

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 21-0157.01 Jery Payne x2157

HOUSE BILL 21-1128

HOUSE SPONSORSHIP

Michaelson Jenet, Bird, Esgar, Hooton, Kipp, Young, Bernett, Bockenfeld, Cutter, Jodeh, Lontine, McLachlan, Ricks

SENATE SPONSORSHIP

Hansen and Winter, Story

House Committees

Transportation & Local Government
Appropriations

Senate Committees

Transportation & Energy
Appropriations

A BILL FOR AN ACT

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

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. The person must also make an annual donation to the organization.

In addition to the normal fees for a license plate, a person must pay

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.

SENATE
2nd Reading Unamended
May 18, 2021

HOUSE
3rd Reading Unamended
April 19, 2021

**HOUSE
SPONSORSHIP**

2 additional one-time fees for the issuance of the plate. One of these fees is credited to the highway users tax fund and the other fee is credited to the licensing services cash fund.

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, 2022, 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

1 COLORADO HOSPICE AND PALLIATIVE CARE TO COLORADO PROVIDERS OF
2 CARE AND TO MEMBERS OF THE PUBLIC; AND

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

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

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

22 (c) TO QUALIFY APPLICANTS TO BE ISSUED A HOSPICE AND
23 PALLIATIVE CARE LICENSE PLATE, THE ORGANIZATION CHOSEN IN
24 ACCORDANCE WITH THIS SUBSECTION (3) MUST FILE WITH THE
25 DEPARTMENT AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT
26 ORGANIZATION.

27 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE

1 PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES
2 AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT
3 THE DEPARTMENT SHALL COLLECT AN ADDITIONAL ONE-TIME FEE OF
4 TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE LICENSE
5 PLATES. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME
6 FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE
7 HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201.

8 (5) A PERSON MAY APPLY FOR PERSONALIZED HOSPICE AND
9 PALLIATIVE CARE LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL
10 FEE REQUIRED BY SECTION 42-3-211 (6)(a) FOR PERSONALIZED LICENSE
11 PLATES, THE DEPARTMENT MAY ISSUE THE LICENSE PLATES IF THE
12 APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS
13 EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE
14 APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS
15 TO A NEW SET OF HOSPICE AND PALLIATIVE CARE LICENSE PLATES FOR THE
16 VEHICLE AFTER PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6)(a)
17 AND TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON
18 WHO HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS
19 SUBSECTION (5) MUST PAY THE ANNUAL FEE IMPOSED BY SECTION
20 42-3-211 (6)(b) FOR RENEWAL OF THE PERSONALIZED PLATES. THE FEES
21 UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER APPLICABLE
22 TAXES AND FEES.

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

25 **42-3-312. Special license plate surcharge.** In addition to any
26 other fee imposed by this article 3, an applicant for a special license plate
27 created by rule in accordance with section 42-3-207, as the section existed

1 when the plate was created, or license plates issued pursuant to sections
2 42-3-211 to 42-3-214, sections 42-3-217 to 42-3-218, sections 42-3-221
3 to 42-3-234, and sections 42-3-237 to ~~42-3-254~~ 42-3-255 shall pay an
4 issuance fee of twenty-five dollars; except that the fee is not imposed on
5 special license plates exempted from additional fees for the issuance of
6 a military special license plate by section 42-3-213 (1)(b)(II). The
7 department shall transfer the fee to the state treasurer, who shall credit it
8 to the licensing services cash fund created in section 42-2-114.5.

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

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

18 (b) \$1,507 from the license plate cash fund for license plate
19 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; except
23 that, if a referendum petition is filed pursuant to section 1 (3) of article V
24 of the state constitution against this act or an item, section, or part of this
25 act within such period, then the act, item, section, or part will not take
26 effect unless approved by the people at the general election to be held in

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