

Second Regular Session  
Sixty-eighth General Assembly  
STATE OF COLORADO

**PREAMENDED**

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

LLS NO. 12-0322.01 Jery Payne x2157

**HOUSE BILL 12-1023**

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**HOUSE SPONSORSHIP**

**Nikkel,**

**SENATE SPONSORSHIP**

**King S.,**

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**House Committees**

Transportation  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101 **CONCERNING THE CREATION OF A FALLEN HEROES LICENSE PLATE,**  
102 **AND IN CONNECTION THEREWITH, 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://www.leg.state.co.us/billsummaries>.)*

The bill creates the fallen heroes license plate. A person becomes eligible to use the plate by donating \$50 to the Colorado chapter of the concerns of police survivors. In addition to the normal 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.

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.*

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

2           **SECTION 1.** In Colorado Revised Statutes, **add** 42-3-241 as  
3 follows:

4           **42-3-241. Special plates - fallen heroes.** (1) BEGINNING THE  
5 EARLIER OF JANUARY 1, 2013, OR WHEN THE DEPARTMENT IS ABLE TO  
6 ISSUE THE PLATES, THE DEPARTMENT SHALL ISSUE SPECIAL LICENSE  
7 PLATES TO QUALIFIED APPLICANTS UNDER THIS SECTION FOR  
8 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 HEREBY ESTABLISHED THE FALLEN HEROES  
12 SPECIAL LICENSE PLATE. THE DEPARTMENT MAY STOP ISSUING THE FALLEN  
13 HEROES SPECIAL LICENSE PLATE IF A TOTAL OF THREE THOUSAND LICENSE  
14 PLATES ARE NOT ISSUED BY JULY 1, 2017. A PERSON WHO WAS ISSUED A  
15 FALLEN HEROES SPECIAL LICENSE PLATE ON OR BEFORE JULY 1, 2017, MAY  
16 CONTINUE TO USE THE FALLEN HEROES SPECIAL LICENSE PLATE AFTER  
17 JULY 1, 2017, REGARDLESS OF WHETHER THE DEPARTMENT STOPS ISSUING  
18 THE SPECIAL LICENSE PLATE.

19           (b) THE COLORADO CHAPTER OF THE CONCERNS OF POLICE  
20 SURVIVORS, INC., MAY DESIGN THE SPECIAL LICENSE PLATE IF THE PLATE  
21 CONFORMS WITH STANDARDS ESTABLISHED BY THE DEPARTMENT.

22           (3) (a) A PERSON MAY APPLY FOR A FALLEN HEROES LICENSE  
23 PLATE IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS  
24 SECTION AND PROVIDES TO THE DEPARTMENT OR AN AUTHORIZED AGENT  
25 A CERTIFICATE, ISSUED BY THE COLORADO CHAPTER OF THE CONCERNS OF  
26 POLICE SURVIVORS, INC., OR ITS SUCCESSOR ORGANIZATION, CONFIRMING

1 THAT THE APPLICANT HAS DONATED FIFTY DOLLARS TO THE COLORADO  
2 CHAPTER OF THE CONCERNS OF POLICE SURVIVORS, INC.

3 (b) THE COLORADO CHAPTER OF THE CONCERNS OF POLICE  
4 SURVIVORS, INC., OR ITS SUCCESSOR ORGANIZATION, SHALL FILE WITH THE  
5 DEPARTMENT AN ANNUAL STATEMENT VERIFYING THAT IT IS A NONPROFIT  
6 ORGANIZATION.

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

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

1 THE FEES UNDER THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER  
2 APPLICABLE TAXES AND FEES.

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

5 **42-3-312. Special license plate surcharge.** In addition to any  
6 other fee imposed by this article, an applicant for a special license plate  
7 created by rule in accordance with section 42-3-207, as such section  
8 existed when the plate was created, or license plates issued pursuant to  
9 sections 42-3-211 to 42-3-218, sections 42-3-221 to 42-3-234, and  
10 sections 42-3-237 to ~~42-3-240~~ 42-3-241 shall pay an issuance fee of  
11 twenty-five dollars; except that the fee is not imposed on special license  
12 plates exempted from additional fees for the issuance of a military special  
13 license plate by section 42-3-213 (1) (b) (II). The department shall  
14 transfer the fee to the state treasurer, who shall credit it to the licensing  
15 services cash fund created in section 42-2-114.5.

16 **SECTION 3. Appropriation.** (1) In addition to any other  
17 appropriation, there is hereby appropriated, out of any moneys in the  
18 Colorado state titling and registration account of the highway users tax  
19 fund created in section 42-1-211 (2), Colorado Revised Statutes, not  
20 otherwise appropriated, to the department of revenue, information  
21 technology division, for the fiscal year beginning July 1, 2012, the sum  
22 of \$2,960, or so much thereof as may be necessary, for the  
23 implementation of this act.

24 (2) In addition to any other appropriation, there is hereby  
25 appropriated to the governor - lieutenant governor - state planning and  
26 budgeting, for the fiscal year beginning July 1, 2012, the sum of \$2,960,  
27 or so much thereof as may be necessary, for allocation to the office of

1 information technology for the provision of programming services to the  
2 department of revenue related to the implementation of this act. Said sum  
3 is from reappropriated funds received from the department of revenue out  
4 of the appropriation made in subsection (1) of this section.

5 (3) In addition to any other appropriation, there is hereby  
6 appropriated, out of any moneys in the license plate cash fund created in  
7 section 42-3-301 (1) (b), Colorado Revised Statutes, not otherwise  
8 appropriated, to the department of revenue, for the fiscal year beginning  
9 July 1, 2012, the sum of \$17,760, or so much thereof as may be necessary,  
10 for allocation to the division of motor vehicles, for the purchase of license  
11 plates related to the implementation of this act.

12 **SECTION 4. Act subject to petition - effective date.** This act  
13 takes effect at 12:01 a.m. on the day following the expiration of the  
14 ninety-day period after final adjournment of the general assembly (August  
15 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a  
16 referendum petition is filed pursuant to section 1 (3) of article V of the  
17 state constitution against this act or an item, section, or part of this act  
18 within such period, then the act, item, section, or part will not take effect  
19 unless approved by the people at the general election to be held in  
20 November 2012 and, in such case, will take effect on the date of the  
21 official declaration of the vote thereon by the governor.