

Second Regular Session  
Seventy-fifth General Assembly  
STATE OF COLORADO

**PREAMENDED**

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

LLS NO. 26-0726.01 Jery Payne x2157

**HOUSE BILL 26-1306**

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**HOUSE SPONSORSHIP**

**Duran,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**

Finance  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF THE WILD HORSE SPECIAL LICENSE**  
102 **PLATE, AND, IN CONNECTION THEREWITH, MAKING AN**  
103 **APPROPRIATION.**

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**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 wild horse special license plate. To qualify for the plate, a person must make a donation of \$50 to the wild horse fund and make an annual donation of \$25 to renew the plate. In addition to the normal taxes and fees, the person must pay 2 one-time fees of \$25.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing law.*  
*Dashes through the words or numbers indicate deletions from existing law.*

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-77-102, **amend**  
3 (6) as follows:

4           **24-77-102. Definitions.**

5           As used in this article 77, unless the context otherwise requires:

6           (6) "Gift" means something of value which is given to the state  
7 voluntarily by any person or entity, regardless of whether such person or  
8 entity specifies the purpose or purposes for which such thing of value is  
9 to be used. "Gift" includes, but is not limited to, DONATIONS MADE TO THE  
10 WILD HORSE FUND, CREATED IN SECTION 35-66-104, PURSUANT TO  
11 SECTION 42-3-272 AND voluntary contributions received by the state as a  
12 result of any state voluntary contribution program established pursuant to  
13 article 22 of title 39. ~~C.R.S.~~ "Gift" does not include federal funds or any  
14 pecuniary compensation received by the state from any other  
15 governmental entity.

16           **SECTION 2.** In Colorado Revised Statutes, 35-66-104, **amend**  
17 (1)(b) as follows:

18           **35-66-104. Wild horse fund - legislative declaration.**

19           (1) (b) The wild horse fund is created in the state treasury. The  
20 fund consists of gifts, grants, and donations, INCLUDING DONATIONS MADE  
21 UNDER SECTION 42-3-272; payments from the federal government in  
22 connection with assisting in the management of wild horses; and any  
23 other money that the general assembly may appropriate or transfer to the  
24 fund.

25           **SECTION 3.** In Colorado Revised Statutes, **add** 42-3-272 as  
26 follows:

1           **42-3-272. Special plates - wild horses - legislative declaration**  
2   **- repeal.**

3           (1) BEGINNING ON THE EARLIER OF JANUARY 1, 2027, OR WHEN  
4 THE DEPARTMENT IS ABLE TO ISSUE THE PLATE, THE DEPARTMENT SHALL  
5 ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE  
6 WITH THIS SECTION FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR  
7 NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT DO NOT  
8 EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

9           (2) (a) THE WILD HORSE LICENSE PLATE IS ESTABLISHED.

10          (b) THE DEPARTMENT SHALL DESIGN THE PLATE IN COOPERATION  
11 AND CONSULTATION WITH THE DEPARTMENT OF AGRICULTURE TO  
12 INDICATE THAT THE MOTOR VEHICLE TO WHICH THE PLATE IS ATTACHED  
13 IS OWNED BY A PERSON THAT SUPPORTS THE HUMAN PRESERVATION OF  
14 WILD HORSES.

15          (3) (a) (I) A PERSON MAY APPLY FOR A WILD HORSE LICENSE PLATE  
16 IF THE PERSON PAYS THE TAXES AND FEES REQUIRED IN THIS SECTION AND  
17 MAKES A DONATION OF:

18           (A) ON OR BEFORE JUNE 30, 2028, ONE HUNDRED DOLLARS TO THE  
19 WILD HORSE FUND, CREATED IN SECTION 35-66-104, FOR USE BY THE WILD  
20 HORSE POPULATION MANAGEMENT PROGRAM ESTABLISHED IN SECTIONS  
21 35-1-119 AND 35-66-108; OR

22           (B) ON OR AFTER JULY 1, 2028, FIFTY DOLLARS TO THE WILD  
23 HORSE FUND, CREATED IN SECTION 35-66-104, FOR USE BY THE WILD  
24 HORSE POPULATION MANAGEMENT PROGRAM ESTABLISHED IN SECTIONS  
25 35-1-119 AND 35-66-108.

26          (II) THIS SUBSECTION (3)(a)(II) AND SUBSECTION (3)(a)(I)(A) OF  
27 THIS SECTION ARE REPEALED, EFFECTIVE JULY 1, 2028.

1 (b) TO RENEW A WILD HORSE LICENSE PLATE, THE OWNER MUST  
2 MAKE AN ANNUAL DONATION OF FIFTY DOLLARS TO THE WILD HORSE  
3 FUND, CREATED IN SECTION 35-66-104.

4 (c) THE AUTHORIZED AGENT SHALL COLLECT THE DONATION  
5 REQUIRED IN SUBSECTION (3)(a) OR (3)(b) OF THIS SECTION AND TRANSFER  
6 THE DONATION TO THE DEPARTMENT OF REVENUE. THE STATE TREASURER  
7 SHALL CREDIT THE DONATIONS TO THE WILD HORSE FUND, CREATED IN  
8 SECTION 35-66-104.

9 (d) THE GENERAL ASSEMBLY FINDS AND DECLARES THAT A  
10 DONATION RECEIVED UNDER SUBSECTION (3)(a) OR (3)(b) OF THIS SECTION  
11 IS A CUSTODIAL FUND AND, THEREFORE, IS NOT SUBJECT TO  
12 APPROPRIATION OR TO SECTION 20 OF ARTICLE X OF THE STATE  
13 CONSTITUTION.

14 (4) (a) THE AMOUNT OF THE TAXES AND FEES FOR A SPECIAL  
15 LICENSE PLATE REQUIRED UNDER THIS SECTION IS THE SAME AS THE  
16 AMOUNT OF THE TAXES AND FEES FOR A REGULAR MOTOR VEHICLE  
17 LICENSE PLATE; EXCEPT THAT, BEGINNING JULY 1, 2028, THE DEPARTMENT  
18 SHALL COLLECT THE FEE SPECIFIED IN SECTION 42-3-312 AND AN  
19 ADDITIONAL ONE-TIME FEE OF TWENTY-FIVE DOLLARS FOR ISSUANCE OR  
20 REPLACEMENT OF THE SPECIAL LICENSE PLATES. THE STATE TREASURER  
21 SHALL CREDIT THE FEE TO THE HIGHWAY USERS TAX FUND, CREATED IN  
22 SECTION 43-4-201.

23 (b) (I) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT SHALL  
24 NOTIFY THE STATE TREASURER OF THE NUMBER OF WILD HORSE LICENSE  
25 PLATES SOLD. THE EXECUTIVE DIRECTOR OF THE DEPARTMENT, THE  
26 COMMISSIONER OF AGRICULTURE, AND THE STATE TREASURER SHALL  
27 JOINTLY DETERMINE THE FREQUENCY OF THE NOTIFICATIONS.

1 (II) UPON RECEIVING THE NOTIFICATION REQUIRED IN SUBSECTION  
2 (4)(b)(I) OF THIS SECTION, THE STATE TREASURER SHALL TRANSFER:

3 (A) TWENTY-FIVE DOLLARS FROM THE WILD HORSE FUND,  
4 CREATED IN SECTION 35-66-104, TO THE COLORADO DRIVES VEHICLE  
5 SERVICES ACCOUNT, CREATED IN SECTION 42-1-211; AND

6 (B) TWENTY-FIVE DOLLARS FROM THE WILD HORSE FUND,  
7 CREATED IN SECTION 35-66-104, TO THE HIGHWAY USERS TAX FUND,  
8 CREATED IN SECTION 43-4-201.

9 (III) THIS SUBSECTION (4)(b) IS REPEALED, EFFECTIVE JULY 1,  
10 2028.

11 (5) AN APPLICANT MAY APPLY TO THE DEPARTMENT FOR  
12 PERSONALIZED WILD HORSE LICENSE PLATES. UPON PAYMENT OF THE  
13 ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6)(a) FOR  
14 PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE THE PLATES  
15 IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN APPLICANT  
16 HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR VEHICLE, THE  
17 APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS OR NUMBERS  
18 TO A NEW SET OF WILD HORSE LICENSE PLATES FOR THE VEHICLE UPON  
19 PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6)(a) AND UPON  
20 TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A PERSON THAT  
21 HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS SUBSECTION  
22 (5) MUST PAY THE ANNUAL FEE IMPOSED BY SECTION 42-3-211 (6)(b) TO  
23 RENEW THE PERSONALIZED PLATES. THE FEES ASSESSED UNDER THIS  
24 SUBSECTION (5) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES AND  
25 FEES.

26 **SECTION 4.** In Colorado Revised Statutes, **amend** 42-3-312 as  
27 follows:

1           **42-3-312. Special license plate surcharge.**

2           (1) In addition to any other fee imposed by this article 3, an  
3 applicant for a special license plate created by rule in accordance with  
4 section 42-3-207, as the section existed when the plate was created,  
5 personalized plates issued under section 42-3-211, or special license  
6 plates issued under sections 42-3-212 to 42-3-214, sections 42-3-217 to  
7 42-3-218, sections 42-3-221 to ~~42-3-234~~ **42-3-229**, SECTIONS 42-3-231 TO  
8 42-3-234, sections 42-3-237 to 42-3-258, sections 42-3-260 to 42-3-265,  
9 and sections 42-3-267 to ~~42-3-271~~ shall pay an issuance fee of  
10 twenty-five dollars; except that the fee is not imposed on special license  
11 plates exempted from additional fees for the issuance of a military special  
12 license plate by section 42-3-213 (1)(b)(II). ~~The department shall transfer~~  
13 ~~the money from the fee to the state treasurer who shall credit it~~ **THE**  
14 **MONEY FROM THE FEE to the Colorado DRIVES vehicle services account**  
15 **created in section 42-1-211 (2).**

16           (2) ~~IN ADDITION TO ANY OTHER FEE IMPOSED BY THIS ARTICLE 3,~~  
17 ~~AN APPLICANT FOR SPECIAL LICENSE PLATES ISSUED UNDER SECTION~~  
18 ~~42-3-272 SHALL PAY THE FEE IMPOSED IN SUBSECTION (1) OF THIS SECTION~~  
19 ~~ON OR AFTER JULY 1, 2028, TO BE ISSUED THE SPECIAL LICENSE PLATES.~~

20           **SECTION 5. Appropriation.** (1) For the 2026-27 state fiscal  
21 year, \$152,611 is appropriated to the department of revenue. This  
22 appropriation consists of \$31,536 from the Colorado DRIVES vehicle  
23 services account in the highway users tax fund created in section  
24 42-1-211 (2), C.R.S., and \$121,075 from the license plate cash fund  
25 created in section 42-3-301 (1)(b), C.R.S. To implement this act, the  
26 department may use this appropriation as follows:

27           (a) \$121,075 from the license plate cash fund for use by the

- 1 division of motor vehicles for license plate ordering;
- 2 (b) \$23,584 from the Colorado DRIVES vehicle services account
- 3 for DRIVES maintenance and support;
- 4 (c) \$1,927 from the Colorado DRIVES vehicle services account
- 5 for use by the division of motor vehicles for personal services related to
- 6 vehicle services;
- 7 (d) \$2,665 from the Colorado DRIVES vehicle services account
- 8 for use by the executive director's office for personal services related to
- 9 administration and support; and
- 10 (e) \$3,360 from the Colorado DRIVES vehicle services account
- 11 for payments to OIT.

12 **SECTION 6. 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 (August

15 12, 2026, if adjournment sine die is on May 13, 2026); except that, if a

16 referendum petition is filed pursuant to section 1 (3) of article V of the

17 state constitution against this act or an item, section, or part of this act

18 within such period, then the act, item, section, or part will not take effect

19 unless approved by the people at the general election to be held in

20 November 2026 and, in such case, will take effect on the date of the

21 official declaration of the vote thereon by the governor.