

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 21-1128

BY REPRESENTATIVE(S) Michaelson Jenet, Bird, Esgar, Hooton, Kipp, Young, Burnett, Bockenfeld, Cutter, Jodeh, Lontine, McLachlan, Ricks; also SENATOR(S) Hansen and Winter, Story, Jaquez Lewis.

CONCERNING THE CREATION OF A SPECIAL LICENSE PLATE FOR END-OF-LIFE CARE, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 42-3-256 as follows:

42-3-256. Special plates - hospice and palliative care. (1) ON AND AFTER JANUARY 1, 2022, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE WITH 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 HOSPICE AND PALLIATIVE CARE LICENSE PLATE.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

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

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

(I) BE INCORPORATED OR BASED IN COLORADO;

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

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

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

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

(b) (I) A PERSON MAY APPLY FOR A HOSPICE AND PALLIATIVE CARE 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 THE ORGANIZATION CHOSEN IN ACCORDANCE WITH THIS SUBSECTION (3) CONFIRMING THAT THE APPLICANT HAS MADE A DONATION TO THE DESIGNATED ORGANIZATION. THE ORGANIZATION MAY ESTABLISH A MINIMUM DONATION AMOUNT TO QUALIFY FOR THE LICENSE PLATE. THE ORGANIZATION SHALL USE EACH DONATION TO SUPPORT HOSPICE AND PALLIATIVE CARE PROGRAMMING IN COLORADO.

(II) THE DEPARTMENT SHALL NOT RENEW THE REGISTRATION OF A HOSPICE AND PALLIATIVE CARE LICENSE PLATE UNLESS THE PERSON WHO WAS ISSUED THE LICENSE PLATE MEETS THE QUALIFICATIONS ESTABLISHED BY THE ORGANIZATION CHOSEN IN ACCORDANCE WITH THIS SUBSECTION (3) TO RENEW THE LICENSE PLATE. THE ORGANIZATION MAY REQUIRE SPECIFIC LEVELS OF DONATIONS, NOT TO EXCEED ONE HUNDRED DOLLARS, TO RENEW THE LICENSE PLATE.

(c) TO QUALIFY APPLICANTS TO BE ISSUED A HOSPICE AND PALLIATIVE CARE LICENSE PLATE, THE ORGANIZATION CHOSEN IN ACCORDANCE WITH THIS SUBSECTION (3) MUST 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 IS THE SAME AS THE AMOUNT OF THE TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT THE DEPARTMENT SHALL COLLECT AN ADDITIONAL ONE-TIME FEE OF TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE LICENSE PLATES. 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.

(5) A PERSON MAY APPLY FOR PERSONALIZED HOSPICE AND PALLIATIVE CARE 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 LICENSE 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 HOSPICE AND PALLIATIVE CARE LICENSE PLATES FOR THE VEHICLE AFTER PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6)(a) AND TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS SUBSECTION (5) MUST 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. In Colorado Revised Statutes, **amend** 42-3-312 as follows:

42-3-312. Special license plate surcharge. In addition to any other fee imposed by this article 3, an applicant for a special license plate created by rule in accordance with section 42-3-207, as the section existed when the plate was created, or license plates issued pursuant to sections 42-3-211 to 42-3-214, sections 42-3-217 to 42-3-218, sections 42-3-221 to 42-3-234, and sections 42-3-237 to ~~42-3-254~~ 42-3-256 shall pay an issuance fee of twenty-five dollars; except that the fee 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 to the state treasurer, who shall credit it to the licensing services cash fund created in section 42-2-114.5.

SECTION 3. Appropriation. (1) For the 2021-22 state fiscal year, \$6,907 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation consists of \$5,400 from the Colorado DRIVES vehicle services account in the highway users tax fund created in section 42-1-211 (2)(b)(I), C.R.S., and \$1,507 from the license plate cash fund created in section 42-3-301 (1)(b), C.R.S. To implement this act, the division may use this appropriation as follows:

(a) \$5,400 from the Colorado DRIVES vehicle services account in the highway users tax fund for DRIVES maintenance and support; and

(b) \$1,507 from the license plate cash fund for license plate ordering.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; 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 will not take effect unless approved by the people at the general election to be held in

November 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Alec Garnett
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO