

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

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 21-0228.01 Jery Payne x2157

HOUSE BILL 21-1145

HOUSE SPONSORSHIP

Kipp and Soper,

SENATE SPONSORSHIP

Jaquez Lewis and Simpson,

House Committees

Energy & Environment
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A SPECIAL LICENSE PLATE TO SUPPORT**
102 **POLLINATORS, AND, IN CONNECTION THEREWITH, MAKING AN**
103 **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 support pollinators license plate for vehicles. A person qualifies for issuance of the plate if the person makes a donation to a designated nonprofit organization that supports pollinators. The organization must use the donation for pollination programs and education.

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.*

HOUSE
Amended 2nd Reading
April 23, 2021

In addition to the normal fees for a license plate, a person must pay 2 additional one-time fees for the issuance of the plate. One of these fees is credited to the highway users tax fund and the other fee is credited 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** 42-3-255 as
3 follows:

4 **42-3-255. Special plates - support pollinators.** (1) THE
5 DEPARTMENT SHALL ISSUE SPECIAL LICENSE PLATES TO QUALIFIED
6 APPLICANTS IN ACCORDANCE WITH THIS SECTION FOR MOTORCYCLES,
7 PASSENGER CARS, TRUCKS, OR NONCOMMERCIAL OR RECREATIONAL
8 MOTOR VEHICLES THAT DO NOT EXCEED SIXTEEN THOUSAND POUNDS
9 EMPTY WEIGHT.

10 (2) (a) THERE IS HEREBY ESTABLISHED THE SUPPORT POLLINATORS
11 LICENSE PLATE.

12 (b) THE DEPARTMENT SHALL USE A DESIGN FROM AN
13 ORGANIZATION THAT MEETS THE STANDARDS OF SUBSECTION (3) OF THIS
14 SECTION, BUT THE DESIGN MUST CONFORM TO DEPARTMENT STANDARDS
15 AND BE APPROVED BY THE DEPARTMENT.

16 (3) (a) AT LEAST ONCE EVERY FIVE YEARS, THE DEPARTMENT
17 SHALL DESIGNATE AN ORGANIZATION TO QUALIFY APPLICANTS TO BE
18 ISSUED THE SUPPORT POLLINATORS LICENSE PLATE. TO QUALIFY, THE
19 ORGANIZATION MUST:

20 (I) BE A STATEWIDE ORGANIZATION HEADQUARTERED IN
21 COLORADO;

22 (II) HAVE BEEN IN EXISTENCE FOR AT LEAST FIVE YEARS;

23 (III) BE A NONPROFIT ORGANIZATION EXEMPT FROM TAXATION;

24 (IV) HELP PROMOTE THE HEALTH OF NATIVE POLLINATORS, WHICH

1 ALSO SUPPORTS THE PEOPLE OF THE STATE;

2 (V) HELP INCREASE NATIVE POLLINATOR HABITAT, INCLUDING
3 SUPPORTING PROTECTIONS FOR POLLINATOR HABITAT AND HEALTH;

4 (VI) HELP EDUCATE THE PUBLIC ABOUT THE VALUE OF NATIVE
5 PLANTS FOR POLLINATORS; AND

6 (VII) HELP FUND EDUCATIONAL PROGRAMS THAT PROMOTE
7 COLORADO'S POLLINATOR BIODIVERSITY.

8 (b) A PERSON MAY APPLY FOR A SUPPORT POLLINATORS LICENSE
9 PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS
10 SECTION AND PROVIDES TO THE DEPARTMENT OR AN AUTHORIZED AGENT
11 A CERTIFICATE ISSUED BY THE ORGANIZATION DESIGNATED IN
12 ACCORDANCE WITH THIS SUBSECTION (3) CONFIRMING THAT THE
13 APPLICANT HAS MADE A DONATION TO THE ORGANIZATION. THE
14 ORGANIZATION SHALL USE THE DONATION TO:

15 (I) HELP PROMOTE THE HEALTH OF NATIVE POLLINATORS;

16 (II) HELP INCREASE NATIVE POLLINATOR HABITAT; AND

17 (III) HELP FUND EDUCATIONAL PROGRAMS THAT PROMOTE
18 COLORADO'S NATIVE POLLINATOR BIODIVERSITY.

19 (c) TO QUALIFY APPLICANTS TO HAVE A SUPPORT POLLINATORS
20 LICENSE PLATE, THE ORGANIZATION DESIGNATED IN ACCORDANCE WITH
21 THIS SUBSECTION (3) MUST FILE WITH THE DEPARTMENT AN ANNUAL
22 STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

23 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE
24 PLATES UNDER THIS SECTION IS THE SAME AS THE AMOUNT OF THE TAXES
25 AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT THAT
26 THE DEPARTMENT SHALL COLLECT AN ADDITIONAL ONE-TIME FEE OF
27 TWENTY-FIVE DOLLARS FOR ISSUANCE OR REPLACEMENT OF THE LICENSE

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

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

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

20 **42-3-312. Special license plate surcharge.** In addition to any
21 other fee imposed by this article 3, an applicant for a special license plate
22 created by rule in accordance with section 42-3-207, as the section existed
23 when the plate was created, or license plates issued pursuant to sections
24 42-3-211 to 42-3-214, sections 42-3-217 to 42-3-218, sections 42-3-221
25 to 42-3-234, and sections 42-3-237 to ~~42-3-254~~ 42-3-255 shall pay an
26 issuance fee of twenty-five dollars; except that the fee is not imposed on
27 special license plates exempted from additional fees for the issuance of

1 a military special license plate by section 42-3-213 (1)(b)(II). The
2 department shall transfer the fee to the state treasurer, who shall credit it
3 to the licensing services cash fund created in section 42-2-114.5.

4 **SECTION 3. Appropriation.** (1) For the 2021-22 state fiscal
5 year, \$22,544 is appropriated to the department of revenue for use by the
6 division of motor vehicles. This appropriation consists of \$5,400 from the
7 Colorado DRIVES vehicle services account in the highway users tax fund
8 created in section 42-1-211 (2)(b)(I), C.R.S., and \$17,144 from the
9 license plate cash fund created in section 42-3-301 (1)(b), C.R.S. To
10 implement this act, the division may use this appropriation as follows:

11 (a) \$5,400 from the Colorado DRIVES vehicle services account
12 in the highway users tax fund for DRIVES maintenance and support; and

13 (b) \$17,144 from the license plate cash fund for license plate
14 ordering.

15 **SECTION 4. Act subject to petition - effective date.** This act
16 takes effect at 12:01 a.m. on the day following the expiration of the
17 ninety-day period after final adjournment of the general assembly; except
18 that, if a referendum petition is filed pursuant to section 1 (3) of article V
19 of the state constitution against this act or an item, section, or part of this
20 act within such period, then the act, item, section, or part will not take
21 effect unless approved by the people at the general election to be held in
22 November 2022 and, in such case, will take effect on the date of the
23 official declaration of the vote thereon by the governor.