASSEMBLY BY  
8 OCTOBER 1, 2017, CONCERNING THE COMMITTEE'S CONCLUSIONS.

9 (b) THIS SUBSECTION (10) IS REPEALED, EFFECTIVE JULY 1, 2018.

10 **24-30-2204. [Formerly 42-1-402] License to buy and sell**  
11 **selected registration numbers for license plates.** (1) The state or a  
12 person may sell, and the state or a person may purchase, the exclusive  
13 right to use a registration number selected by the ~~group~~ COMMITTEE under  
14 section ~~42-1-404~~, 24-30-2205 for the purpose of registering a vehicle  
15 under article 3 of this title 42, C.R.S.

16 (2) The right to use a registration number is a license, the use of  
17 which is subject to compliance with this part 4 22. The duration of the  
18 license is determined by the ~~group~~ COMMITTEE.

19 **24-30-2205. [Formerly 42-1-404] Sale of registration numbers.**

20 (1) The ~~group~~ COMMITTEE shall raise money by ~~auctioning to a buyer~~  
21 ENTERING INTO AN AGREEMENT WITH A CONTRACT ENTITY TO SELL the  
22 right to use valuable letter and number combinations for a registration  
23 number. THE COMMITTEE SHALL REQUIRE THE CONTRACT ENTITY TO  
24 AUCTION REGISTRATION NUMBERS THAT ARE LIKELY TO BE WORTH  
25 SUBSTANTIALLY MORE THAN THE AVERAGE VALUE OF A REGISTRATION  
26 NUMBER.

27 (2) (a) The ~~group~~ COMMITTEE shall study the market and



1 determine which registration numbers are the most valuable, including  
2 both the types of plates currently issued and any type of plate that has  
3 been historically issued. Based on the study, the group COMMITTEE shall  
4 select the most valuable registration numbers and request the department  
5 OF REVENUE to verify whether plates with the THOSE registration numbers  
6 are currently issued. ~~The group shall not send the request to the~~  
7 ~~department more than once every six months.~~ THE COMMITTEE AND THE  
8 DEPARTMENT OF REVENUE SHALL ENTER INTO AN AGREEMENT  
9 ESTABLISHING A PROCESS FOR REQUESTING REGISTRATION NUMBERS THAT  
10 SPECIFIES THE FREQUENCY OF THESE REQUESTS.

11 (b) Upon receiving the group's COMMITTEE'S request, the  
12 department OF REVENUE shall verify whether the plates are currently  
13 issued. If the plate is not currently issued, the department OF REVENUE  
14 shall reserve the registration number until the group COMMITTEE notifies  
15 the department OF REVENUE to release the registration number.

16 (c) If a registration number is not currently issued, the group  
17 COMMITTEE may ~~auction~~ SELL the right to use the registration number in  
18 a manner calculated to bring the highest price; except that the department  
19 OF REVENUE may deny the sale or use of a registration number that is  
20 offensive or inappropriate.

21 (3) THE CONTRACT ENTITY SHALL TRANSFER TO THE FUND ANY  
22 PROCEEDS FROM THE SALE OF REGISTRATION NUMBERS UNDER THIS  
23 SECTION OR ADDITIONAL LICENSE PLATE OPTIONS AUTHORIZED UNDER  
24 SECTION 24-30-2203 (6) (h).

25 **24-30-2206. [Formerly 42-1-405] Private market - registration**  
26 **numbers - fee.** (1) The group COMMITTEE shall raise money by creating  
27 CONTRACTING WITH AN ENTITY TO DEVELOP a market, which may include

1 an on-line auction OR SALE site, for registration numbers using methods  
2 that are commercially reasonable, account for expenditures, and ensure  
3 the collection of the state's approval and transfer royalty FEES.

4 (2) The royalty COMMITTEE SHALL DETERMINE AN APPROPRIATE  
5 THE FEE for the state's approval and transfer of the right to use a  
6 registration number. ~~is twenty-five percent of the sale price of the~~  
7 ~~transfer. At the time of sale, the purchaser shall pay the royalty to the~~  
8 ~~group. This Payment OF THE FEE is IN ADDITION TO, AND not in lieu of, the~~  
9 normal registration fees or specific ownership tax.

10 (3) A person shall not sell a registration number, and the  
11 department OF REVENUE shall not assign a registration number TO A  
12 VEHICLE as a result of the SALE OF THE right to use the number, ~~being sold~~  
13 ~~to a vehicle~~ unless the registration number was sold using the market  
14 ~~created by the group~~ SALES PROCESS USED BY THE CONTRACT ENTITY.

15 **24-30-2207. [Formerly 42-1-406] Registration number -**  
16 **department of revenue - administration.** (1) The group CONTRACT  
17 ENTITY shall notify the department OF REVENUE when the right to use a  
18 registration number has been sold and the group COMMITTEE has collected  
19 the state's sale proceeds or approval and transfer royalty FEE. THE NOTICE  
20 MUST CONTAIN ANY INFORMATION REQUIRED BY THE DEPARTMENT OF  
21 REVENUE, INCLUDING THE REGISTRATION NUMBER AND THE DURATION OF  
22 THE LICENSE. Upon receiving the notice, the department OF REVENUE shall  
23 create a record in the Colorado state titling and registration system,  
24 created in section 42-1-211, C.R.S., containing the name of the buyer; the  
25 vehicle identification number, if applicable; and the corresponding  
26 registration number.

27 (2) If the registration number consists of a combination of letters

1 and numbers that is not within the normal format of A license plate  
2 currently produced for the department OF REVENUE, the department OF  
3 REVENUE shall issue the plates as personalized plates under section  
4 42-3-211, C.R.S.; except that, notwithstanding section 42-3-211, C.R.S.,  
5 the auction group COMMITTEE may AUTHORIZE THE CONTRACTING ENTITY  
6 TO sell, and the buyer or any subsequent buyer may use:

- 7 (a) A registration number or letter of one position; or
- 8 (b) Any symbol on the standard American keyboard or approved  
9 by the group COMMITTEE IF THE SYMBOL IS ALSO APPROVED BY THE  
10 DEPARTMENT OF REVENUE AND THE COLORADO STATE PATROL.

11 ~~(3) The group shall transfer the moneys collected under this part~~  
12 ~~4 to the state treasurer, who shall credit them to the registration number~~  
13 ~~fund created in section 42-1-407.~~

14 ~~(4) (3) The group COMMITTEE may contract with one or more~~  
15 ~~public or private entities to implement this part 4 22.~~

16 ~~(5) Any moneys received by the group shall be deposited in the~~  
17 ~~registration number fund.~~

18 **24-30-2208. [Formerly 24-30-2204] Program to assist persons**  
19 **to obtain disability benefits - repeal.** (1) ~~Within six months after the~~  
20 ~~first transfer to the disability-benefit support fund from the registration~~  
21 ~~number fund created in section 42-1-407, C.R.S., WHEN ADEQUATE~~  
22 ~~MONEY IS AVAILABLE, the committee shall invite nonprofit entities to~~  
23 ~~submit a proposal for a program to aid persons with disabilities in~~  
24 ~~accessing disability benefits. To qualify, the nonprofit organization must~~  
25 ~~be based in Colorado and governed by a board that:~~

- 26 (a) Is composed of persons with a demonstrated commitment to  
27 improving the lives of recipients with disabilities;

1 (b) Contains members who understand a range of significant  
2 disabilities, including physical and mental; and

3 (c) Contains a majority of either:

4 (I) Recipients with disabilities; or

5 (II) Family members of recipients with disabilities who have  
6 experience in representing the interests of a person with a disability.

7 (2) (a) (I) The committee shall review the proposed programs and  
8 shall award a contract to the nonprofit entity that best meets the  
9 requirements of this section in accordance with the "Procurement Code",  
10 articles 101 to 112 of this title.

11 (II) The term of the contract is one year. Before the contract  
12 expires, the committee shall evaluate whether the nonprofit entity and the  
13 contract are reasonably meeting the requirements of this section,  
14 including objective and quantitative evaluations, whenever possible, of  
15 the satisfaction of program applicants and participants, the program's  
16 success in obtaining disability benefits for program participants, the  
17 program's effectiveness at helping program participants obtain jobs, and  
18 improvements in the quality of life of program participants. The  
19 committee shall include the evaluation criteria in the contract.

20 (III) The committee may renew the contract annually for up to five  
21 years. After five years, the committee shall reopen the contract to a  
22 competitive bid process.

23 (b) The committee shall not award the contract unless the proposal  
24 includes:

25 (I) A system for evaluating whether a person with a disability is  
26 reasonably able to navigate the application process to obtain disability  
27 benefits, health care, and employment;

1 (II) A system for prioritizing the need of applicants based upon  
2 the evaluations;

3 (III) A plan for assisting persons with disabilities in navigating the  
4 processes of obtaining and retaining disability benefits, health care, and  
5 employment;

6 (IV) A plan for ~~establishment of~~ ESTABLISHING working  
7 relationships with state agencies, county departments of human services,  
8 health care providers, the United States social security administration, and  
9 the business community;

10 (V) A policy of preferential hiring of persons with disabilities;

11 (VI) Reasonable standards for accounting control of expenditures;

12 (VII) Metrics to evaluate the program's quality and  
13 cost-effectiveness;

14 (VIII) ~~Effective July 1, 2016, the ability to serve persons with~~  
15 ~~disabilities statewide~~ A PLAN TO PROVIDE INFORMATION AND REFERRALS  
16 TO OTHER PROGRAMS THAT ASSIST APPLICANTS WITH DISABILITIES; and

17 (IX) A plan for serving persons with disabilities statewide within  
18 five years. ~~This subparagraph (IX) is repealed, effective July 1, 2016.~~

19 (c) The committee shall not discriminate against a contracting  
20 entity for advocacy concerning persons with disabilities.

21 (3) The entity awarded a contract under this section shall make  
22 quarterly reports of expenditures to the ~~department of personnel, which~~  
23 ~~shall make the reports available to the~~ committee. The committee shall  
24 include in the contract a method and format for making the reports.

25 **24-30-2209. [Formerly 24-30-2204.5] Program to investigate,**  
26 **fund, and pilot projects or programs to benefit persons with**  
27 **disabilities.** (1) The committee shall accept and review proposals to fund

1 projects or programs that study or pilot new and innovative ideas that will  
2 lead to an improved quality of life or increased independence for persons  
3 with disabilities. Proposals may be accepted throughout the year, and  
4 grants or loans may be made by the committee at its regular meetings.  
5 ~~The disability investigational and pilot support fund created in section~~  
6 ~~24-30-2205.5 shall be the sole source to fund any grants or loans made~~  
7 ~~pursuant to this section.~~

8 (2) To be eligible for funding pursuant to UNDER this section, a  
9 project or program must:

10 (H) (a) Demonstrate a capability to be self-sustaining or otherwise  
11 be able to develop long-term independent funding; and

12 (H) (b) Have a governing body or board that is composed of  
13 persons with a demonstrated commitment to improving the lives of  
14 persons with disabilities and have a majority be persons with disabilities  
15 or family members of persons with disabilities. ~~or~~

16 ~~(b) Be the license plate auction group established in section~~  
17 ~~42-1-403, C.R.S.~~

18 **24-30-2210. [Formerly 24-30-2205] Disability support fund.**

19 (1) The ~~disability-benefit~~ DISABILITY support fund is hereby created in  
20 the state treasury. The moneys in the fund consist of amounts transferred  
21 UNDER THIS PART 22 to the fund, ~~under section 42-1-407, C.R.S., or~~  
22 ~~transferred to the fund under section 24-30-2203 (5) MONEYS~~  
23 TRANSFERRED TO THE FUND UNDER SECTION 25.5-5-308 (8), C.R.S.,  
24 MONEYS APPROPRIATED TO THE FUND BY THE GENERAL ASSEMBLY, THE  
25 PROCEEDS FROM THE SALE OF REGISTRATION NUMBERS AND ADDITIONAL  
26 OPTIONS, THE FEES FROM PRIVATE SALES OF REGISTRATION NUMBERS, AND  
27 ANY GIFTS, GRANTS, OR DONATIONS RECEIVED BY THE COMMITTEE TO

1 IMPLEMENT THIS PART 22.

2 (2) The committee shall use the moneys in the fund to implement  
3 this part 22. ~~except that the committee may direct the state treasurer to~~  
4 ~~transfer moneys in the fund to the registration number fund created in~~  
5 ~~section 42-1-407, C.R.S., to fund the implementation of part 4 of article~~  
6 ~~1 of title 42, C.R.S. The committee shall not use more than five percent~~  
7 ~~of the money in the fund to administer this part 22. THE COMMITTEE~~  
8 ~~SHALL USE THE MONEYS FROM THE PROCEEDS OF REGISTRATION NUMBER~~  
9 ~~SALES TO FULLY IMPLEMENT SECTION 24-30-2208 BEFORE USING THE~~  
10 ~~MONEYS TO IMPLEMENT SECTION 24-30-2209.~~

11 (3) The state treasurer shall credit all interest earned on the  
12 investment of moneys in the fund to the fund. At the end of each fiscal  
13 year, the moneys in the fund, including income earned from investment,  
14 remain in the fund. The general assembly shall appropriate the moneys in  
15 the fund to ~~the department of personnel or governor's office to implement~~  
16 ~~this part 22.~~

17 (4) ANY MONEYS USED TO IMPLEMENT ADDITIONAL LICENSE PLATE  
18 OPTIONS SHALL NOT BE TRANSFERRED TO THE DEPARTMENT OF REVENUE.  
19 THE COMMITTEE OR CONTRACT ENTITY SHALL TRANSFER THE MONEYS  
20 DIRECTLY TO THE DIVISION OF CORRECTIONAL INDUSTRIES.

21 **24-30-2211. [Formerly 24-30-2206] Implementation.**

22 ~~(1) Except as provided for in subsection (2) of this section, The general~~  
23 ~~assembly does not intend to require~~ INTENDS the department of personnel  
24 to ~~expend~~ BE REIMBURSED FROM THE FUND FOR ANY moneys THE  
25 DEPARTMENT OF PERSONNEL EXPENDS to implement this part 22.  
26 ~~Notwithstanding any other section of this part 22, the department of~~  
27 ~~personnel and the committee need not implement this part 22 until the~~

1 ~~disability-benefit support fund contains enough money to implement this~~  
2 ~~part 22.~~

3 ~~(2) The department of personnel shall begin implementation of~~  
4 ~~section 24-30-2204.5 at such time as the disability investigational and~~  
5 ~~pilot support fund contains sufficient funds for implementation, as~~  
6 ~~determined by the committee.~~

7 **24-30-2212. Accounting - fiscal year spending - legislative**  
8 **declaration.** THE GENERAL ASSEMBLY HEREBY DECLARES THAT THE SALE  
9 OF REGISTRATION NUMBERS UNDER THIS PART 22 IS A PROPERTY SALE IN  
10 THE FORM OF AN INTANGIBLE RIGHT AS DEFINED BY SECTION 24-77-102,  
11 AND, THEREFORE, ANY MONEYS EXPENDED UNDER THIS ACT FROM A  
12 PROPERTY SALE DO NOT CONSTITUTE STATE FISCAL YEAR SPENDING AS  
13 DEFINED BY SECTION 24-77-102.

14 **24-30-2213. Transfer to department of human services - study**  
15 **- repeal.** (1) SUBJECT TO LEGISLATION BEING PASSED BY THE GENERAL  
16 ASSEMBLY, THE GENERAL ASSEMBLY INTENDS FOR THE COMMITTEE TO BE  
17 TRANSFERRED TO THE DEPARTMENT OF HUMAN SERVICES. THEREFORE,  
18 THE COMMITTEE, GOVERNOR'S OFFICE, AND DEPARTMENT OF HUMAN  
19 SERVICES SHALL STUDY THE INTENDED TRANSFER, INCLUDING:

20 (a) THE TYPE OF TRANSFER THAT IS APPROPRIATE AND MOST  
21 USEFUL TO THE OPERATION OF THE COMMITTEE AND THE COMMITTEE'S  
22 LEVEL OF INDEPENDENCE FROM OVERSIGHT;

23 (b) WHETHER THE COMMITTEE OR THE DEPARTMENT OF HUMAN  
24 SERVICES SHOULD HIRE EMPLOYEES;

25 (c) WHETHER THE COMMITTEE SHOULD CREATE A BUDGET, MAKE  
26 PURCHASES, PLAN, MANAGE, AND ACCOUNT FOR THE COMMITTEE'S  
27 INTERNAL AFFAIRS; AND



1 (d) WHETHER THE COMMITTEE SHOULD USE THE DEPARTMENT OF  
2 HUMAN SERVICES TO COMPLY WITH THE "PROCUREMENT CODE", ARTICLES  
3 101 TO 112 OF THIS TITLE.

4 (2) THE STUDY MUST INCLUDE ANY APPROPRIATE STAKEHOLDERS,  
5 SUCH AS ANY DEPARTMENT UNDER CONSIDERATION, AND MUST ADDRESS  
6 THE DEGREE OF INDEPENDENCE OR TYPE OF COMMITTEE THAT IS  
7 APPROPRIATE. THE COMMITTEE MAY ALSO STUDY ANY CHANGES TO ITS  
8 OPERATION OR THE STATUTES THAT WOULD INCREASE THE EFFICIENCY OR  
9 EFFECTIVENESS OF THE COMMITTEE'S FUNCTIONS. BY NOVEMBER 1, 2015,  
10 THE COMMITTEE SHALL MAKE RECOMMENDATIONS TO THE GOVERNOR  
11 BASED ON THE STUDY.

12 (3) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016.

13 **24-30-2214. Administration - transfers - repeal.** (1) WITHIN  
14 SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS PART 22, THE TREASURER  
15 SHALL TRANSFER THE MONEYS IN THE REGISTRATION NUMBER FUND  
16 CREATED BY SECTION 42-1-407, C.R.S., BEFORE ITS REPEAL IN 2015, AND  
17 IN THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND CREATED  
18 BY SECTION 24-30-2205.5, AS THESE FUNDS EXISTED BEFORE THE  
19 EFFECTIVE DATE OF THIS PART 22, TO THE FUND.

20 (2) (a) NOTWITHSTANDING THE REPEAL OF PART 4 OF ARTICLE 1 OF  
21 TITLE 42, C.R.S., THE REGISTRATION NUMBER FUND AND THE LICENSE  
22 PLATE AUCTION GROUP CREATED IN SECTION 42-1-403, C.R.S., BEFORE ITS  
23 REPEAL IN 2015, CONTINUE IN EXISTENCE FOR SIXTY DAYS AFTER THE  
24 EFFECTIVE DATE OF THIS PART 22 TO WIND UP AFFAIRS AND MAKE OR  
25 FACILITATE THE TRANSFERS REQUIRED BY THIS SECTION.

26 (b) ANY REGISTRATION NUMBERS RESERVED BY THE LICENCE  
27 PLATE AUCTION GROUP BEFORE THE EFFECTIVE DATE OF THIS PART 22

1 CONTINUE TO BE RESERVED BY THE COMMITTEE FOR THE PURPOSES OF THIS  
2 SECTION.

3 (c) WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS PART  
4 22, THE LICENSE PLATE AUCTION GROUP SHALL TRANSFER ALL RECORDS,  
5 PROPERTY, AND INFORMATION TO THE COMMITTEE.

6 (3) THE DEPARTMENT OF REVENUE SHALL ASSIST THE LICENSE  
7 PLATE AUCTION GROUP IN IMPLEMENTING THIS SECTION.

8 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016.

9 **24-30-2215. [Formerly 24-30-2207] Sunset review - repeal of**  
10 **part 22.** (1) This part 22 is repealed, effective September 1, 2021.

11 (2) Prior to such THE repeal, the department of regulatory agencies  
12 shall review the assistance program for disability benefits as provided for  
13 in section 24-34-104.

14 **SECTION 2. Repeal of relocated and nonrelocated provisions**  
15 **in this act.** In Colorado Revised Statutes, **repeal** part 4 of article 1 of title  
16 42; except that sections 42-1-401 (1), 42-1-403, and 42-1-407 are not  
17 relocated.

18 **SECTION 3.** In Colorado Revised Statutes, 25-1-801, **amend** (5)  
19 (c) (II) (A) as follows:

20 **25-1-801. Patient records in custody of health care facility -**  
21 **definitions.** (5) As used in this part 8, unless the context otherwise  
22 requires:

23 (c) (II) Notwithstanding any other provision of this part 8:

24 (A) If a patient record is requested by a third-party entity THAT IS  
25 PERFORMING DUTIES under the "Laura Hershey ~~Disability-Benefit~~  
26 DISABILITY Support Act", part 22 of article 30 of title 24, C.R.S., the third  
27 party may obtain one free copy of the record for the application process

1 or for an appeal or reapplication when required by the disability benefit  
2 administrator;

3 **SECTION 4.** In Colorado Revised Statutes, 25.5-5-308, **amend**  
4 (8) (b.5) as follows:

5 **25.5-5-308. Breast and cervical cancer prevention and**  
6 **treatment program - creation - legislative declaration - definitions -**  
7 **funds - repeal.** (8) (b.5) Until section ~~24-30-2204.5~~ 24-30-2210, C.R.S.,  
8 is repealed, the state treasurer shall transfer any interest or income earned  
9 on moneys in the fund to the ~~disability investigational and pilot~~  
10 **DISABILITY** support fund, created in section ~~24-30-2205.5~~ 24-30-2210,  
11 C.R.S.

12 **SECTION 5.** In Colorado Revised Statutes, **repeal** 39-22-535 as  
13 follows:

14 **39-22-535. Credit for purchase of uniquely valuable motor**  
15 **vehicle registration numbers.** (1) ~~For tax years commencing on or after~~  
16 ~~January 1, 2013, a person who buys a registration number under section~~  
17 ~~42-1-402, C.R.S., is allowed a credit against the income taxes imposed by~~  
18 ~~this article for twenty percent of the portion of the purchase price that the~~  
19 ~~license plate auction group, created in section 42-1-403, C.R.S., certifies~~  
20 ~~exceeds the registration number's fair market value. This is the value the~~  
21 ~~license plate auction group expects from the sale of the registration~~  
22 ~~number, not the cost of registering the vehicle.~~

23 (2) ~~If the credit allowed by this section exceeds the tax otherwise~~  
24 ~~due, the taxpayer may carry it forward for up to five years but shall claim~~  
25 ~~it on the earliest possible subsequent tax return.~~

26 **SECTION 6.** In Colorado Revised Statutes, 42-3-211, **amend** (3)  
27 (a) as follows:

1           **42-3-211. Issuance of personalized plates authorized.**

2           (3) (a) Personalized license plates shall be the same color and design as  
3           regular motor vehicle license plates, shall consist of any combination of  
4           numbers or letters not exceeding seven positions and not less than two  
5           positions except as otherwise provided in section ~~42-1-406~~ (2)  
6           24-30-2207, C.R.S., and shall not conflict with existing passenger,  
7           commercial, trailer, motorcycle, or other special license plates series;  
8           except that personalized license plates bearing the words "street rod" shall  
9           be of a design determined by the executive director of the department,  
10          which design shall be different from those used by the state for regular  
11          motor vehicle license plates.

12           **SECTION 7. Appropriation - adjustments to 2015 long bill.**

13          (1) To implement this act, the cash funds appropriation from the  
14          disability-benefit support fund created in section 24-30-2205, C.R.S.,  
15          made in the annual general appropriation act for the 2015-16 state fiscal  
16          year to the department of personnel for personal services in the executive  
17          director's office is decreased by \$15,648, and the related FTE is decreased  
18          by 0.3 FTE.

19          (2) For the 2015-16 state fiscal year, \$77,428 is appropriated to  
20          the department of personnel. This appropriation is from the disability  
21          support fund created in section 24-30-2210, C.R.S. To implement this act,  
22          the department may use this appropriation as follows:

23                  (a) \$37,951 for use by the executive director's office for personal  
24                  services, which amount is based on an assumption that the office will  
25                  require an additional 0.6 FTE;

26                  (b) \$5,273 for use by the executive director's office for operating  
27                  expenses; and

1 (c) \$34,204 for the purchase of legal services.

2 (3) For the 2015-16 state fiscal year, \$34,204 is appropriated to  
3 the department of law. This appropriation is from reappropriated funds  
4 received from the department of personnel under paragraph (c) of  
5 subsection (2) of this section. To implement this act, the department of  
6 law may use this appropriation to provide legal services for the  
7 department of personnel.

8 **SECTION 8. Safety clause.** The general assembly hereby finds,  
9 determines, and declares that this act is necessary for the immediate  
10 preservation of the public peace, health, and safety.