

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

INTRODUCED

LLS NO. 20-1116.01 Jery Payne x2157

SENATE BILL 20-196

SENATE SPONSORSHIP

Todd, Crowder, Fields, Garcia, Ginal, Hansen, Hisey, Priola, Story, Winter

HOUSE SPONSORSHIP

Michaelson Jenet, Bird, Buentello, Cutter, Esgar, Froelich, Gonzales-Gutierrez, Hooton, Jackson, Kipp, Liston, McCluskie, McLachlan, Roberts, Singer, Snyder, Williams D., Young

Senate Committees
Transportation & Energy

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A SPECIAL END-OF-LIFE CARE LICENSE**
102 **PLATE.**

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 hospice and palliative care license plate for vehicles. A person is qualified to be issued the plate if the person makes a donation to a designated nonprofit organization. Portions of the fees for the issuance of the plate or a personalized version of the plate are credited to the highway users tax fund and the licensing services cash fund.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** 42-3-255 as
3 follows:

4 **42-3-255. Special plates - hospice and palliative care.** (1) ON
5 AND AFTER JANUARY 1, 2021, THE DEPARTMENT SHALL ISSUE SPECIAL
6 LICENSE PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS
7 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 HOSPICE AND
11 PALLIATIVE CARE LICENSE PLATE.

12 (b) THE DEPARTMENT SHALL USE A DESIGN FROM AN
13 ORGANIZATION MEETING THE STANDARDS OF SUBSECTION (3) OF THIS
14 SECTION, BUT THE DESIGN MUST CONFORM TO DEPARTMENT STANDARDS
15 AND BE APPROVED BY THE DEPARTMENT.

16 (3) (a) AT LEAST ONCE EVERY FIVE YEARS, THE DEPARTMENT
17 SHALL DESIGNATE AN ORGANIZATION TO QUALIFY APPLICANTS TO BE
18 ISSUED THE HOSPICE AND PALLIATIVE CARE LICENSE PLATE. THE
19 ORGANIZATION MUST:

20 (I) BE INCORPORATED OR BASED IN COLORADO;

21 (II) HAVE BEEN IN EXISTENCE FOR AT LEAST FORTY YEARS;

22 (III) HOLD AN ANNUAL STATEWIDE HOSPICE OR PALLIATIVE CARE
23 CONFERENCE IN COLORADO;

24 (IV) PROVIDE EDUCATION AND EDUCATIONAL RESOURCES ABOUT
25 COLORADO HOSPICE AND PALLIATIVE CARE TO COLORADO PROVIDERS OF
26 CARE AND TO MEMBERS OF THE PUBLIC; AND

1 (V) BE A NONPROFIT ORGANIZATION, AS THE TERM IS USED IN 26
2 U.S.C. SEC. 501 (c)(3).

3 (b) A PERSON MAY APPLY FOR A HOSPICE AND PALLIATIVE CARE
4 LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED
5 UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR AN
6 AUTHORIZED AGENT A CERTIFICATE ISSUED BY THE ORGANIZATION
7 CHOSEN IN ACCORDANCE WITH THIS SUBSECTION (3) CONFIRMING THAT
8 THE APPLICANT HAS MADE A DONATION TO THE DESIGNATED
9 ORGANIZATION. THE ORGANIZATION MAY ESTABLISH A MINIMUM
10 DONATION AMOUNT TO QUALIFY FOR THE LICENSE PLATE. THE
11 ORGANIZATION SHALL USE EACH DONATION TO SUPPORT HOSPICE AND
12 PALLIATIVE CARE PROGRAMMING IN COLORADO.

13 (c) TO QUALIFY APPLICANTS TO HAVE A HOSPICE AND PALLIATIVE
14 CARE LICENSE PLATE, THE ORGANIZATION CHOSEN IN ACCORDANCE WITH
15 THIS SUBSECTION (3) MUST FILE WITH THE DEPARTMENT AN ANNUAL
16 STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

17 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE
18 PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES
19 AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT
20 THE DEPARTMENT SHALL COLLECT AN ADDITIONAL ONE-TIME FEE OF
21 TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE LICENSE
22 PLATES. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME
23 FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE
24 HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201.

25 (5) A PERSON MAY APPLY FOR PERSONALIZED HOSPICE AND
26 PALLIATIVE CARE LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL
27 FEE REQUIRED BY SECTION 42-3-211 (6)(a) FOR PERSONALIZED LICENSE

1 PLATES, THE DEPARTMENT MAY ISSUE THE PLATES IF THE APPLICANT
2 COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING
3 PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT
4 MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET
5 OF HOSPICE AND PALLIATIVE CARE LICENSE PLATES FOR THE VEHICLE
6 AFTER PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6)(a) AND
7 TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO
8 HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS SUBSECTION
9 (5) MUST PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6)(b) FOR
10 RENEWAL OF THE PERSONALIZED PLATES. THE FEES UNDER THIS
11 SUBSECTION (5) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES AND
12 FEES.

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

15 **42-3-312. Special license plate surcharge.** In addition to any
16 other fee imposed by this article 3, an applicant for a special license plate
17 created by rule in accordance with section 42-3-207, as the section existed
18 when the plate was created, or license plates issued pursuant to sections
19 42-3-211 to 42-3-214, sections 42-3-217 to 42-3-218, sections 42-3-221
20 to 42-3-234, and sections 42-3-237 to ~~42-3-254~~ 42-3-255 shall pay an
21 issuance fee of twenty-five dollars; except that the fee is not imposed on
22 special license plates exempted from additional fees for the issuance of
23 a military special license plate by section 42-3-213 (1)(b)(II). The
24 department shall transfer the fee to the state treasurer, who shall credit it
25 to the licensing services cash fund created in section 42-2-114.5.

26 **SECTION 3. Act subject to petition - effective date.** This act
27 takes effect at 12:01 a.m. on the day following the expiration of the

1 ninety-day period after final adjournment of the general assembly (August
2 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
3 referendum petition is filed pursuant to section 1 (3) of article V of the
4 state constitution against this act or an item, section, or part of this act
5 within such period, then the act, item, section, or part will not take effect
6 unless approved by the people at the general election to be held in
7 November 2020 and, in such case, will take effect on the date of the
8 official declaration of the vote thereon by the governor.