

First Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

PREAMENDED

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

LLS NO. 11-1062.01 Jery Payne

HOUSE BILL 11-1316

HOUSE SPONSORSHIP

Priola, Duran

SENATE SPONSORSHIP

Johnston,

House Committees

Transportation
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF CERTAIN SPORTS SPECIAL LICENSE**
102 **PLATES FOR KROENKE SPORTS CHARITIES, AND MAKING AN**
103 **APPROPRIATION THEREFOR.**

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://www.leg.state.co.us/billsummaries>.)

The bill creates both the Colorado Avalanche and Denver Nuggets special license plates. A person becomes eligible to use the plates by donating \$45 to Kroenke sports charities. In addition to the normal motor vehicle fees, the plate requires 2 one-time fees of \$25. One of the fees is

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

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.** Part 2 of article 3 of title 42, Colorado Revised
3 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
4 read:

5 **42-3-236. Special plates - Colorado Avalanche or Denver**
6 **Nuggets.** (1) BEGINNING THE EARLIER OF JANUARY 1, 2012, OR WHEN
7 THE DEPARTMENT IS ABLE TO ISSUE THE PLATES, THE DEPARTMENT SHALL
8 ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS UNDER THIS
9 SECTION FOR MOTORCYCLES, PASSENGER CARS, TRUCKS, OR
10 NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT DO NOT
11 EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

12 (2) (a) THERE IS HEREBY ESTABLISHED THE COLORADO
13 AVALANCHE AND DENVER NUGGETS SPECIAL LICENSE PLATES. THE
14 DEPARTMENT MAY STOP ISSUING EITHER THE COLORADO AVALANCHE OR
15 DENVER NUGGETS SPECIAL LICENSE PLATE IF A TOTAL OF THREE
16 THOUSAND LICENSE PLATES, OF EITHER DESIGN, ARE NOT ISSUED BY JULY
17 1, 2016. A PERSON MAY CONTINUE TO USE EITHER THE COLORADO
18 AVALANCHE OR DENVER NUGGETS SPECIAL LICENSE PLATE AFTER JULY
19 1, 2016.

20 (b) KROENKE SPORTS CHARITIES MAY DESIGN THE SPECIAL LICENSE
21 PLATES, BUT THE DESIGN MUST CONFORM WITH STANDARDS ESTABLISHED
22 BY THE DEPARTMENT.

23 (3) (a) A PERSON MAY APPLY FOR A COLORADO AVALANCHE OR
24 DENVER NUGGETS SPECIAL LICENSE PLATE IF THE PERSON PAYS THE TAXES
25 AND FEES REQUIRED UNDER THIS SECTION AND PROVIDES TO THE

1 DEPARTMENT OR AN AUTHORIZED AGENT A CERTIFICATE, ISSUED BY
2 KROENKE SPORTS CHARITIES OR ITS SUCCESSOR ORGANIZATION,
3 CONFIRMING THAT THE APPLICANT HAS DONATED FORTY-FIVE DOLLARS TO
4 KROENKE SPORTS CHARITIES.

5 (b) KROENKE SPORTS CHARITIES, OR ITS SUCCESSOR
6 ORGANIZATION, SHALL FILE WITH THE DEPARTMENT AN ANNUAL
7 STATEMENT VERIFYING THAT IT IS A NONPROFIT ORGANIZATION.

8 (4) THE AMOUNT OF THE TAXES AND FEES FOR SPECIAL LICENSE
9 PLATES UNDER THIS SECTION ARE THE SAME AS THE AMOUNT OF THE
10 TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES; EXCEPT
11 THAT THE DEPARTMENT SHALL COLLECT A ONE-TIME FEE OF TWENTY-FIVE
12 DOLLARS FOR ISSUANCE OR REPLACEMENT OF EACH SUCH LICENSE PLATE.
13 THE DEPARTMENT SHALL TRANSMIT THE ADDITIONAL ONE-TIME FEE TO
14 THE STATE TREASURER, WHO SHALL CREDIT THE FEE TO THE HIGHWAY
15 USERS TAX FUND CREATED IN SECTION 43-4-201, C.R.S.

16 (5) AN APPLICANT MAY APPLY FOR PERSONALIZED COLORADO
17 AVALANCHE OR DENVER NUGGETS SPECIAL LICENSE PLATES. UPON
18 PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211 (6) (a)
19 FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE THE
20 PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN
21 APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR
22 VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS
23 OR NUMBERS TO A NEW SET OF COLORADO AVALANCHE OR DENVER
24 NUGGETS SPECIAL LICENSE PLATES FOR THE VEHICLE UPON PAYING THE
25 FEE REQUIRED BY SECTION 42-3-211 (6) (a) AND UPON TURNING IN THE
26 EXISTING PLATES TO THE DEPARTMENT. A PERSON WHO HAS OBTAINED
27 PERSONALIZED COLORADO AVALANCHE OR DENVER NUGGETS SPECIAL

1 LICENSE PLATES UNDER THIS SUBSECTION (5) SHALL PAY THE ANNUAL FEE
2 IMPOSED BY SECTION 42-3-211 (6) (b) FOR RENEWAL OF THE
3 PERSONALIZED PLATES. THE FEES UNDER THIS SUBSECTION (5) ARE IN
4 ADDITION TO ALL OTHER APPLICABLE TAXES AND FEES.

5 **SECTION 2.** 42-3-312, Colorado Revised Statutes, is amended
6 to read:

7 **42-3-312. Special license plate surcharge.** In addition to any
8 other fee imposed by this article, an applicant for a special license plate
9 created by rule in accordance with section 42-3-207, as such section
10 existed when the plate was created, or license plates issued pursuant to
11 sections 42-3-211 to 42-3-218, ~~and~~ sections 42-3-221 to 42-3-234, AND
12 SECTION 42-3-236 shall pay an issuance fee of twenty-five dollars; except
13 that the fee ~~shall not be~~ IS NOT imposed on special license plates
14 exempted from additional fees for the issuance of a military special
15 license plate by section 42-3-213 (1) (b) (II). The DEPARTMENT SHALL
16 TRANSFER THE fee ~~shall be transferred~~ to the state treasurer, ~~and credited~~
17 WHO SHALL CREDIT IT to the licensing services cash fund created in
18 section 42-2-114.5.

19 **SECTION 3. Appropriation.** (1) In addition to any other
20 appropriation, there is hereby appropriated, out of any moneys in the
21 Colorado state titling and registration account of the highway users tax
22 fund created in section 42-1-211 (2), Colorado Revised Statutes, not
23 otherwise appropriated, to the department of revenue, for allocation to the
24 information technology division, for the fiscal year beginning July 1,
25 2011, the sum of six thousand six hundred sixty dollars (\$6,660) cash
26 funds, or so much thereof as may be necessary, for the implementation of
27 this act.

1 (2) In addition to any other appropriation, there is hereby
2 appropriated to the governor - lieutenant governor - state planning and
3 budgeting, for allocation to the office of information technology, for the
4 fiscal year beginning July 1, 2011, the sum of six thousand six hundred
5 sixty dollars (\$6,660), or so much thereof as may be necessary, for the
6 programming services to be provided to the department of revenue related
7 to the implementation of this act. Said sum shall be from reappropriated
8 funds received from the department of revenue out of the appropriation
9 made in subsection (1) of this section.

10 (3) In addition to any other appropriation, there is hereby
11 appropriated, out of any moneys in the license plate cash fund created in
12 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise
13 appropriated, to the department of revenue, for allocation to the division
14 of motor vehicles, for the fiscal year beginning July 1, 2011, the sum of
15 thirty-five thousand five hundred twenty dollars (\$35,520) cash funds, or
16 so much thereof as may be necessary, for the implementation of this act.

17 **SECTION 4. Act subject to petition - effective date.** This act
18 shall take effect at 12:01 a.m. on the day following the expiration of the
19 ninety-day period after final adjournment of the general assembly (August
20 10, 2011, if adjournment sine die is on May 11, 2011); except that, if a
21 referendum petition is filed pursuant to section 1 (3) of article V of the
22 state constitution against this act or an item, section, or part of this act
23 within such period, then the act, item, section, or part shall not take effect
24 unless approved by the people at the general election to be held in
25 November 2012 and shall take effect on the date of the official
26 declaration of the vote thereon by the governor.