

**Second Regular Session  
Seventy-first General Assembly  
STATE OF COLORADO**

**PREAMENDED**

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

LLS NO. 18-0232.01 Jery Payne x2157

**HOUSE BILL 18-1255**

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**HOUSE SPONSORSHIP**

**Duran and Carver,**

**SENATE SPONSORSHIP**

**Cooke and Kefalas,**

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**House Committees**

Transportation & Energy  
Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF A CHILDHOOD CANCER AWARENESS**  
102 **LICENSE PLATE, AND, IN CONNECTION THEREWITH, MAKING AN**  
103 **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://leg.colorado.gov>.)*

The bill creates the childhood cancer awareness license plate. A person becomes eligible to use the plate by providing a certificate confirming that the person has made a donation to an organization chosen by the department of revenue based on the organization's assistance to children with cancer.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

In addition to the standard 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.

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 42-3-252 as  
3 follows:

4           **42-3-252. Special plates - childhood cancer awareness plate.**

5 (1) BEGINNING ON OR BEFORE JANUARY 1, 2019, THE DEPARTMENT SHALL  
6 ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE  
7 WITH THIS SECTION FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR  
8 NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT DO NOT  
9 EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

10           (2) (a) THERE IS HEREBY ESTABLISHED THE CHILDHOOD CANCER  
11 AWARENESS LICENSE PLATE. THE DEPARTMENT MAY STOP ISSUING THE  
12 PLATE IF FEWER THAN THREE THOUSAND PLATES ARE ISSUED BY JULY 1,  
13 2023. A PERSON WHO WAS ISSUED A CHILDHOOD CANCER AWARENESS  
14 LICENSE PLATE ON OR BEFORE JULY 1, 2023, MAY CONTINUE TO USE IT  
15 AFTER JULY 1, 2023, REGARDLESS OF WHETHER THE DEPARTMENT STOPS  
16 ISSUING THE SPECIAL LICENSE PLATE.

17           (b) THE DEPARTMENT SHALL USE A DESIGN FROM AN  
18 ORGANIZATION MEETING THE STANDARDS OF SUBSECTION (3) OF THIS  
19 SECTION, BUT THE DESIGN MUST CONFORM TO DEPARTMENT STANDARDS  
20 AND BE APPROVED BY THE DEPARTMENT.

21           (3) (a) AT LEAST ONCE EVERY FIVE YEARS, THE DEPARTMENT  
22 SHALL DESIGNATE AN ORGANIZATION TO QUALIFY APPLICANTS TO BE  
23 ISSUED THE CHILDHOOD CANCER AWARENESS LICENSE PLATE. THE  
24 ORGANIZATION MUST:

- 1 (I) BE HEADQUARTERED IN COLORADO;
- 2 (II) HAVE BEEN IN EXISTENCE FOR AT LEAST FIVE YEARS;
- 3 (III) ENSURE THAT THE MONEY FROM THE DONATIONS REQUIRED
- 4 IN SUBSECTION (3)(b) OF THIS SECTION COVER COSTS FOR OPERATIONS IN
- 5 COLORADO OR ARE SPENT, IN ACCORDANCE WITH SUBSECTION (3)(a)(IV)
- 6 OF THIS SECTION, IN COLORADO; AND
- 7 (IV) SPEND AT LEAST FIFTY PERCENT OF THE ORGANIZATION'S
- 8 REVENUE FINANCIALLY ASSISTING:

- 9
- 10 (A) FAMILIES WITH MINORS BEING TREATED IN COLORADO FOR
- 11 CANCER; OR
- 12 (B) RESEARCH FOUNDATIONS THAT PROVIDE MONEY FOR
- 13 PEDIATRIC CANCER RESEARCH.

14 (b) A PERSON MAY APPLY FOR A CHILDHOOD CANCER AWARENESS  
15 LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED  
16 UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR AN  
17 AUTHORIZED AGENT A CERTIFICATE ISSUED BY THE ORGANIZATION  
18 CHOSEN IN ACCORDANCE WITH THIS SUBSECTION (3) CONFIRMING THAT  
19 THE APPLICANT HAS MADE A DONATION TO THE ORGANIZATION. THE  
20 ORGANIZATION MAY ESTABLISH A MINIMUM DONATION AMOUNT TO  
21 QUALIFY FOR THE PLATE. THE AMOUNT MUST NEITHER BE LESS THAN  
22 TWENTY-FIVE DOLLARS NOR MORE THAN SEVENTY-FIVE DOLLARS. THE  
23 ORGANIZATION SHALL USE THE DONATION TO FINANCIALLY ASSIST:

- 24 (I) FAMILIES OF A MINOR BEING TREATED IN COLORADO FOR
- 25 CANCER; OR
- 26 (II) RESEARCH FOUNDATIONS THAT PROVIDE MONEY FOR
- 27 PEDIATRIC CANCER RESEARCH.

1           (c) TO QUALIFY APPLICANTS TO HAVE A CHILDHOOD CANCER  
2 AWARENESS LICENSE PLATE, THE ORGANIZATION CHOSEN IN ACCORDANCE  
3 WITH THIS SUBSECTION (3) MUST FILE WITH THE DEPARTMENT AN ANNUAL  
4 STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION UNLESS  
5 THE DEPARTMENT STOPS ISSUING THE LICENSE PLATE.

6           (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE  
7 PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES  
8 AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT  
9 THE DEPARTMENT SHALL COLLECT AN ADDITIONAL ONE-TIME FEE OF  
10 TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE LICENSE  
11 PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME  
12 FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE  
13 HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201.

14           (5) AN APPLICANT MAY APPLY FOR PERSONALIZED CHILDHOOD  
15 CANCER AWARENESS LICENSE PLATES. UPON PAYMENT OF THE  
16 ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6)(a) FOR  
17 PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE THE PLATES  
18 IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT  
19 HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE  
20 APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS  
21 TO A NEW SET OF CHILDHOOD CANCER AWARENESS LICENSE PLATES FOR  
22 THE VEHICLE UPON PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6)(a)  
23 AND UPON TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A  
24 PERSON WHO HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS  
25 SUBSECTION (5) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION  
26 42-3-211 (6)(b) FOR RENEWAL OF THE PERSONALIZED PLATES. THE FEES  
27 UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER APPLICABLE

1 TAXES AND FEES.

2 **SECTION 2.** In Colorado Revised Statutes, **amend** 42-3-312 as  
3 follows:

4 **42-3-312. Special license plate surcharge.** In addition to any  
5 other fee imposed by this article 3, an applicant for a special license plate  
6 created by rule in accordance with section 42-3-207, as the section existed  
7 when the plate was created, or license plates issued pursuant to sections  
8 42-3-211 to ~~42-3-218~~ 42-3-214, SECTIONS 42-3-217 TO 42-3-218, sections  
9 42-3-221 to 42-3-234, and sections 42-3-237 to ~~42-3-251~~ 42-3-252 shall  
10 pay an issuance fee of twenty-five dollars; except that the fee is not  
11 imposed on special license plates exempted from additional fees for the  
12 issuance of a military special license plate by section 42-3-213 (1)(b)(II).  
13 The department shall transfer the fee to the state treasurer, who shall  
14 credit it to the licensing services cash fund created in section 42-2-114.5.

15 **SECTION 3. Appropriation.** For the 2018-19 state fiscal year,  
16 \$8,288 is appropriated to the department of revenue for use by the  
17 division of motor vehicles. This appropriation is from the license plate  
18 cash fund created in section 42-3-301 (1)(b), C.R.S. To implement this  
19 act, the division may use this appropriation for license plate ordering.

20 **SECTION 4. Act subject to petition - effective date.** This act  
21 takes effect at 12:01 a.m. on the day following the expiration of the  
22 ninety-day period after final adjournment of the general assembly (August  
23 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a  
24 referendum petition is filed pursuant to section 1 (3) of article V of the  
25 state constitution against this act or an item, section, or part of this act  
26 within such period, then the act, item, section, or part will not take effect  
27 unless approved by the people at the general election to be held in

- 1 November 2018 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.