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HOUSE BILL 24-1105

BY REPRESENTATIVE(S) Hernandez, Boesenecker, Brown, Duran, Epps, Froelich, Garcia, Jodeh, Joseph, Kipp, Lieder, Lindsay, Lindstedt, Lukens, Mabrey, Marshall, Martinez, Marvin, Mauro, Ricks, Rutinel, Story, Titone, Valdez, Velasco, Vigil, Willford, Young;
also SENATOR(S) Gonzales, Bridges, Buckner, Coleman, Cutter, Danielson, Exum, Fields, Ginal, Hansen, Jaquez Lewis, Kolker, Marchman, Michaelson Jenet, Mullica, Priola, Sullivan, Winter F., Zenzinger.

CONCERNING THE CREATION OF A SPECIAL LICENSE PLATE TO SUPPORT THE CHICANO COMMUNITY, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **add** 42-3-270 as follows:

42-3-270. Special plates - Chicana/o license plate. (1) BEGINNING ON JANUARY 1, 2025, OR WHEN THE DEPARTMENT IS ABLE TO ISSUE THE PLATES, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

RECREATIONAL MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

(2) (a) THERE IS ESTABLISHED THE CHICANA/O LICENSE PLATE.

(b) THE DEPARTMENT SHALL DESIGN THE SPECIAL LICENSE PLATE WITH INPUT FROM INTERESTED PERSONS TO SHOW THAT THE OWNER SUPPORTS THE LATIN AMERICAN COMMUNITY.

(3) (a) AT LEAST ONCE EVERY FIVE YEARS, THE DEPARTMENT SHALL DESIGNATE ONE OR MORE ORGANIZATIONS TO QUALIFY APPLICANTS TO BE ISSUED THE CHICANA/O LICENSE PLATE. AN ORGANIZATION IS ELIGIBLE TO BE SELECTED AND RETAINED IF THE ORGANIZATION IS A NONPROFIT ORGANIZATION EXEMPT FROM TAXATION, HAS A DIVISION IN COLORADO, AND:

(I) PROVIDES CHICANA/O YOUTH LEADERSHIP TRAINING;

(II) PROMOTES AND FACILITATES ACCESS TO HIGHER EDUCATION FOR CHICANA/O STUDENTS;

(III) PROVIDES CHICANA/O YOUTH VIOLENCE PREVENTION PROGRAMS;

(IV) WORKS TO INCREASE THE CULTURAL, SOCIAL, POLITICAL, AND ECONOMIC WELL-BEING OF THE CHICANA/O COMMUNITY; OR

(V) PROVIDES ETHNIC STUDIES EDUCATIONAL PROGRAMS, INCLUDING THOSE RELATED TO CHICANA/O HISTORY, INSTITUTIONAL RACISM, AND IMMIGRATION.

(b) AN ORGANIZATION CHOSEN TO QUALIFY APPLICANTS TO BE ISSUED A LICENSE PLATE MAY PROVIDE SERVICES DIRECTLY OR BY ACTING AS A FISCAL AGENT BY IMPLEMENTING A GRANT PROGRAM TO OTHER ORGANIZATIONS THAT PROVIDE SERVICES. TO QUALIFY FOR A GRANT USING MONEY RAISED UNDER THIS SECTION, THE ORGANIZATION MUST MEET THE REQUIREMENTS ESTABLISHED IN SUBSECTION (3)(a) OF THIS SECTION. TO IMPLEMENT THIS PROGRAM AS A FISCAL AGENT MAKING GRANTS, THE FISCAL AGENT SHALL NOT RETAIN OR SPEND MORE THAN TEN PERCENT OF THE MONEY RAISED UNDER THIS SECTION ON ADMINISTRATIVE COSTS.

(c) A PERSON MAY APPLY FOR A CHICANA/O LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR AN AUTHORIZED AGENT A CERTIFICATE ISSUED BY THE ORGANIZATION CHOSEN IN ACCORDANCE WITH SUBSECTION (3)(a) OF THIS SECTION CONFIRMING THAT THE APPLICANT HAS MADE A DONATION TO THE ORGANIZATION. THE ORGANIZATION MAY ESTABLISH A MINIMUM DONATION AMOUNT TO QUALIFY FOR THE LICENSE PLATE. THE ORGANIZATION SHALL USE THE DONATION TO SUPPORT LATIN AMERICAN COMMUNITIES.

(d) THE ORGANIZATION CHOSEN IN ACCORDANCE WITH SUBSECTION (3)(a) OF THIS SECTION SHALL FILE WITH THE DEPARTMENT AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

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

(5) AN APPLICANT MAY APPLY FOR PERSONALIZED CHICANA/O LICENSE PLATES. UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6)(a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE THE PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS TO A NEW SET OF CHICANA/O LICENSE PLATES FOR THE VEHICLE UPON PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6)(a) AND UPON TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS SUBSECTION (5) SHALL PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6)(b) FOR RENEWAL OF THE PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES AND FEES.

SECTION 2. In Colorado Revised Statutes, **amend** 42-3-312 as

follows:

42-3-312. Special license plate surcharge. In addition to any other fee imposed by this article 3, an applicant for a special license plate created by rule in accordance with section 42-3-207, as the section existed when the plate was created, personalized plates issued under section 42-3-211, or special license plates issued under sections 42-3-212 to 42-3-214, sections 42-3-217 to 42-3-218, sections 42-3-221 to 42-3-234, sections 42-3-237 to 42-3-258, sections 42-3-260 to 42-3-265, AND SECTIONS 42-3-267 ~~42-3-268~~, and ~~section 42-3-269~~ TO 42-3-270 shall pay an issuance fee of twenty-five dollars; except that the fee is not imposed on special license plates exempted from additional fees for the issuance of a military special license plate by section 42-3-213 (1)(b)(II). The department shall transfer the money from the fee to the state treasurer, who shall credit it to the Colorado DRIVES vehicle services account created in section 42-1-211 (2).

SECTION 3. Appropriation. (1) For the 2024-25 state fiscal year, \$6,629 is appropriated to the department of revenue. This appropriation is from the Colorado DRIVES vehicle services account in the highway users tax fund created in section 42-1-211 (2), C.R.S. To implement this act, the department may use this appropriation as follows:

- (a) \$4,960 for DRIVES maintenance and support;
 - (b) \$352 for personal services related to vehicle services;
 - (c) \$525 for personal services related to administration and support;
- and
- (d) \$792 for payments to OIT.

(2) For the 2024-25 state fiscal year, \$7,562 is appropriated to the department of revenue for use by the division of motor vehicles. This appropriation is from the license plate cash fund created in section 42-3-301 (1)(b), C.R.S. To implement this act, the division may use this appropriation for license plate ordering.

SECTION 4. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly; except

that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2024 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO