

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

REREVISED

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

LLS NO. 21-0689.01 Jery Payne x2157

HOUSE BILL 21-1073

HOUSE SPONSORSHIP

Van Beber and Michaelson Jenet, Bernett, Bird, Bockenfeld, Duran, Exum, Herod, Hooton, Mullica, Sandridge, Valdez A.

SENATE SPONSORSHIP

Moreno and Kirkmeyer, Rankin

House Committees

Transportation & Local Government
Finance
Appropriations

Senate Committees

Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A "SUPPORT FOSTER FAMILIES"**
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 "support foster families" license plate for vehicles. A person is qualified to be issued the plate if the person makes a donation to a designated nonprofit organization that meets the bill's qualifications. In addition to the normal fees for a license plate, a person must pay 2 additional one-time fees for the issuance of the plate. The fees

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
3rd Reading Unamended
May 19, 2021

SENATE
2nd Reading Unamended
May 18, 2021

HOUSE
3rd Reading Unamended
April 26, 2021

HOUSE
Amended 2nd Reading
April 23, 2021

are credited to the highway users tax fund and the licensing services cash fund, respectively.

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 - support foster families.** (1) ON OR
5 AFTER JANUARY 1, 2022, OR WHEN THE DEPARTMENT IS ABLE TO ISSUE
6 THE PLATES, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO
7 QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR
8 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 "SUPPORT FOSTER
12 FAMILIES" LICENSE PLATE.

13 (b) THE DEPARTMENT SHALL USE A DESIGN FROM FOSTER SOURCE,
14 REGISTERED AS A NONPROFIT ORGANIZATION UNDER SECTION 26 U.S.C.
15 SEC. 501 (c), BUT THE DESIGN MUST CONFORM TO DEPARTMENT
16 STANDARDS AND BE 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 "SUPPORT FOSTER FAMILIES" LICENSE PLATE. THE
20 ORGANIZATION MUST:

21 (I) BE REGISTERED AS A NONPROFIT ORGANIZATION UNDER 26
22 U.S.C. SEC. 501 (c);

23 (II) BE HEADQUARTERED IN COLORADO;

24 (III) HAVE BEEN IN EXISTENCE FOR AT LEAST FOUR YEARS;

25 (IV) HAVE BEEN FOUNDED BY FOSTER PARENTS OR FORMER

1 FOSTER PARENTS;

2 (V) HAVE AT LEAST ONE PARTNERSHIP WITH A COLORADO COUNTY
3 OR CITY AND COUNTY; AND

4 (VI) PROVIDE SERVICES TO AND SUPPORT FOR FOSTER CARE
5 FAMILIES IN COLORADO.

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

15 (c) TO QUALIFY APPLICANTS TO HAVE A "SUPPORT FOSTER
16 FAMILIES" LICENSE PLATE, THE ORGANIZATION DESIGNATED UNDER
17 SUBSECTION (3)(a) OF THIS SECTION MUST FILE WITH THE DEPARTMENT AN
18 ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

19 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE
20 PLATES ISSUED UNDER THIS SECTION ARE THE SAME AS THE AMOUNT OF
21 THE TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES;
22 EXCEPT THAT THE DEPARTMENT SHALL COLLECT AN ADDITIONAL
23 ONE-TIME FEE OF TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT
24 OF THE LICENSE PLATES. THE DEPARTMENT SHALL TRANSMIT THE
25 ADDITIONAL ONE-TIME FEE TO THE STATE TREASURER, WHO SHALL CREDIT
26 THE FEE TO THE HIGHWAY USERS TAX FUND CREATED IN SECTION
27 43-4-201.

1 (5) A PERSON MAY APPLY FOR PERSONALIZED "SUPPORT FOSTER
2 FAMILIES" LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE
3 REQUIRED BY SECTION 42-3-211 (6)(a) FOR PERSONALIZED LICENSE
4 PLATES, THE DEPARTMENT SHALL ISSUE THE PLATES IF THE APPLICANT
5 COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING
6 PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT
7 MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET
8 OF "SUPPORT FOSTER FAMILIES" LICENSE PLATES FOR THE VEHICLE AFTER
9 PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6)(a) AND TURNING IN
10 THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO OBTAINS
11 PERSONALIZED LICENSE PLATES UNDER THIS SUBSECTION (5) MUST PAY
12 THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6)(b) FOR RENEWAL OF
13 THE PERSONALIZED PLATES. THE FEES IMPOSED UNDER THIS SUBSECTION
14 (5) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES AND FEES.

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

17 **42-3-312. Special license plate surcharge.** In addition to any
18 other fee imposed by this article 3, an applicant for a special license plate
19 created by rule in accordance with section 42-3-207, as the section existed
20 when the plate was created, or license plates issued pursuant to sections
21 42-3-211 to 42-3-214, sections 42-3-217 to 42-3-218, sections 42-3-221
22 to 42-3-234, and sections 42-3-237 to ~~42-3-254~~ 42-3-255 shall pay an
23 issuance fee of twenty-five dollars; except that the fee is not imposed on
24 special license plates exempted from additional fees for the issuance of
25 a military special license plate by section 42-3-213 (1)(b)(II). The
26 department shall transfer the fee to the state treasurer, who shall credit it
27 to the licensing services cash fund created in section 42-2-114.5.

1 **SECTION 3. Appropriation.** (1) For the 2021-22 state fiscal
2 year, \$14,145 is appropriated to the department of revenue for use by the
3 division of motor vehicles. This appropriation consists of \$5,400 from the
4 Colorado DRIVES vehicle services account in the highway users tax fund
5 created in section 42-1-211 (2)(b)(I), C.R.S., and \$8,745 from the license
6 plate cash fund created in section 42-3-301 (1)(b), C.R.S. To implement
7 this act, the division may use this appropriation as follows:

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

10 (b) \$8,745 from the license plate cash fund for license plate
11 ordering.

12 **SECTION 4. Act subject to petition - effective date.** This act
13 takes effect at 12:01 a.m. on the day following the expiration of the
14 ninety-day period after final adjournment of the general assembly; except
15 that, if a referendum petition is filed pursuant to section 1 (3) of article V
16 of the state constitution against this act or an item, section, or part of this
17 act within such period, then the act, item, section, or part will not take
18 effect unless approved by the people at the general election to be held in
19 November 2022 and, in such case, will take effect on the date of the
20 official declaration of the vote thereon by the governor.