

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

PREAMENDED

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

LLS NO. 24-0699.01 Clare Haffner x6137

HOUSE BILL 24-1105

HOUSE SPONSORSHIP

Hernandez,

SENATE SPONSORSHIP

Gonzales,

House Committees

Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A SPECIAL LICENSE PLATE TO SUPPORT**
102 **THE CHICANO COMMUNITY, 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 Chicana/o special license plate. An applicant becomes eligible to use the plate by providing a certificate to the department of revenue (department) confirming that the applicant has made a donation to a nonprofit organization (organization) chosen by the department based on the organization's provision of services to the Latin

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.

American community. The organization may implement the bill by making grants to other organizations that also qualify under the standards of the bill.

In addition to the standard motor vehicle fees, the plate requires 2 one-time fees of \$25. One of the fees is credited to the highway users tax fund and the other 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** 42-3-270 as
3 follows:

4 **42-3-270. Special plates - Chicana/o license plate.**

5 (1) BEGINNING ON JANUARY 1, 2025, OR WHEN THE DEPARTMENT IS ABLE
6 TO ISSUE THE PLATES, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE
7 PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE WITH THIS SECTION
8 FOR 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 ESTABLISHED THE CHICANA/O LICENSE PLATE.

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

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

21 (I) PROVIDES CHICANA/O YOUTH LEADERSHIP TRAINING;

22 (II) PROMOTES AND FACILITATES ACCESS TO HIGHER EDUCATION

1 FOR CHICANA/O STUDENTS;

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

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

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

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

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

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

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

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

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

3 **42-3-312. Special license plate surcharge.** In addition to any
4 other fee imposed by this article 3, an applicant for a special license plate
5 created by rule in accordance with section 42-3-207, as the section existed
6 when the plate was created, personalized plates issued under section
7 42-3-211, or special license plates issued under sections 42-3-212 to
8 42-3-214, sections 42-3-217 to 42-3-218, sections 42-3-221 to 42-3-234,
9 sections 42-3-237 to 42-3-258, sections 42-3-260 to 42-3-265, AND
10 SECTIONS 42-3-267 ~~42-3-268~~, and ~~section 42-3-269~~ TO 42-3-270 shall pay
11 an issuance fee of twenty-five dollars; except that the fee is not imposed
12 on special license plates exempted from additional fees for the issuance
13 of a military special license plate by section 42-3-213 (1)(b)(II). The
14 department shall transfer the money from the fee to the state treasurer,
15 who shall credit it to the Colorado DRIVES vehicle services account
16 created in section 42-1-211 (2).

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

- 22 (a) \$4,960 for DRIVES maintenance and support;
 - 23 (b) \$352 for personal services related to vehicle services;
 - 24 (c) \$525 for personal services related to administration and
25 support; and
 - 26 (d) \$792 for payments to OIT.
- 27 (2) For the 2024-25 state fiscal year, \$7,562 is appropriated to the

1 department of revenue for use by the division of motor vehicles. This
2 appropriation is from the license plate cash fund created in section
3 42-3-301 (1)(b), C.R.S. To implement this act, the division may use this
4 appropriation for license plate ordering.

5 **SECTION 4. Act subject to petition - effective date.** This act
6 takes effect at 12:01 a.m. on the day following the expiration of the
7 ninety-day period after final adjournment of the general assembly; except
8 that, if a referendum petition is filed pursuant to section 1 (3) of article V
9 of the state constitution against this act or an item, section, or part of this
10 act within such period, then the act, item, section, or part will not take
11 effect unless approved by the people at the general election to be held in
12 November 2024 and, in such case, will take effect on the date of the
13 official declaration of the vote thereon by the governor.