

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

INTRODUCED

LLS NO. 19-1014.01 Jery Payne x2157

HOUSE BILL 19-1286

HOUSE SPONSORSHIP

Kraft-Tharp and Liston,

SENATE SPONSORSHIP

Todd,

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING LIMITING THE NUMBER OF PEOPLE WHO MAY SELL**
102 **VEHICLES TO DEALERS UNDER A WHOLESALER'S LICENSE ISSUED**
103 **BY THE MOTOR VEHICLE DEALER BOARD.**

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>.)

Current law requires a wholesaler's license to sell motor vehicles or powersports vehicles to dealers. The bill limits the number of individuals who may act as a wholesaler under a license to 2.

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.

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

2 **SECTION 1.** In Colorado Revised Statutes, 44-20-108, **amend**
3 (1)(e) as follows:

4 **44-20-108. Classes of licenses.** (1) The following classes of
5 licenses are issued under this part 1:

6 (e) A wholesaler's license ~~shall permit~~ PERMITS the licensee to
7 engage in the activities of a wholesaler, BUT DOES NOT PERMIT MORE
8 THAN TWO INDIVIDUALS, WHO MUST BE NAMED IN THE LICENSE AND WHO
9 MUST BE OWNERS OR PART OWNERS OF THE BUSINESS OF THE LICENSEE, TO
10 PERFORM THE ACTIVITIES OF A WHOLESALER.

11 **SECTION 2.** In Colorado Revised Statutes, 44-20-408, **amend**
12 (1)(f) as follows:

13 **44-20-408. Classes of licenses.** (1) The following classes of
14 licenses are issued under this part 4:

15 (f) A wholesaler's license ~~shall permit~~ PERMITS the licensee to
16 engage in the activities of a wholesaler, BUT DOES NOT PERMIT MORE
17 THAN TWO INDIVIDUALS, WHO MUST BE NAMED IN THE LICENSE AND WHO
18 MUST BE OWNERS OR PART OWNERS OF THE BUSINESS OF THE LICENSEE, TO
19 PERFORM THE ACTIVITIES OF A WHOLESALER.

20 **SECTION 3. Act subject to petition - effective date -**
21 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
22 the expiration of the ninety-day period after final adjournment of the
23 general assembly (August 2, 2019, if adjournment sine die is on May 3,
24 2019); except that, if a referendum petition is filed pursuant to section 1
25 (3) of article V of the state constitution against this act or an item, section,
26 or part of this act within such period, then the act, item, section, or part
27 will not take effect unless approved by the people at the general election

1 to be held in November 2020 and, in such case, will take effect on the
2 date of the official declaration of the vote thereon by the governor.

3 (2) This act applies to licenses issued or renewed on or after the
4 applicable effective date of this act.