

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 26-0726.01 Jery Payne x2157

HOUSE BILL 26-1306

HOUSE SPONSORSHIP

Duran,

SENATE SPONSORSHIP

(None),

House Committees
Finance

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF THE WILD HORSE SPECIAL 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 wild horse special license plate. To qualify for the plate, a person must make a donation of \$50 to the wild horse fund and make an annual donation of \$25 to renew the plate. In addition to the normal taxes and fees, the person must pay 2 one-time fees of \$25.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

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

2 **SECTION 1.** In Colorado Revised Statutes, 24-77-102, **amend**
3 (6) as follows:

4 **24-77-102. Definitions.**

5 As used in this article 77, unless the context otherwise requires:

6 (6) "Gift" means something of value which is given to the state
7 voluntarily by any person or entity, regardless of whether such person or
8 entity specifies the purpose or purposes for which such thing of value is
9 to be used. "Gift" includes, but is not limited to, DONATIONS MADE TO THE
10 WILD HORSE FUND, CREATED IN SECTION 35-66-104, PURSUANT TO
11 SECTION 42-3-272 AND voluntary contributions received by the state as a
12 result of any state voluntary contribution program established pursuant to
13 article 22 of title 39. ~~C.R.S.~~ "Gift" does not include federal funds or any
14 pecuniary compensation received by the state from any other
15 governmental entity.

16 **SECTION 2.** In Colorado Revised Statutes, 35-66-104, **amend**
17 (1)(b) as follows:

18 **35-66-104. Wild horse fund - legislative declaration.**

19 (1) (b) The wild horse fund is created in the state treasury. The
20 fund consists of gifts, grants, and donations, INCLUDING DONATIONS MADE
21 UNDER SECTION 42-3-272; payments from the federal government in
22 connection with assisting in the management of wild horses; and any
23 other money that the general assembly may appropriate or transfer to the
24 fund.

25 **SECTION 3.** In Colorado Revised Statutes, **add** 42-3-272 as
26 follows:

27 **42-3-272. Special plates - wild horses - legislative declaration.**

1 (1) BEGINNING ON THE EARLIER OF JANUARY 1, 2027, OR WHEN
2 THE DEPARTMENT IS ABLE TO ISSUE THE PLATE, THE DEPARTMENT SHALL
3 ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE
4 WITH THIS SECTION FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR
5 NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT DO NOT
6 EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

7 (2) (a) THE WILD HORSE LICENSE PLATE IS ESTABLISHED.

8 (b) THE DEPARTMENT SHALL DESIGN THE PLATE IN COOPERATION
9 AND CONSULTATION WITH THE DEPARTMENT OF AGRICULTURE TO
10 INDICATE THAT THE MOTOR VEHICLE TO WHICH THE PLATE IS ATTACHED
11 IS OWNED BY A PERSON THAT SUPPORTS THE HUMAN PRESERVATION OF
12 WILD HORSES.

13 (3) (a) A PERSON MAY APPLY FOR A WILD HORSE LICENSE PLATE IF
14 THE PERSON PAYS THE TAXES AND FEES REQUIRED IN THIS SECTION AND
15 MAKES A DONATION OF FIFTY DOLLARS TO THE WILD HORSE FUND,
16 CREATED IN SECTION 35-66-104 FOR USE BY THE WILD HORSE POPULATION
17 MANAGEMENT PROGRAM ESTABLISHED IN SECTIONS 35-1-119 AND
18 35-66-108.

19 (b) TO RENEW A WILD HORSE LICENSE PLATE, THE OWNER MUST
20 MAKE AN ANNUAL DONATION OF FIFTY DOLLARS TO THE WILD HORSE
21 FUND, CREATED IN SECTION 35-66-104.

22 (c) THE AUTHORIZED AGENT SHALL COLLECT THE DONATION
23 REQUIRED IN SUBSECTION (3)(a) OR (3)(b) OF THIS SECTION AND TRANSFER
24 THE DONATION TO THE DEPARTMENT OF REVENUE. THE STATE TREASURER
25 SHALL CREDIT THE DONATIONS TO THE WILD HORSE FUND, CREATED IN
26 SECTION 35-66-104.

27 (d) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT A

1 DONATION RECEIVED UNDER SUBSECTION (3)(a) OR (3)(b) OF THIS SECTION
2 IS A CUSTODIAL FUND AND, THEREFORE, IS NOT SUBJECT TO
3 APPROPRIATION OR TO SECTION 20 OF ARTICLE X OF THE STATE
4 CONSTITUTION.

5 (4) THE AMOUNT OF THE TAXES AND FEES FOR A SPECIAL LICENSE
6 PLATE REQUIRED UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF
7 THE TAXES AND FEES FOR A REGULAR MOTOR VEHICLE LICENSE PLATE;
8 EXCEPT THAT THE DEPARTMENT SHALL COLLECT THE FEE SPECIFIED IN
9 SECTION 42-3-312 AND AN ADDITIONAL ONE-TIME FEE OF TWENTY-FIVE
10 DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE SPECIAL LICENSE
11 PLATES. THE STATE TREASURER SHALL CREDIT THE FEE TO THE HIGHWAY
12 USERS TAX FUND CREATED IN SECTION 43-4-201.

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

1 **SECTION 4.** In Colorado Revised Statutes, **amend** 42-3-312 as
2 follows:

3 **42-3-312. Special license plate surcharge.**

4 In addition to any other fee imposed by this article 3, an applicant
5 for a special license plate created by rule in accordance with section
6 42-3-207, as the section existed when the plate was created, personalized
7 plates issued under section 42-3-211, or special license plates issued
8 under sections 42-3-212 to 42-3-214, sections 42-3-217 to 42-3-218,
9 sections 42-3-221 to ~~42-3-234~~ **42-3-229**, ~~SECTIONS 42-3-231 TO 42-3-234~~,
10 sections 42-3-237 to 42-3-258, sections 42-3-260 to 42-3-265, and
11 sections 42-3-267 to ~~42-3-271~~ **42-3-272** shall pay an issuance fee of
12 twenty-five dollars; except that the fee is not imposed on special license
13 plates exempted from additional fees for the issuance of a military special
14 license plate by section 42-3-213 (1)(b)(II). The department shall transfer
15 the money from the fee to the state treasurer, who shall credit it to the
16 Colorado DRIVES vehicle services account created in section 42-1-211
17 (2).

18 **SECTION 5. Act subject to petition - effective date.** This act
19 takes effect at 12:01 a.m. on the day following the expiration of the
20 ninety-day period after final adjournment of the general assembly (August
21 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a
22 referendum petition is filed pursuant to section 1 (3) of article V of the
23 state constitution against this act or an item, section, or part of this act
24 within such period, then the act, item, section, or part will not take effect
25 unless approved by the people at the general election to be held in
26 November 2026 and, in such case, will take effect on the date of the
27 official declaration of the vote thereon by the governor.