

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

PREAMENDED

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

LLS NO. 21-1021.01 Jery Payne x2157

HOUSE BILL 21-1323

HOUSE SPONSORSHIP

Cutter and Amabile,

SENATE SPONSORSHIP

Fenberg and Rankin,

House Committees

Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A SPECIAL OLYMPICS LICENSE PLATE**
102 **FOR MOTOR VEHICLES, AND, IN CONNECTION THEREWITH,**
103 **MAKING AN 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 Special Olympics license plate for motor vehicles. A person qualifies for issuance of the plate if the person makes a donation to a designated nonprofit organization. The designated nonprofit 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.

- Have existed for at least 40 years;
- Provide year-round sports training and athletic competitions for children and adults with intellectual disabilities;
- Collaborate with schools throughout Colorado to bring students together through shared activities that include sports, leadership opportunities, and health education and fitness; and
- Ensure that the donation is spent in Colorado to support athletes with intellectual disabilities.

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. One of these fees is credited to the highway users tax fund and the other fee is credited 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** 42-3-255 as
3 follows:

4 **42-3-255. Special plates - Special Olympics Colorado -**
5 **definition.** (1) BEGINNING ON OR BEFORE JANUARY 1, 2022, THE
6 DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO QUALIFIED
7 APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR MOTORCYCLES,
8 PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR RECREATIONAL
9 MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS
10 EMPTY WEIGHT.

11 (2) (a) THERE IS HEREBY ESTABLISHED THE SPECIAL OLYMPICS
12 COLORADO LICENSE PLATE.

13 (b) THE DEPARTMENT SHALL SELECT A DESIGN FOR THE SPECIAL
14 OLYMPICS COLORADO LICENSE PLATE FROM A DESIGNATED
15 ORGANIZATION THAT MEETS THE STANDARDS IN SUBSECTION (3)(a) OF
16 THIS SECTION, BUT THE DESIGN MUST CONFORM TO DEPARTMENT
17 STANDARDS AND BE APPROVED BY THE DEPARTMENT.

1 (3) (a) AT LEAST ONCE EVERY FIVE YEARS, THE DEPARTMENT
2 SHALL DESIGNATE AN ORGANIZATION THAT MAY QUALIFY APPLICANTS TO
3 BE ISSUED THE SPECIAL OLYMPICS COLORADO LICENSE PLATE. THE
4 ORGANIZATION MUST:

5 (I) BE HEADQUARTERED IN COLORADO;

6 (II) HAVE BEEN IN EXISTENCE FOR AT LEAST FORTY YEARS;

7 (III) PROVIDE YEAR-ROUND SPORTS TRAINING AND ATHLETIC
8 COMPETITIONS FOR CHILDREN AND ADULTS WITH INTELLECTUAL
9 DISABILITIES;

10 (IV) COLLABORATE WITH SCHOOLS THROUGHOUT COLORADO TO
11 BRING STUDENTS TOGETHER, WITH AND WITHOUT DISABILITIES, THROUGH
12 SHARED ACTIVITIES THAT INCLUDE SPORTS, LEADERSHIP OPPORTUNITIES,
13 AND HEALTH EDUCATION AND FITNESS; AND

14 (V) FILE WITH THE DEPARTMENT AN ANNUAL STATEMENT
15 VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

16 (b) A PERSON MAY APPLY FOR A SPECIAL OLYMPICS COLORADO
17 LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED
18 UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT A CERTIFICATE
19 ISSUED BY A DESIGNATED ORGANIZATION CONFIRMING THAT THE PERSON
20 HAS MADE A DONATION TO THE ORGANIZATION. THE DESIGNATED
21 ORGANIZATION MAY ESTABLISH A MINIMUM DONATION AMOUNT OF NO
22 LESS THAN SIXTY DOLLARS AND NO MORE THAN ONE HUNDRED DOLLARS
23 TO QUALIFY FOR THE SPECIAL LICENSE PLATE. A DESIGNATED
24 ORGANIZATION SHALL ONLY SPEND THE DONATIONS IN COLORADO TO
25 SUPPORT ATHLETES WITH INTELLECTUAL DISABILITIES.

26 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE
27 PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES

1 AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT
2 THE DEPARTMENT SHALL COLLECT AN ADDITIONAL ONE-TIME FEE OF
3 TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE SPECIAL
4 LICENSE PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL
5 ONE-TIME FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO
6 THE HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201.

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

22 (6) AS USED IN THIS SECTION, "DESIGNATED ORGANIZATION"
23 MEANS AN ORGANIZATION DESIGNATED BY THE DEPARTMENT THAT MEETS
24 THE CRITERIA SET FORTH IN SUBSECTION (3)(a) OF THIS SECTION.

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

27 **42-3-312. Special license plate surcharge.** In addition to any

1 other fee imposed by this article 3, an applicant for a special license plate
2 created by rule in accordance with section 42-3-207, as the section existed
3 when the plate was created, or SPECIAL license plates issued pursuant to
4 sections 42-3-211 to 42-3-214, sections 42-3-217 to 42-3-218, sections
5 42-3-221 to 42-3-234, and sections 42-3-237 to ~~42-3-254~~ TO 42-3-255
6 shall pay an issuance fee of twenty-five dollars; except that the fee is not
7 imposed on special license plates exempted from additional fees for the
8 issuance of a military special license plate by section 42-3-213 (1)(b)(II).
9 The department shall transfer the fee to the state treasurer, who shall
10 credit it to the licensing services cash fund created in section 42-2-114.5.

11 **SECTION 3. Appropriation.** (1) For the 2021-22 state fiscal
12 year, \$13,460 is appropriated to the department of revenue for use by the
13 division of motor vehicles. This appropriation consists of \$5,400 from the
14 Colorado DRIVES vehicle services account in the highway users tax fund
15 created in section 42-1-211 (2)(b)(I), C.R.S., and \$8,060 from the license
16 plate cash fund created in section 42-3-301 (1)(b), C.R.S. To implement
17 this act, the division may use this appropriation as follows:

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

20 (b) \$8,060 from the license plate cash fund for license plate
21 ordering.

22 **SECTION 4. Act subject to petition - effective date.** This act
23 takes effect at 12:01 a.m. on the day following the expiration of the
24 ninety-day period after final adjournment of the general assembly; except
25 that, if a referendum petition is filed pursuant to section 1 (3) of article V
26 of the state constitution against this act or an item, section, or part of this
27 act within such period, then the act, item, section, or part will not take

1 effect unless approved by the people at the general election to be held in
2 November 2022 and, in such case, will take effect on the date of the
3 official declaration of the vote thereon by the governor.