

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. 18-1207.01 Jery Payne x2157

**HOUSE BILL 18-1424**

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**HOUSE SPONSORSHIP**

**Salazar and Duran,**

**SENATE SPONSORSHIP**

**Guzman and Williams A.,**

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**House Committees**

Transportation & Energy  
Finance  
Appropriations

**Senate Committees**

Finance  
Appropriations

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**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF A CHICANA/O SPECIAL LICENSE PLATE,**  
102 **AND, IN CONNECTION THEREWITH, MAKING 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://leg.colorado.gov>.)*

The bill creates the Chicana/o special 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 provision of services to the Latino community. The organization may implement the bill by making grants to other organizations that also qualify under the standards

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.

HOUSE  
3rd Reading Unamended  
May 7, 2018

HOUSE  
Amended 2nd Reading  
May 4, 2018

of the bill.

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 - Chicana/o license plate.**

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

11 (2) (a) THERE IS HEREBY ESTABLISHED THE CHICANA/O LICENSE  
12 PLATE. THE DEPARTMENT MAY STOP ISSUING THE CHICANA/O LICENSE  
13 PLATE IF THREE THOUSAND LICENSE PLATES ARE NOT ISSUED BY JULY 1,  
14 2023. A PERSON WHO WAS ISSUED A CHICANA/O LICENSE PLATE ON OR  
15 BEFORE JULY 1, 2023, MAY CONTINUE TO USE THE LICENSE PLATE AFTER  
16 JULY 1, 2023, REGARDLESS OF WHETHER THE DEPARTMENT STOPS ISSUING  
17 THE SPECIAL LICENSE PLATE.

18 (b) THE DEPARTMENT SHALL DESIGN THE SPECIAL LICENSE PLATE  
19 WITH INPUT FROM INTERESTED PERSONS TO SHOW THAT THE OWNER  
20 SUPPORTS THE LATINO COMMUNITY.

21 (3) (a) AT LEAST ONCE EVERY FIVE YEARS, THE DEPARTMENT  
22 SHALL DESIGNATE ONE OR MORE ORGANIZATIONS TO QUALIFY APPLICANTS  
23 TO BE ISSUED THE CHICANA/O LICENSE PLATE. ANY ORGANIZATION IS

1 ELIGIBLE TO BE SELECTED AND RETAINED IF THE ORGANIZATION HAS  
2 RECEIVED A DETERMINATION LETTER FROM THE INTERNAL REVENUE  
3 SERVICE GRANTING THE ORGANIZATION TAX-EXEMPT STATUS UNDER 26  
4 U.S.C. SEC. 501 (c)(3) AND IF THE ORGANIZATION:

5 (I) IS BASED IN COLORADO;

6 (II) HAS BEEN IN EXISTENCE FOR AT LEAST THREE YEARS;

7

8 (III) USES AT LEAST SEVENTY-FIVE PERCENT OF THE  
9 ORGANIZATION'S REVENUES TO PROVIDE SERVICES TO THE COLORADO  
10 LATINO COMMUNITY; AND

11 (IV) COMPLIES WITH THIS SECTION.

12 (b) AN ORGANIZATION CHOSEN TO QUALIFY APPLICANTS TO BE  
13 ISSUED A LICENSE PLATE MAY PROVIDE SERVICES DIRECTLY OR BY ACTING  
14 AS A FISCAL AGENT BY IMPLEMENTING A GRANT PROGRAM TO OTHER  
15 ORGANIZATIONS THAT PROVIDE SERVICES. TO QUALIFY FOR A GRANT  
16 USING MONEY RAISED UNDER THIS SECTION, THE ORGANIZATION MUST  
17 MEET THE REQUIREMENTS ESTABLISHED IN SUBSECTION (3)(a) OF THIS  
18 SECTION. TO IMPLEMENT THIS PROGRAM AS A FISCAL AGENT MAKING  
19 GRANTS, THE FISCAL AGENT SHALL NOT RETAIN OR SPEND MORE THAN TEN  
20 PERCENT OF THE MONEY RAISED UNDER THIS SECTION ON ADMINISTRATIVE  
21 COSTS.

22 (c) A PERSON MAY APPLY FOR A CHICANA/O LICENSE PLATE IF THE  
23 PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS SECTION AND  
24 PROVIDES TO THE DEPARTMENT OR AN AUTHORIZED AGENT A CERTIFICATE  
25 ISSUED BY THE ORGANIZATION CHOSEN IN ACCORDANCE WITH THIS  
26 SUBSECTION (3) CONFIRMING THAT THE APPLICANT HAS MADE A DONATION  
27 TO THE ORGANIZATION. THE ORGANIZATION MAY ESTABLISH A MINIMUM

1 DONATION AMOUNT TO QUALIFY FOR THE PLATE. THE ORGANIZATION  
2 SHALL USE THE DONATION TO SUPPORT LATINO COMMUNITIES.

3 (d) THE ORGANIZATION CHOSEN IN ACCORDANCE WITH THIS  
4 SUBSECTION (3) SHALL FILE WITH THE DEPARTMENT AN ANNUAL  
5 STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION UNLESS  
6 THE DEPARTMENT STOPS ISSUING THE LICENSE PLATE.

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

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

1 APPLICABLE 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, sections 42-3-221 to 42-3-234, and sections  
9 42-3-237 to ~~42-3-251~~ **42-3-252** shall pay an issuance fee of twenty-five  
10 dollars; except that the fee is not imposed on special license plates  
11 exempted from additional fees for the issuance of a military special  
12 license plate by section 42-3-213 (1)(b)(II). The department shall transfer  
13 the fee to the state treasurer, who shall credit it to the licensing services  
14 cash fund created in section 42-2-114.5.

15 **SECTION 3. Appropriation.** For the 2018-19 state fiscal year,  
16 \$8,389 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.