

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

REVISED

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

LLS NO. 16-1038.03 Jery Payne x2157

HOUSE BILL 16-1362

HOUSE SPONSORSHIP

Young,

SENATE SPONSORSHIP

Martinez Humenik,

House Committees

Appropriations

Senate Committees

Finance

Appropriations

A BILL FOR AN ACT

101 CONCERNING THE TRANSFER OF THE FUNCTIONS OF THE LICENSE
102 PLATE AUCTION GROUP TO THE COLORADO DISABILITY FUNDING
103 COMMITTEE, AND, IN CONNECTION THEREWITH, MAKING AN
104 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://www.leg.state.co.us/bills summaries>.)

Currently, the license plate auction group has authority to sell registration numbers for motor vehicle license plates. The money is used to help people with disabilities to navigate the social security process. The

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.

SENATE
Amended 2nd Reading
May 5, 2016

HOUSE
3rd Reading Unamended
April 29, 2016

HOUSE
Amended 2nd Reading
April 27, 2016

disability-benefit support contract committee administers this support. The bill transfers the functions of the license plate auction group to the Colorado disability funding committee (formerly the disability-benefit support contract committee) and repeals the license plate auction group. In connection with this transfer, the bill:

- ! Reduces the number of members of the committee from 13 to 9, with 3 members having disabilities, 3 having experience with business, and 3 having experience in nonprofit entities; and
- ! Provides that the department of public safety may prohibit any action of the committee if the decision would affect state policy concerning the use or display of license plates or registration numbers.

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

2 **SECTION 1.** In Colorado Revised Statutes, **amend with**
3 **relocated provisions** part 22 of article 30 of title 24 as follows:

4 PART 22

5 LAURA HERSHEY DISABILITY SUPPORT ACT

6 **24-30-2201. Short title.** ~~This~~ THE SHORT TITLE OF THIS part 22
7 ~~shall be known and may be cited as~~ IS the "Laura Hershey
8 ~~Disability-Benefit~~ DISABILITY Support Act".

9 **24-30-2202. Definitions.** As used in this part 22, unless the
10 context otherwise requires:

11 (1) "Committee" means the ~~disability-benefit support contract~~
12 ~~committee~~ COLORADO DISABILITY FUNDING COMMITTEE created in section
13 24-30-2203.

14 (2) "CONTRACT ENTITY" MEANS THE ENTITY THE COMMITTEE
15 CONTRACTS WITH TO IMPLEMENT SECTIONS 24-30-2206 TO 24-30-2210.

16 ~~(2)~~ (3) "Disability benefits" means cash payments from social
17 security disability insurance under Title II of the federal "Social Security
18 Act", 42 U.S.C. sec. 401 et seq., as amended, cash payments made by the

1 federal government to persons who are aged, blind, or disabled under
2 Title XVI of the federal "Social Security Act", 42 U.S.C. sec. 401 et seq.,
3 as amended, and long-term care under the "Colorado Medical Assistance
4 Act", articles 4 to 6 of title 25.5, C.R.S.

5 (4) "FUND" MEANS THE DISABILITY SUPPORT FUND CREATED IN
6 SECTION 24-30-2205.5.

7 (3) (5) "Nonprofit entity" means an entity incorporated under the
8 "Colorado Revised Nonprofit Corporation Act", articles 121 to 137 of
9 title 7, C.R.S., or a tax-exempt entity under 26 U.S.C. sec. 501 (c) (3) of
10 the federal "Internal Revenue Code of 1986".

11 (4) (6) "Recipient" means a person who receives disability
12 benefits or long-term care services.

13 (7) "REGISTRATION NUMBER" MEANS THE UNIQUE COMBINATION
14 OF LETTERS AND NUMBERS ASSIGNED TO A VEHICLE BY THE DEPARTMENT
15 UNDER SECTION 42-3-201, C.R.S., AND REQUIRED TO BE DISPLAYED ON
16 THE LICENSE PLATE BY SECTION 42-3-202, C.R.S.

17 (8) "VEHICLE" MEANS A VEHICLE REQUIRED TO BE REGISTERED
18 PURSUANT TO PART 1 OF ARTICLE 3 OF TITLE 42, C.R.S.

19 **24-30-2203. Colorado disability funding committee.** (1) The
20 ~~disability-benefit support contract committee~~ COLORADO DISABILITY
21 FUNDING COMMITTEE is hereby created within the department of
22 ~~personnel.~~ The committee consists of thirteen members appointed by the
23 ~~governor. as follows:~~ OF THE THIRTEEN MEMBERS, AT LEAST SEVEN
24 MEMBERS MUST BE EITHER A PERSON WITH A DISABILITY, A CARE GIVER OF
25 A PERSON WITH A DISABILITY, OR A PERSON WHO LIVES IN A HOUSEHOLD
26 WITH A PERSON WITH A DISABILITY AND IS MEANINGFULLY INVOLVED IN
27 THE CARE OF A PERSON WITH A DISABILITY. IN MAKING THE

1 APPOINTMENTS, THE GOVERNOR SHALL ENSURE THAT THE COMMITTEE HAS
2 MEMBERS WITH EXPERIENCE IN OR KNOWLEDGE OF BUSINESS AND
3 BUSINESS MANAGEMENT; NONPROFIT ENTITIES AND MANAGING NONPROFIT
4 ENTITIES; ADVOCACY FOR PERSONS WITH DISABILITIES; THE PRACTICE OF
5 MEDICINE; AND THE PRACTICE OF LAW WITH EXPERIENCE WORKING WITH
6 PERSONS WITH DISABILITIES. IN ADDITION TO THE THIRTEEN MEMBERS, THE
7 GOVERNOR'S COUNCIL FOR PERSONS WITH DISABILITIES MAY, IN
8 CONSULTATION WITH THE COMMITTEE, APPOINT A REPRESENTATIVE TO
9 SERVE ON THE COMMITTEE IN AN EX OFFICIO CAPACITY.

10 (a) Five members who are persons with disabilities and currently
11 receiving disability benefits or have received application assistance;

12 (b) One member of a statewide, cross-disability organization
13 representing persons with disabilities;

14 (c) One member who is trained to increase access to disability
15 benefits for persons with disabilities by an organization supported by the
16 United States social security administration;

17 (d) One member who is a medical doctor;

18 (e) One member who is a mental health professional;

19 (f) One member who is an expert in nonprofit management;

20 (g) One member appointed by the executive director of the
21 department of personnel;

22 (h) One member who has experience and expertise in business;

23 and

24 (i) One member who has experience with grant programs.

25 (2) Members of the committee serve three-year terms; except that
26 FOUR members appointed under paragraph (a) of subsection (1) of this
27 section AS DETERMINED BY THE GOVERNOR serve an initial term of one

1 year, and FOUR members appointed under paragraphs (b), (c), and (d) of
2 subsection (1) of this section AS DETERMINED BY THE GOVERNOR serve an
3 initial term of two years. AFTER THE INITIAL TERMS, EVERY MEMBER
4 SERVES A TERM OF THREE YEARS. THE GOVERNOR SHALL NOT APPOINT A
5 MEMBER FOR MORE THAN TWO CONSECUTIVE TERMS.

6 (3) An act of the committee is void unless a majority of the
7 APPOINTED members has voted in favor of the act.

8 (4) The committee shall implement ~~section 24-30-2204~~ THIS PART
9 22 using the ~~disability-benefit support fund. created in section~~
10 ~~24-30-2205.~~

11 ~~(4.5) The committee shall implement section 24-30-2204.5 using~~
12 ~~the disability investigational and pilot support fund created in section~~
13 ~~24-30-2205.5.~~

14 (5) The committee is authorized to seek and accept grants or
15 donations from private or public sources for the purposes of this part 22;
16 except that the committee shall not accept a gift, grant, or donation that
17 is subject to conditions that are inconsistent with this part 22 or part 13 of
18 article 75 of this title regarding the status of grants and donations made
19 to state agencies. ~~The committee shall transmit the moneys to the~~
20 ~~disability-benefit support fund.~~

21 (6) The committee has the following duties and powers:

22 (a) To sue and be sued and otherwise assert or defend the
23 committee's legal interests;

24 (b) To prepare and sign contracts;

25 (c) To have and exercise all rights and powers necessary or
26 incidental to, or implied from, the specific powers granted in this part 22;

27 and

1 (d) To fix the time and place at which meetings may be held.

2 (7) (a) The committee may ~~hire employees or~~ obtain the services
3 of professional advisors OR CONTRACT WITH EMPLOYEES TO HANDLE THE
4 CONDUCT OF ALL MEETINGS, CARRY OUT ITS ADMINISTRATIVE FUNCTIONS
5 FOR MEETINGS AND COMMITTEE BUSINESS, OR HANDLE THE COMMITTEE'S
6 AUCTIONS.

7 (b) THE DEPARTMENT OF PERSONNEL MAY HIRE EMPLOYEES TO
8 HANDLE THE ADMINISTRATIVE ASPECTS OF SUPPORTING THE COMMITTEE
9 RESULTING FROM THE COMMITTEE BEING WITHIN THE DEPARTMENT OF
10 PERSONNEL.

11 (8) The attorney general is the legal counsel for the committee.

12 (9) COMMITTEE MEMBERS DO NOT RECEIVE COMPENSATION FOR
13 PERFORMING OFFICIAL DUTIES OF THE COMMITTEE BUT MAY RECEIVE A PER
14 DIEM OR REIMBURSEMENT FOR TRAVEL AND OTHER REASONABLE AND
15 NECESSARY EXPENSES FOR PERFORMING OFFICIAL DUTIES OF THE
16 COMMITTEE. THE PER DIEM OR REIMBURSEMENT IS PAID FROM THE FUND.

17 **24-30-2204. Program to assist persons to obtain disability**
18 **benefits - repeal.** (1) ~~Within six months after the first transfer to the~~
19 ~~disability-benefit support fund from the registration number fund created~~
20 ~~in section 42-1-407, C.R.S.~~ WHEN ADEQUATE FUNDING IS AVAILABLE, the
21 committee shall invite nonprofit entities to submit a proposal for a
22 program to aid persons with disabilities in accessing disability benefits.
23 To qualify, the nonprofit organization must be based in Colorado and
24 governed by a board that:

25 (a) Is composed of persons with a demonstrated commitment to
26 improving the lives of recipients with disabilities;

27 (b) Contains members who understand a range of significant

1 disabilities, including physical and mental; and

2 (c) Contains a majority of either:

3 (I) Recipients with disabilities; or

4 (II) Family members of recipients with disabilities who have
5 experience in representing the interests of a person with a disability.

6 (2) (a) (I) The committee shall review the proposed programs and
7 shall award a contract to the nonprofit entity that best meets the
8 requirements of this section in accordance with the "Procurement Code",
9 articles 101 to 112 of this title.

10 (II) The term of the contract is one year. Before the contract
11 expires, the committee shall evaluate whether the nonprofit entity and the
12 contract are reasonably meeting the requirements of this section,
13 including objective and quantitative evaluations, whenever possible, of
14 the satisfaction of program participants, the program's success in
15 obtaining disability benefits for program participants, the program's
16 effectiveness at helping program participants obtain jobs, and
17 improvements in the quality of life of program participants. The
18 committee shall include the evaluation criteria in the contract.

19 (III) The committee may renew the contract annually for up to five
20 years. After five years, the committee shall reopen the contract to a
21 competitive bid process.

22 (b) The committee shall not award the contract unless the proposal
23 includes:

24 (I) A system for evaluating whether a person with a disability is
25 reasonably able to navigate the application process to obtain disability
26 benefits, health care, and employment;

27 (II) A system for prioritizing the need of applicants based upon

1 the evaluations;

2 (III) A plan for assisting persons with disabilities in navigating the
3 processes of obtaining and retaining disability benefits, health care, and
4 employment;

5 (IV) A plan for establishment of working relationships with state
6 agencies, county departments of human services, health care providers,
7 the United States social security administration, and the business
8 community;

9 (V) A policy of preferential hiring of persons with disabilities;

10 (VI) Reasonable standards for accounting control of expenditures;

11 (VII) Metrics to evaluate the program's quality and
12 cost-effectiveness; AND

13 (VIII) Effective July 1, ~~2016~~ 2020, the ability to serve persons
14 with disabilities statewide. ~~and~~

15 ~~(IX) A plan for serving persons with disabilities statewide within~~
16 ~~five years. This subparagraph (IX) is repealed, effective July 1, 2016.~~

17 (c) The committee shall not discriminate against a contracting
18 entity for advocacy concerning persons with disabilities.

19 (3) The entity awarded a contract under this section shall make
20 quarterly reports of expenditures to the department of personnel, which
21 shall make the reports available to the committee. The committee shall
22 include in the contract a method and format for making the reports.

23 **24-30-2204.5. Program to investigate, fund, and pilot projects**
24 **or programs to benefit persons with disabilities.** (1) The committee
25 shall accept and review proposals to fund projects or programs that study
26 or pilot new and innovative ideas that will lead to an improved quality of
27 life or increased independence for persons with disabilities. Proposals

1 may be accepted throughout the year, and grants or loans may be made by
2 the committee at its regular meetings. The ~~disability investigational and~~
3 ~~pilot support~~ fund created in section 24-30-2205.5 shall be the sole source
4 to fund any grants or loans made pursuant to this section.

5 (2) To be eligible for funding pursuant to this section, a project or
6 program must:

7 (a) ~~(f)~~ Demonstrate a capability to be self-sustaining or otherwise
8 be able to develop long-term independent funding; and

9 ~~(H)~~ (b) Have a governing body or board that is composed of
10 persons with a demonstrated commitment to improving the lives of
11 persons with disabilities and have a majority be persons with disabilities
12 or family members of persons with disabilities. ~~or~~

13 ~~(b) Be the license plate auction group established in section~~
14 ~~42-1-403, C.R.S.~~

15 **24-30-2205. Disability-benefit support fund.** ~~The~~
16 ~~disability-benefit support fund is hereby created in the state treasury. The~~
17 ~~moneys in the fund consist of amounts transferred to the fund under~~
18 ~~section 42-1-407, C.R.S., or transferred to the fund under section~~
19 ~~24-30-2203 (5). The committee shall use the moneys in the fund to~~
20 ~~implement this part 22; except that the committee may direct the state~~
21 ~~treasurer to transfer moneys in the fund to the registration number fund~~
22 ~~created in section 42-1-407, C.R.S., to fund the implementation of part 4~~
23 ~~of article 1 of title 42, C.R.S. The committee shall not use more than five~~
24 ~~percent of the money in the fund to administer this part 22. The state~~
25 ~~treasurer shall credit all interest earned on the investment of moneys in~~
26 ~~the fund to the fund. At the end of each fiscal year, the moneys in the~~
27 ~~fund, including income earned from investment, remain in the fund. The~~

1 ~~general assembly shall appropriate the moneys in the fund to the~~
2 ~~department of personnel or governor's office to implement this part 22.~~

3 **24-30-2205.5. Disability support fund.** (1) There is hereby
4 created in the state treasury the disability ~~investigational and pilot support~~
5 ~~fund., referred to in this section as the "fund", that~~ WHICH shall consist of
6 ~~moneys~~ MONEY transferred to the fund ~~pursuant to~~ IN ACCORDANCE WITH
7 section 25.5-5-308 (8), C.R.S., FROM THE SALE OF REGISTRATION
8 NUMBERS UNDER THIS PART 22, any ~~moneys~~ MONEY that may be
9 appropriated to the fund by the general assembly, and any gifts, grants, or
10 donations received by the department of personnel for the purpose of
11 implementing this ~~section~~ PART 22.

12 (2) The ~~moneys~~ MONEY in the fund ~~are~~ IS subject to annual
13 appropriation by the general assembly for the direct and indirect costs
14 associated with the implementation of ~~the pilot program~~ THIS PART 22.
15 Any ~~moneys~~ MONEY in the fund not expended for the purpose of this
16 section may be invested by the state treasurer as provided by law. All
17 interest and income derived from the investment and deposit of ~~moneys~~
18 MONEY in the fund must be credited to the fund. Any unexpended and
19 unencumbered ~~moneys~~ MONEY remaining in the fund at the end of a fiscal
20 year must remain in the fund FOR USE AS PROVIDED IN THIS PART 22 and
21 ~~shall~~ not be credited or transferred to the general fund or another fund. If
22 this section is repealed, prior to its repeal, all unexpended and
23 unencumbered ~~moneys~~ MONEY remaining in the fund must be transferred
24 to the general fund.

25 (3) ANY MONEY USED TO IMPLEMENT ADDITIONAL LICENSE PLATE
26 OPTIONS SHALL NOT BE TRANSFERRED TO THE DEPARTMENT OF REVENUE.
27 THE COMMITTEE OR CONTRACT ENTITY SHALL TRANSFER THE MONEY

1 DIRECTLY TO THE DIVISION OF CORRECTIONAL INDUSTRIES.

2 (4) THE COMMITTEE SHALL PRIORITIZE FUNDING FOR THE
3 IMPLEMENTATION OF SECTION 24-30-2204 BEFORE FUNDING FOR THE
4 IMPLEMENTATION OF SECTION 24-30-2204.5.

5 **24-30-2206. [Formerly 42-1-402] License to buy and sell**
6 **selected registration numbers for license plates.** (1) The state or a
7 person may sell, and the state or a person may purchase, the exclusive
8 right to use a registration number selected by the ~~group~~ COMMITTEE under
9 section ~~42-1-404~~, C.R.S. 24-30-2208 for the purpose of registering a
10 vehicle under article 3 of this title 42, C.R.S.

11 (2) The right to use a registration number is a license, the use of
12 which is subject to compliance with this ~~part 4~~ PART 22. The duration of
13 the license is determined by the ~~group~~ COMMITTEE.

14 **24-30-2207. [Formerly 42-1-403] License plate auction group**
15 **- duties and powers.** (1) ~~The license plate auction group is hereby~~
16 ~~created within the office of the governor.~~

17 (2) ~~The group consists of eleven members, appointed as follows:~~

18 (a) ~~One member who is appointed by the executive director of the~~
19 ~~department of revenue and who is not a member of the Colorado advisory~~
20 ~~council for persons with disabilities created in section 24-45.5-103,~~
21 ~~C.R.S.;~~

22 (b) ~~One member who is appointed by the governor to represent~~
23 ~~persons with disabilities and who is not a member of the Colorado~~
24 ~~advisory council for persons with disabilities;~~

25 (c) ~~One member appointed by the president of the senate to~~
26 ~~represent persons with disabilities;~~

27 (d) ~~One member appointed by the Colorado advisory council for~~

- 1 ~~persons with disabilities;~~
- 2 ~~(e) One member appointed by the director of the Colorado office~~
3 ~~of economic development;~~
- 4 ~~(f) One member appointed by the chief of the Colorado state~~
5 ~~patrol;~~
- 6 ~~(g) One member appointed by the chief information officer~~
7 ~~appointed under section 24-37.5-103, C.R.S.;~~
- 8 ~~(h) Three members appointed by the governor to represent the~~
9 ~~public; and~~
- 10 ~~(i) One member appointed by the governor to represent an entity~~
11 ~~delivering services under section 24-30-2205, C.R.S.~~
- 12 ~~(3) An act of the group is void unless a majority of the governing~~
13 ~~body votes for the act.~~
- 14 ~~(4) The members of the group serve at the pleasure of the~~
15 ~~appointing entity.~~
- 16 ~~(5) (1) The group COMMITTEE has, IN ADDITION TO THE POWERS~~
17 ~~GRANTED IN SECTION 24-30-2203, the following duties and powers:~~
- 18 ~~(a) To adopt and use a seal and to alter the same at its pleasure;~~
- 19 ~~(b) To sue and be sued and otherwise assert or defend the group's~~
20 ~~legal interests;~~
- 21 ~~(c) To acquire office space, equipment, services, supplies, and~~
22 ~~insurance necessary to carry out the purposes of this part 4;~~
- 23 ~~(d) To accept any gifts, grants, and loans of money, property, or~~
24 ~~other aid from the federal government, the state, any state agency, or any~~
25 ~~other source if the group COMMITTEE complies with this part 4 and part~~
26 ~~13 of article 75 of this title;~~
- 27 ~~(e) To have and exercise all rights and powers necessary or~~

1 incidental to, or implied from, the specific powers granted in this part 4;

2 (f) (b) To fix the time and place at which meetings may be held;

3 (g) To elect a member as executive director of the group and other
4 officers;

5 (h) To hire employees and professional advisers as needed;

6 (i) (c) To authorize an auctioneer or other seller of a registration
7 number to retain a commission of no more than twenty percent of the sale
8 price REASONABLE COMMISSION AS DETERMINED BY THE COMMITTEE;

9 (j) (d) To make business decisions to implement this part 4 PART
10 22;

11 (k) (e) To create incentives for holders to turn in currently issued
12 registration numbers for auction if any actual costs are reimbursed to the
13 state from the sale;

14 (l) (f) To authorize and sell license plates made of alternative
15 materials if approved by the department of revenue; and

16 (m) To certify that a portion of the purchase price of a registration
17 number is a charitable donation because it exceeds the market value of the
18 registration number if the group reimburses the general fund for any tax
19 credit authorized under section 39-22-535, C.R.S., from the sale. TO SELL
20 THE RIGHT TO USE ADDITIONAL LICENSE PLATE OPTIONS, SUCH AS
21 HISTORICALLY ISSUED BACKGROUNDS, FOR A FEE IF THE OPTION IS
22 APPROVED BY THE DEPARTMENT OF REVENUE AND THE COLORADO STATE
23 PATROL.

24 (6) The attorney general is the legal counsel for the group.

25 (2) THE DEPARTMENT OF PUBLIC SAFETY MAY PROHIBIT ANY
26 ACTION OF THE COMMITTEE, OR ITS AGENTS, THAT CONCERNS THE SALE OF
27 LICENSE PLATES OR REGISTRATION NUMBERS IF THE DECISION WOULD

1 AFFECT THE POLICY OF THE STATE OF COLORADO AS IT RELATES TO THE
2 USE OR DISPLAY OF LICENSE PLATES OR REGISTRATION NUMBERS.

3 **24-30-2208. [Formerly 42-1-404] Sale of registration numbers.**

4 (1) The ~~group~~ COMMITTEE shall raise money by ~~auctioning~~ SELLING to a
5 buyer the right to use valuable letter and number combinations for a
6 registration number. THE COMMITTEE SHALL AUCTION REGISTRATION
7 NUMBERS THAT ARE LIKELY TO BE WORTH SUBSTANTIALLY MORE THAN
8 THE AVERAGE VALUE OF A REGISTRATION NUMBER.

9 (2) (a) The ~~group~~ COMMITTEE shall study the market and
10 determine which registration numbers are the most valuable, including
11 both the types of plates currently issued and any type of plate that has
12 been historically issued. Based on the study, the ~~group~~ COMMITTEE shall
13 select the most valuable registration numbers and request the department
14 OF REVENUE to verify whether plates with the registration numbers are
15 currently issued. ~~The group shall not send the request to the department~~
16 ~~more than once every six months.~~ THE COMMITTEE AND THE DEPARTMENT
17 OF REVENUE SHALL ENTER INTO AN AGREEMENT ESTABLISHING A PROCESS
18 FOR REQUESTING REGISTRATION NUMBERS THAT SPECIFIES THE
19 FREQUENCY OF THESE REQUESTS.

20 (b) Upon receiving the ~~group's~~ COMMITTEE'S request, the
21 department OF REVENUE shall verify whether the plates are currently
22 issued. If the plate is not currently issued, the department shall reserve the
23 registration number until the ~~group~~ COMMITTEE notifies the department
24 to release the registration number.

25 (c) If a registration number is not currently issued, the ~~group~~
26 COMMITTEE may ~~auction~~ SELL the right to use the registration number in
27 a manner calculated to bring the highest price; except that the department

1 OF REVENUE may deny the sale or use of a registration number that is
2 offensive or inappropriate.

3 **24-30-2209. [Formerly 42-1-405] Creation of a private market**
4 **for registration numbers - fee.** (1) The ~~group~~ COMMITTEE shall raise
5 money by creating a market, which may include an online ~~auction~~ site, for
6 registration numbers using methods that are commercially reasonable,
7 account for expenditures, and ensure the collection of the state's approval
8 and transfer royalty.

9 (2) The royalty for the state's approval and transfer of the right to
10 use a registration number is twenty-five percent of the sale price of the
11 transfer. At the time of sale, the purchaser shall pay the royalty to the
12 ~~group~~ COMMITTEE. This payment is not in lieu of the normal registration
13 fees or specific ownership tax.

14 (3) A person shall not sell a registration number and the
15 department OF REVENUE shall not assign a registration number as a result
16 of the right to use the number being sold to a vehicle unless the
17 registration number was sold using the market created by the ~~group~~
18 COMMITTEE.

19 **24-30-2210. [Formerly 42-1-406] Administration.** (1) The
20 ~~group~~ COMMITTEE shall notify the department OF REVENUE when the right
21 to use a registration number has been sold and the ~~group~~ COMMITTEE has
22 collected the state's sale proceeds or approval and transfer royalty. Upon
23 receiving the notice, the department OF REVENUE shall create a record in
24 the Colorado state titling and registration system, created in section
25 42-1-211, C.R.S., containing the name of the buyer, the vehicle
26 identification number, if applicable, and the corresponding registration
27 number.

1 (2) If the registration number consists of a combination of letters
2 and numbers that is not within the normal format of license plate
3 currently produced for the department OF REVENUE, the department OF
4 REVENUE shall issue the plates as personalized plates under section
5 42-3-211, C.R.S.; except that, notwithstanding section 42-3-211, C.R.S.,
6 the ~~auction group~~ COMMITTEE may sell, and the buyer or any subsequent
7 buyer may use:

- 8 (a) A registration number or letter of one position; or
- 9 (b) Any symbol on the standard American keyboard or approved
10 by the ~~group~~ COMMITTEE.

11 (3) The ~~group~~ COMMITTEE shall transfer the ~~moneys~~ MONEY
12 collected under this ~~part 4~~ PART 22 to the state treasurer, who shall credit
13 ~~them~~ THE MONEY to the ~~registration number~~ fund created in section
14 ~~42-1-407~~ 24-30-2205.5.

15 (4) The ~~group~~ COMMITTEE may contract with one or more public
16 or private entities to implement this ~~part 4~~ PART 22.

17 (5) Any ~~moneys~~ MONEY received by the ~~group~~ COMMITTEE FROM
18 THE SALE OF REGISTRATION NUMBERS shall be deposited in the ~~registration~~
19 ~~number~~ fund.

20 **24-30-2211. [Formerly 24-30-2206] Implementation.**

21 (1) Except as provided for in subsection (2) of this section, the general
22 assembly does not intend to require the department of personnel to
23 expend ~~moneys~~ MONEY to implement this part 22. Notwithstanding any
24 other section of this part 22, the department of personnel and the
25 committee need not implement this part 22 until the ~~disability-benefit~~
26 ~~support~~ fund contains enough money to implement this part 22.

27 (2) The department of personnel shall begin implementation of

1 section 24-30-2204.5 at such time as the ~~disability investigational and~~
2 ~~pilot support~~ fund contains sufficient funds for implementation, as
3 determined by the committee.

4 (3) THE COMMITTEE SHALL CONTRACT WITH AN ENTITY TO SELL
5 REGISTRATION NUMBERS AND ADDITIONAL OPTIONS BY DELEGATING THE
6 COMMITTEE'S AUTHORITY CONCERNING THESE SALES IN ACCORDANCE
7 WITH SECTIONS 24-30-2206 TO 24-30-2210. THE COMMITTEE SHALL
8 RETAIN OVERSIGHT OF THE CONTRACT ENTITY.

9 **24-30-2212. [Formerly 24-30-2207] Sunset review - repeal of**
10 **part.** (1) This part 22 is repealed, effective September 1, 2021.

11 (2) Prior to such repeal, the department of regulatory agencies
12 shall review the assistance program for disability benefits as provided for
13 in section 24-34-104.

14 **24-30-2213. Administration - transfers - repeal.** (1) AT LEAST
15 SIXTY DAYS BUT NOT MORE THAN NINETY DAYS FOLLOWING THE
16 EFFECTIVE DATE OF THIS SECTION, THE TREASURER SHALL TRANSFER TO
17 THE FUND ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE
18 REGISTRATION NUMBER FUND CREATED BY SECTION 42-1-407, C.R.S.,
19 BEFORE ITS REPEAL IN 2016, AS THIS FUND EXISTED BEFORE THE EFFECTIVE
20 DATE OF THIS SECTION.

21 (2) (a) NOTWITHSTANDING THE REPEAL OF PART 4 OF ARTICLE 1 OF
22 TITLE 42, C.R.S., THE REGISTRATION NUMBER FUND AND THE LICENSE
23 PLATE AUCTION GROUP CREATED IN SECTION 42-1-403, C.R.S., BEFORE ITS
24 REPEAL IN 2016, CONTINUE IN EXISTENCE FOR SIXTY DAYS AFTER THE
25 EFFECTIVE DATE OF THIS SECTION TO WIND UP AFFAIRS AND MAKE OR
26 FACILITATE THE TRANSFERS REQUIRED BY THIS SECTION.

27 (b) ANY REGISTRATION NUMBERS RESERVED BY THE LICENCE

1 PLATE AUCTION GROUP BEFORE THE EFFECTIVE DATE OF THIS SECTION
2 CONTINUE TO BE RESERVED BY THE COMMITTEE FOR THE PURPOSES OF THIS
3 PART 22.

4 (c) WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS
5 SECTION, THE LICENSE PLATE AUCTION GROUP SHALL TRANSFER ALL
6 RECORDS, PROPERTY, AND INFORMATION TO THE COMMITTEE.

7 (3) THE DEPARTMENT OF REVENUE SHALL ASSIST THE LICENSE
8 PLATE AUCTION GROUP IN IMPLEMENTING THIS SECTION.

9

10 (4) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2017.

11 **SECTION 2. Repeal of relocated and nonrelocated provisions**

12 **in this act.** In Colorado Revised Statutes, **repeal** part 4 of article 1 of title
13 42; except that sections 42-1-401 and 42-1-407 are not relocated.

14 **SECTION 3.** In Colorado Revised Statutes, 25-1-801, **amend** (5)

15 (c) (II) (A) as follows:

16 **25-1-801. Patient records in custody of health care facility -**
17 **definitions.** (5) As used in this part 8, unless the context otherwise
18 requires:

19 (c) (II) Notwithstanding any other provision of this part 8:

20 (A) If a patient record is requested by a third-party entity THAT IS
21 PERFORMING DUTIES under the "Laura Hershey ~~Disability-Benefit~~
22 DISABILITY Support Act", part 22 of article 30 of title 24, C.R.S., the third
23 party may obtain one free copy of the record for the application process
24 or for an appeal or reapplication when required by the disability benefit
25 administrator;

26 **SECTION 4.** In Colorado Revised Statutes, 42-3-211, **amend** (3)

27 (a) as follows:

1 **42-3-211. Issuance of personalized plates authorized.**

2 (3) (a) Personalized license plates ~~shall~~ MUST be the same color and
3 design as regular motor vehicle license plates, ~~shall~~ MUST consist of any
4 combination of numbers or letters not exceeding seven positions and not
5 less than two positions except as otherwise provided in section ~~42-1-406~~
6 ~~(2)~~ 24-30-2210, C.R.S., and ~~shall~~ MUST not conflict with existing
7 passenger, commercial, trailer, motorcycle, or other special license plates
8 series; except that personalized license plates bearing the words "street
9 rod" shall be of a design determined by the executive director of the
10 department, which design shall be different from those used by the state
11 for regular motor vehicle license plates.

12 **SECTION 5. Appropriation.** For the 2016-17 state fiscal year,
13 \$42,283 is appropriated to the department of personnel for use by the
14 department for the administrative support of the Colorado disability
15 funding committee. This appropriation is from the disability support fund
16 created in section 24-30-2205.5 (1), C.R.S., and is based on an
17 assumption that the department will require an additional 0.5 FTE. To
18 implement this act, the department may use this appropriation for
19 program expenses.

20 **SECTION 6. 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 (August
23 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
24 referendum petition is filed pursuant to section 1 (3) of article V of the
25 state constitution against this act or an item, section, or part of this act
26 within such period, then the act, item, section, or part will not take effect
27 unless approved by the people at the general election to be held in

- 1 November 2016 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.