

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 16-0581.01 Jery Payne x2157

HOUSE BILL 16-1009

HOUSE SPONSORSHIP

Buck,

SENATE SPONSORSHIP

Cooke,

House Committees

Transportation & Energy
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE ISSUANCE OF FALLEN HEROES LICENSE PLATES.**

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://www.leg.state.co.us/billsummaries>.)

The bill authorizes local authorities to be issued fallen hero license plates. Local authorities need only pay the required donation. The bill clarifies that the fallen hero license plate is a distinctive special license plate. The retirement date of the plate is repealed.

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

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

1 **SECTION 1.** In Colorado Revised Statutes, 42-1-102, **amend**
2 (24.5) as follows:

3 **42-1-102. Definitions.** As used in articles 1 to 4 of this title,
4 unless the context otherwise requires:

5 (24.5) "Distinctive special license plate" means a special license
6 plate that is issued to a person because ~~such~~ THE person has an immutable
7 characteristic or special achievement honor. ~~Such~~ A special achievement
8 honor ~~shall not include~~ EXCLUDES a common achievement such as
9 graduating from an institution of higher education. ~~Such~~ A special
10 achievement ~~shall include~~ INCLUDES honorable service in the armed
11 forces of the United States. "Distinctive special license plate" ~~shall~~
12 ~~include~~ INCLUDES a license plate that is issued to a person or the person's
13 family to honor ~~such~~ THE person's service in the armed forces OR A PEACE
14 OFFICER'S SACRIFICE IN THE LINE OF DUTY.

15 **SECTION 2.** In Colorado Revised Statutes, 42-3-242, **amend** (2)
16 (a), (3) (a), and (4) as follows:

17 **42-3-242. Special plates - fallen heroes.** (2) (a) There is hereby
18 established the fallen heroes special license plate. ~~The department may~~
19 ~~stop issuing the fallen heroes special license plate if a total of three~~
20 ~~thousand license plates are not issued by July 1, 2017. A person who was~~
21 ~~issued a fallen heroes special license plate on or before July 1, 2017, may~~
22 ~~continue to use the fallen heroes special license plate after July 1, 2017,~~
23 ~~regardless of whether the department stops issuing the special license~~
24 ~~plate.~~

25 (3) (a) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
26 PARAGRAPH (a), a person may apply for a fallen heroes license plate if the
27 person pays the taxes and fees required under this ~~section~~ ARTICLE and

1 provides to the department ~~or an authorized agent~~ a certificate, issued by
2 the Colorado chapter of the Concerns of Police Survivors, Inc., or its
3 successor organization, confirming that the applicant has donated fifty
4 dollars to the Colorado chapter of the Concerns of Police Survivors, Inc.

5 (II) A LOCAL AUTHORITY MAY BE ISSUED A FALLEN HEROES
6 LICENSE PLATE FOR A MOTOR VEHICLE THAT DOES NOT EXCEED SIXTEEN
7 THOUSAND POUNDS EMPTY WEIGHT IF THE LOCAL AUTHORITY PAYS ANY
8 TAXES AND FEES REQUIRED BY THIS ARTICLE AND PRESENTS TO THE
9 DEPARTMENT A CERTIFICATE SHOWING IT MADE THE DONATION REQUIRED
10 BY SUBPARAGRAPH (I) OF THIS PARAGRAPH (a). A PLATE ISSUED TO A
11 LOCAL AUTHORITY MUST CONTAIN A NOTIFICATION INDICATING THAT THE
12 PLATE WAS ISSUED TO A LOCAL AUTHORITY.

13 (4) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS
14 SUBSECTION (4), the amount of the taxes and fees for special license
15 plates under this section are the same as the amount of the taxes and fees
16 for regular motor vehicle license plates; except that the department shall
17 collect a one-time fee of twenty-five dollars for issuance or replacement
18 of the license plate. The department shall transmit the additional one-time
19 fee to the state treasurer, who shall credit the fee to the highway users tax
20 fund created in section 43-4-201, C.R.S.

21 (b) A LOCAL AUTHORITY NEED NOT PAY THE ONE-TIME FEE
22 IMPOSED IN PARAGRAPH (a) OF THIS SUBSECTION (4).

23 **SECTION 3. Act subject to petition - effective date -**
24 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
25 the expiration of the ninety-day period after final adjournment of the
26 general assembly (August 10, 2016, if adjournment sine die is on May 11,
27 2016); except that, if a referendum petition is filed pursuant to section 1

1 (3) of article V of the state constitution against this act or an item, section,
2 or part of this act within such period, then the act, item, section, or part
3 will not take effect unless approved by the people at the general election
4 to be held in November 2016 and, in such case, will take effect on the
5 date of the official declaration of the vote thereon by the governor.

6 (2) This act applies to license plate applications made on or after
7 January 1, 2017.