

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0232.01 Jery Payne x2157

HOUSE BILL 18-1255

HOUSE SPONSORSHIP

Duran and Carver,

SENATE SPONSORSHIP

Cooke and Kefalas,

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF A CHILDHOOD CANCER AWARENESS
102 LICENSE PLATE.

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 childhood cancer awareness license plate. A person becomes eligible to use the plate by providing a certificate confirming that the person has made a donation to an organization chosen by the department of revenue based on the organization's assistance to children with cancer.

In addition to the standard motor vehicle fees, the plate requires 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.

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** 42-3-252 as
3 follows:

4 **42-3-252. Special plates - childhood cancer awareness plate.**

5 (1) BEGINNING ON OR BEFORE JANUARY 1, 2019, THE DEPARTMENT SHALL
6 ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS IN ACCORDANCE
7 WITH THIS SECTION FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR
8 NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT DO NOT
9 EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

10 (2) (a) THERE IS HEREBY ESTABLISHED THE CHILDHOOD CANCER
11 AWARENESS LICENSE PLATE. THE DEPARTMENT MAY STOP ISSUING THE
12 PLATE IF FEWER THAN THREE THOUSAND PLATES ARE ISSUED BY JULY 1,
13 2023. A PERSON WHO WAS ISSUED A CHILDHOOD CANCER AWARENESS
14 LICENSE PLATE ON OR BEFORE JULY 1, 2023, MAY CONTINUE TO USE IT
15 AFTER JULY 1, 2023, REGARDLESS OF WHETHER THE DEPARTMENT STOPS
16 ISSUING THE SPECIAL LICENSE PLATE.

17 (b) THE DEPARTMENT SHALL USE A DESIGN FROM AN
18 ORGANIZATION MEETING THE STANDARDS OF SUBSECTION (3) OF THIS
19 SECTION, BUT THE DESIGN MUST CONFORM TO DEPARTMENT STANDARDS
20 AND BE APPROVED BY THE DEPARTMENT.

21 (3) (a) AT LEAST ONCE EVERY FIVE YEARS, THE DEPARTMENT
22 SHALL DESIGNATE AN ORGANIZATION TO QUALIFY APPLICANTS TO BE
23 ISSUED THE CHILDHOOD CANCER AWARENESS LICENSE PLATE. THE
24 ORGANIZATION MUST:

25 (I) HAVE AN OFFICE IN COLORADO;

1 (II) HAVE BEEN IN EXISTENCE FOR AT LEAST ONE YEAR; AND

2 (III) FINANCIALLY ASSIST:

3 (A) FAMILIES WITH MINORS BEING TREATED IN COLORADO FOR
4 CANCER; OR

5 (B) RESEARCH FOUNDATIONS THAT PROVIDE MONEY FOR
6 PEDIATRIC CANCER RESEARCH.

7 (b) A PERSON MAY APPLY FOR A CHILDHOOD CANCER AWARENESS
8 LICENSE PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED
9 UNDER THIS SECTION AND PROVIDES TO THE DEPARTMENT OR AN
10 AUTHORIZED AGENT A CERTIFICATE ISSUED BY THE ORGANIZATION
11 CHOSEN IN ACCORDANCE WITH THIS SUBSECTION (3) CONFIRMING THAT
12 THE APPLICANT HAS MADE A DONATION TO THE ORGANIZATION. THE
13 ORGANIZATION MAY ESTABLISH A MINIMUM DONATION AMOUNT TO
14 QUALIFY FOR THE PLATE. THE AMOUNT MUST NEITHER BE LESS THAN
15 TWENTY-FIVE DOLLARS NOR MORE THAN SEVENTY-FIVE DOLLARS. THE
16 ORGANIZATION SHALL USE THE DONATION TO FINANCIALLY ASSIST:

17 (I) FAMILIES OF A MINOR BEING TREATED IN COLORADO FOR
18 CANCER; OR

19 (II) RESEARCH FOUNDATIONS THAT PROVIDE MONEY FOR
20 PEDIATRIC CANCER RESEARCH.

21 (c) TO QUALIFY APPLICANTS TO HAVE A CHILDHOOD CANCER
22 AWARENESS LICENSE PLATE, THE ORGANIZATION CHOSEN IN ACCORDANCE
23 WITH THIS SUBSECTION (3) MUST FILE WITH THE DEPARTMENT AN ANNUAL
24 STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION UNLESS
25 THE DEPARTMENT STOPS ISSUING THE LICENSE PLATE.

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 LICENSE
4 PLATE. THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME
5 FEE TO THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE
6 HIGHWAY USERS TAX FUND CREATED IN SECTION 43-4-201.

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

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

24 **42-3-312. Special license plate surcharge.** In addition to any
25 other fee imposed by this article 3, an applicant for a special license plate
26 created by rule in accordance with section 42-3-207, as the section existed
27 when the plate was created, or license plates issued pursuant to sections

1 42-3-211 to ~~42-3-218~~ 42-3-214, SECTIONS 42-3-217 TO 42-3-218, sections
2 42-3-221 to 42-3-234, and sections 42-3-237 to ~~42-3-251~~ 42-3-252 shall
3 pay an issuance fee of twenty-five dollars; except that the fee is not
4 imposed on special license plates exempted from additional fees for the
5 issuance of a military special license plate by section 42-3-213 (1)(b)(II).
6 The department shall transfer the fee to the state treasurer, who shall
7 credit it to the licensing services cash fund created in section 42-2-114.5.

8 **SECTION 3. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly (August
11 8, 2018, if adjournment sine die is on May 9, 2018); except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within such period, then the act, item, section, or part will not take effect
15 unless approved by the people at the general election to be held in
16 November 2018 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.