

Second Regular Session
Seventy-third General Assembly
STATE OF COLORADO

ENGROSSED

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

LLS NO. 22-0218.01 Sarah Lozano x3858

HOUSE BILL 22-1014

HOUSE SPONSORSHIP

Jodeh,

SENATE SPONSORSHIP

Pettersen,

House Committees

Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF AN EPILEPSY AWARENESS SPECIAL**
102 **LICENSE PLATE, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **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 epilepsy awareness license plate for motor vehicles. The department of revenue must designate a nonprofit organization to qualify applicants for issuance of the license plate. The organization must:

- Be headquartered in Colorado;

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
Amended 2nd Reading
April 5, 2022

- Have been in existence for at least 5 years;
- Be a nonprofit organization;
- Provide education to the public about epilepsy;
- Offer programs for youth and adults with epilepsy; and
- Fund services and support for those affected by epilepsy.

An applicant qualifies for issuance of the license plate if the applicant makes a donation to the organization and pays all required taxes and fees. In addition to the standard motor vehicle fees, the applicant must pay 2 one-time fees of \$25 for issuance of the license plate. One fee is credited to the highway users tax fund and the other 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** 42-3-261 as
3 follows:

4 **42-3-261. Special plates - epilepsy awareness.** (1) BEGINNING
5 ON THE EARLIER OF JANUARY 1, 2023, OR WHEN THE DEPARTMENT IS ABLE
6 TO ISSUE THE PLATES, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE
7 PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION
8 FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR
9 RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN
10 THOUSAND POUNDS EMPTY WEIGHT.

11 (2) (a) THERE IS HEREBY ESTABLISHED THE EPILEPSY AWARENESS
12 LICENSE PLATE.

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

17 (3) (a) AT LEAST ONCE EVERY FIVE YEARS, THE DEPARTMENT
18 SHALL DESIGNATE AN ORGANIZATION TO QUALIFY APPLICANTS TO BE
19 ISSUED THE EPILEPSY AWARENESS LICENSE PLATE. THE ORGANIZATION

1 MUST:

2 (I) BE HEADQUARTERED IN COLORADO;

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

4 (III) BE A NONPROFIT ORGANIZATION EXEMPT FROM TAXATION;

5 (IV) PROVIDE EDUCATION TO THE PUBLIC ABOUT EPILEPSY,
6 SEIZURES, AND SEIZURE FIRST AID CARE;

7 (V) OFFER PROGRAMS FOR YOUTH AND ADULTS WITH EPILEPSY;

8 AND

9 (VI) FUND SERVICES AND SUPPORT FOR THOSE AFFECTED BY
10 EPILEPSY IN COLORADO.

11 (b) A PERSON MAY APPLY FOR AN EPILEPSY AWARENESS LICENSE
12 PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS
13 SECTION AND PROVIDES TO THE DEPARTMENT OR AN AUTHORIZED AGENT
14 A CERTIFICATE ISSUED BY THE ORGANIZATION DESIGNATED UNDER
15 SUBSECTION (3)(a) OF THIS SECTION CONFIRMING THAT THE APPLICANT
16 HAS MADE A DONATION TO THE ORGANIZATION. THE ORGANIZATION MAY
17 ESTABLISH A MINIMUM DONATION AMOUNT TO QUALIFY FOR THE LICENSE
18 PLATE. THE ORGANIZATION SHALL USE EACH DONATION TO SUPPORT
19 THOSE AFFECTED BY EPILEPSY IN COLORADO.

20 (c) TO QUALIFY APPLICANTS TO HAVE AN EPILEPSY AWARENESS
21 LICENSE PLATE, THE ORGANIZATION DESIGNATED UNDER SUBSECTION
22 (3)(a) OF THIS SECTION MUST FILE WITH THE DEPARTMENT AN ANNUAL
23 STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

24 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE
25 PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES
26 AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT
27 THE DEPARTMENT SHALL COLLECT AN ADDITIONAL ONE-TIME FEE OF

1 TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE LICENSE
2 PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME
3 FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE
4 HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201.

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

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

21 **42-3-312. Special license plate surcharge.** In addition to any
22 other fee imposed by this article 3, an applicant for a special license plate
23 created by rule in accordance with section 42-3-207, as the section existed
24 when the plate was created, or special license plates issued pursuant to
25 sections 42-3-211 to 42-3-214, sections 42-3-217 to 42-3-218, sections
26 42-3-221 to 42-3-234, sections 42-3-237 to 42-3-258, and ~~section~~
27 ~~42-3-260~~ SECTIONS 42-3-260 AND 42-3-261 shall pay an issuance fee of

1 twenty-five dollars; except that the fee is not imposed on special license
2 plates exempted from additional fees for the issuance of a military special
3 license plate by section 42-3-213 (1)(b)(II). The department shall transfer
4 the fee to the state treasurer, who shall credit it to the licensing services
5 cash fund created in section 42-2-114.5.

6 **SECTION 3. Appropriation.** (1) For the 2022-23 state fiscal
7 year, \$29,671 is appropriated to the department of revenue for use by the
8 division of motor vehicles. This appropriation consists of \$23,940 from
9 the general fund and \$5,731 from the license plate cash fund created in
10 section 42-3-301 (1)(b), C.R.S. To implement this act, the division may
11 use this appropriation as follows:

12 (a) \$20,772 from the general fund for DRIVES maintenance and
13 support;

14 (b) \$3,168 from the general fund for the purchase of information
15 technology services; and

16 (c) \$5,731 from the license plate cash fund for use by vehicle
17 services for license plate ordering.

18 (2) For the 2022-23 state fiscal year, \$3,168 is appropriated to the
19 office of the governor for use by the office of information technology.
20 This appropriation is from reappropriated funds received from the
21 department of revenue under subsection (1)(b) of this section. To
22 implement this act, the office may use this appropriation to provide
23 information technology services for the department of revenue.

24 **SECTION 4. Act subject to petition - effective date.** This act
25 takes effect at 12:01 a.m. on the day following the expiration of the
26 ninety-day period after final adjournment of the general assembly; except
27 that, if a referendum petition is filed pursuant to section 1 (3) of article V

1 of the state constitution against this act or an item, section, or part of this
2 act within such period, then the act, item, section, or part will not take
3 effect unless approved by the people at the general election to be held in
4 November 2022 and, in such case, will take effect on the date of the
5 official declaration of the vote thereon by the governor.