

**First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO**

**INTRODUCED**

LLS NO. 15-1099.01 Jery Payne x2157

**HOUSE BILL 15-1378**

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**HOUSE SPONSORSHIP**

**Young and Brown,**

**SENATE SPONSORSHIP**

**Aguilar and Grantham,**

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**House Committees**  
Appropriations

**Senate Committees**

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**A BILL FOR AN ACT**

101     **CONCERNING THE SALE OF VALUABLE REGISTRATION NUMBERS FOR**  
102             **BENEFITTING PEOPLE WITH DISABILITIES.**

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**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 transfers the functions of the license plate auction group to the Colorado disability funding committee and transfers this committee from the department of personnel to the department of human services by a **type 1** transfer. The bill also makes the following changes:

!       The registration number fund and the pilot support 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.*

and the functions of those funds are transferred to the disability support fund.

- ! The Colorado disability funding committee is required to enter into a contract to delegate business decisions to a contract entity.
- ! 2 seats are added to the committee: One with expertise in the areas of marketing, advertising, and public relations and one to serve as a liaison to the Colorado advisory council for persons with disabilities.
- ! The committee is required to enter into an agreement with the department of revenue to implement the program.
- ! The departments of revenue and public safety have veto power over action of the committee or contract entity.
- ! The committee will study managing and making grants and contracts for other entities and issue a report to the general assembly.
- ! Registration numbers are authorized to be sold without an auction.
- ! Any funding for special license plate options must go directly to the division of correctional industries rather than the department of revenue.

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

2           **SECTION 1.** In Colorado Revised Statutes, 24-1-120, **add** (12)  
3 as follows:

4           **24-1-120. Department of human services - creation.**

5 (12) (a) THE POWERS, DUTIES, AND FUNCTIONS OF THE COLORADO  
6 DISABILITY FUNDING COMMITTEE CREATED IN SECTION 26-23-103, C.R.S.,  
7 ARE TRANSFERRED BY A **TYPE 1** TRANSFER TO THE DEPARTMENT OF  
8 HUMAN SERVICES.

9           (b) EXCEPT AS AUTHORIZED BY ARTICLE 23 OF TITLE 26, C.R.S.,  
10 THE DEPARTMENT OF HUMAN SERVICES SHALL NOT BE INVOLVED IN THE  
11 APPROVAL OF THE COLORADO DISABILITY FUNDING COMMITTEE  
12 DECISIONS, MEMBERS, OR POLICIES. THE DEPARTMENT OF HUMAN  
13 SERVICES SHALL PROVIDE ADMINISTRATIVE SUPPORT, NOT INCLUDING

1 HIRING OR PROVIDING EMPLOYEES, FOR THE COMMITTEE AND PAY ANY  
2 AMOUNTS DIRECTED BY THE COMMITTEE WITHIN SIXTY DAYS.

3 **SECTION 2.** In Colorado Revised Statutes, **add with amended**  
4 **and relocated provisions** article 23 to title 26 as follows:

5 **ARTICLE 23**

6 **Laura Hershey Disability Support Act**

7 **26-23-101. [Formerly 24-30-2201] Short title.** This ~~part 22~~  
8 ARTICLE shall be known and may be cited as the "Laura Hershey  
9 ~~Disability-Benefit~~ DISABILITY Support Act".

10 **26-23-102. Definitions. [Formerly 24-30-2202 IP]** As used in  
11 this ~~part 22~~ ARTICLE, unless the context otherwise requires:

12 (1) **[Formerly 24-30-2202 (1)]** "Committee" means the  
13 ~~disability-benefit support contract~~ COLORADO DISABILITY FUNDING  
14 committee created in section ~~24-30-2203~~ 26-23-103.

15 (2) "CONTRACT ENTITY" MEANS THE ENTITY THE COMMITTEE  
16 CONTRACTS WITH TO IMPLEMENT SECTIONS 26-23-105 TO 26-23-107.

17 (3) "DISABILITY" OR "DISABLED" MEANS AN INDIVIDUAL WHO:

18 (a) HAS A PHYSICAL OR MENTAL IMPAIRMENT THAT  
19 SUBSTANTIALLY LIMITS A MAJOR LIFE ACTIVITY;

20 (b) HAS A RECORD OF SUCH AN IMPAIRMENT; OR

21 (c) IS REGARDED AS HAVING SUCH AN IMPAIRMENT.

22 (4) **[Formerly 24-30-2202 (2)]** "Disability benefits" means cash  
23 payments from social security disability insurance under Title II of the  
24 federal "Social Security Act", 42 U.S.C. sec. 401 et seq., as amended,  
25 cash payments made by the federal government to persons who are aged,  
26 blind, or disabled under Title XVI of the federal "Social Security Act", 42  
27 U.S.C. sec. 401 et seq., as amended, and long-term care under the

1 "Colorado Medical Assistance Act", articles 4 to 6 of title 25.5, C.R.S.

2 (5) "FUND" MEANS THE DISABILITY SUPPORT FUND CREATED IN  
3 SECTION 26-23-110.

4 (6) [Formerly 24-30-2202 (3)] "Nonprofit entity" means an entity  
5 incorporated under the "Colorado Revised Nonprofit Corporation Act",  
6 articles 121 to 137 of title 7, C.R.S., or a tax-exempt entity under 26  
7 U.S.C. sec. 501 (c) (3) of the federal "Internal Revenue Code of 1986".

8 (7) [Formerly 24-30-2202 (4)] "Recipient" means a person who  
9 receives disability benefits or long-term care services.

10 (8) [Formerly 42-1-401 (2)] "Registration number" means the  
11 unique combination of letters and numbers assigned to a vehicle by the  
12 department OF REVENUE under section 42-3-201, C.R.S., and required to  
13 be displayed on the license plate by section 42-3-202, C.R.S.

14 (9) [Formerly 42-1-401 (3)] "Vehicle" means a vehicle required  
15 to be registered pursuant to BY part 1 of article 3 of this title 42, C.R.S.

16 **26-23-103. [Formerly 24-30-2203] Colorado disability funding**  
17 **committee - repeal.** (1) The ~~disability-benefit support contract~~  
18 COLORADO DISABILITY FUNDING committee is hereby created within the  
19 STATE department. ~~of personnel.~~ The committee consists of ~~thirteen~~  
20 FIFTEEN members appointed by the governor as follows:

21 (a) Five members who are persons with disabilities; ~~and currently~~  
22 ~~receiving disability benefits or have received application assistance;~~

23 (b) One member of a statewide, cross-disability organization  
24 representing persons with disabilities;

25 (c) One member who is trained to increase access to disability  
26 benefits for persons with disabilities by an organization supported by the  
27 United States social security administration;

- 1 (d) One member who is a medical doctor;
- 2 (e) One member who is a mental health professional;
- 3 (f) One member who is an expert in nonprofit management;
- 4 (g) One member ~~appointed by the executive director of the~~ WHO  
5 REPRESENTS THE STATE department of ~~personnel~~ WITH EXPERIENCE IN  
6 STATE PROCUREMENT;
- 7 (h) One member who has experience and expertise in business;
- 8 ~~and~~
- 9 (i) One member who has experience with grant programs;
- 10 (j) ONE MEMBER WITH EXPERTISE IN THE AREAS OF MARKETING,  
11 ADVERTISING, AND PUBLIC RELATIONS; AND
- 12 (k) ONE NONVOTING MEMBER WHO:
- 13 (I) IS A PERSON WITH DISABILITIES; AND
- 14 (II) SERVES AS A LIAISON TO AND IS A MEMBER OF THE COLORADO  
15 ADVISORY COUNCIL FOR PERSONS WITH DISABILITIES.
- 16 (2) Members of the committee serve three-year terms; except that:  
17 ~~members appointed under paragraph (a) of subsection (1) of this section~~  
18 ~~serve an initial term of one year, and members appointed under~~  
19 ~~paragraphs (b), (c), and (d) of subsection (1) of this section serve an~~  
20 ~~initial term of two years.~~
- 21 (a) TWO MEMBERS APPOINTED UNDER PARAGRAPH (a) OF  
22 SUBSECTION (1) OF THIS SECTION SERVE AN INITIAL TERM OF ONE YEAR;
- 23 (b) THE MEMBER APPOINTED UNDER PARAGRAPH (d) OF  
24 SUBSECTION (1) OF THIS SECTION SERVES AN INITIAL TERM OF ONE YEAR;
- 25 (c) THE MEMBER APPOINTED UNDER PARAGRAPH (e) OF  
26 SUBSECTION (1) OF THIS SECTION SERVES AN INITIAL TERM OF ONE YEAR;
- 27 (d) THE MEMBER APPOINTED UNDER PARAGRAPH (j) OF

1 SUBSECTION (1) OF THIS SECTION SERVES AN INITIAL TERM OF ONE YEAR;

2 (e) ONE MEMBER APPOINTED UNDER PARAGRAPH (a) OF  
3 SUBSECTION (1) OF THIS SECTION SERVES AN INITIAL TERM OF TWO YEARS;

4 (f) THE MEMBER APPOINTED UNDER PARAGRAPH (b) OF  
5 SUBSECTION (1) OF THIS SECTION SERVES AN INITIAL TERM OF TWO YEARS;

6 (g) THE MEMBER APPOINTED UNDER PARAGRAPH (f) OF  
7 SUBSECTION (1) OF THIS SECTION SERVES AN INITIAL TERM OF TWO YEARS;

8 (h) THE MEMBER APPOINTED UNDER PARAGRAPH (i) OF  
9 SUBSECTION (1) OF THIS SECTION SERVES AN INITIAL TERM OF TWO YEARS;

10 AND

11 (i) THE MEMBER APPOINTED UNDER PARAGRAPH (k) OF  
12 SUBSECTION (1) OF THIS SECTION SERVES AN INITIAL TERM OF TWO YEARS.

13 (3) An act of the committee is void unless a majority of the  
14 APPOINTED members has voted in favor of the act.

15 (4) The committee shall implement ~~section 24-30-2204~~ THIS  
16 ARTICLE using the ~~disability-benefit support fund. created in section~~  
17 ~~24-30-2205.~~

18 ~~(4.5) The committee shall implement section 24-30-2204.5 using~~  
19 ~~the disability investigational and pilot support fund created in section~~  
20 ~~24-30-2205.5.~~

21 (5) The committee is authorized to seek and accept grants or  
22 donations from private or public sources for the purposes of this ~~part 22~~  
23 ARTICLE; except that the committee shall not accept a gift, grant, or  
24 donation that is subject to conditions that are inconsistent with this ~~part~~  
25 ~~22~~ ARTICLE or part 13 of article 75 of ~~this~~ title 24, C.R.S., regarding the  
26 status of grants and donations made to state agencies. The committee  
27 shall transmit the moneys to the ~~disability-benefit support fund.~~

1           (6) The committee has ~~the following duties and powers~~ POWER TO:

2           (a) ~~To~~ Sue and be sued and otherwise assert or defend the  
3 committee's legal interests;

4           (b) ~~To~~ Prepare and sign contracts IF THE COMMITTEE USES THE  
5 STATE DEPARTMENT'S PROCUREMENT OFFICE;

6           (c) ~~To~~ Have and exercise all rights and powers necessary ~~or~~ TO,  
7 incidental to, or implied from the specific powers granted in this ~~part 22~~  
8 ~~and~~ ARTICLE;

9           (d) ~~To~~ Fix the time and place at which meetings may be held;

10          (e) ADOPT AND USE A SEAL AND ALTER THE SEAL AT ITS PLEASURE;

11          (f) AUTHORIZE THE CONTRACT ENTITY TO RETAIN A PORTION OF  
12 THE SALE PRICE OF EACH REGISTRATION NUMBER SOLD;

13          (g) CREATE INCENTIVES FOR HOLDERS TO TURN IN CURRENTLY  
14 ISSUED REGISTRATION NUMBERS FOR SALE BY THE COMMITTEE IF ANY  
15 ACTUAL COSTS ARE REIMBURSED TO THE STATE;

16          (h) AUTHORIZE THE CONTRACT ENTITY TO EXCLUSIVELY SELL THE  
17 RIGHT TO USE ADDITIONAL LICENSE PLATE OPTIONS, SUCH AS  
18 HISTORICALLY ISSUED BACKGROUNDS, FOR A FEE IF THE OPTION IS  
19 APPROVED BY THE DEPARTMENT OF REVENUE AND THE COLORADO STATE  
20 PATROL;

21          (i) REIMBURSE MEMBERS OF THE COMMITTEE FOR EXPENSES  
22 INCURRED IN THE PERFORMANCE OF THEIR DUTIES UNDER THIS ARTICLE IF  
23 THE MEMBER IS NOT REIMBURSED FROM ANOTHER SOURCE AND IF FAILURE  
24 TO REIMBURSE THE MEMBER WOULD BE A SUBSTANTIAL DISINCENTIVE TO  
25 PERFORM THE MEMBER'S DUTIES;

26          (j) HIRE EMPLOYEES, ENTER INTO CONTRACTS, OR OBTAIN THE  
27 SERVICES OF A PROFESSIONAL ADVISOR;

1 (k) CREATE ONE OR MORE TASK FORCES CONSISTING OF MEMBERS  
2 OF THE COMMITTEE AND ANY OTHER MEMBERS THE COMMITTEE  
3 DETERMINES ARE USEFUL TO STUDY ISSUES FALLING UNDER THE  
4 COMMITTEE'S DUTIES AND POWERS AND TO MAKE RECOMMENDATIONS TO  
5 THE COMMITTEE CONCERNING THESE ISSUES; AND

6 (l) CREATE A BUDGET, MAKE PURCHASES, PLAN, MANAGE, AND  
7 ACCOUNT FOR THE COMMITTEE'S INTERNAL AFFAIRS AND ACTIONS  
8 NECESSARY OR HELPFUL TO IMPLEMENT THIS ARTICLE.

9 (7) ~~The committee may hire employees or obtain the services of~~  
10 ~~professional advisors.~~ THE COMMITTEE SHALL:

11 (a) ENTER INTO AN AGREEMENT WITH AN ENTITY TO IMPLEMENT  
12 SECTIONS 26-23-105 TO 26-23-107 IN ACCORDANCE WITH THE  
13 "PROCUREMENT CODE", ARTICLES 101 TO 112 OF TITLE 24, C.R.S.;

14 (b) ENTER INTO AN AGREEMENT WITH THE DEPARTMENT OF  
15 REVENUE AND THE COLORADO STATE PATROL TO IMPLEMENT THE SALES  
16 OF REGISTRATION NUMBERS UNDER THIS ARTICLE. THE AGREEMENT MUST:

17 (I) ALLOW THE DEPARTMENT OF REVENUE OR THE DEPARTMENT OF  
18 PUBLIC SAFETY TO PROHIBIT ANY ACTION BY THE COMMITTEE OR THE  
19 CONTRACT ENTITY; AND

20 (II) SPECIFY THE ADMINISTRATIVE PROCESS FOR NOTIFYING THE  
21 DEPARTMENT OF REVENUE OF A SALE AND TRANSMITTING ANY  
22 INFORMATION REQUIRED BY THE DEPARTMENT OF REVENUE.

23 (c) RETAIN THE RIGHT TO DECIDE WHICH REGISTRATION NUMBERS  
24 THE CONTRACT ENTITY MAY SELL, WHICH RIGHT MUST BE EXPRESSED IN  
25 THE AGREEMENT WITH THE CONTRACT ENTITY;

26 (d) RETAIN THE RIGHT TO DECIDE THE PRICE AT WHICH EACH  
27 REGISTRATION NUMBER IS SOLD, WHICH RIGHT MUST BE EXPRESSED IN THE



1 AGREEMENT WITH THE CONTRACT ENTITY;

2 (e) RETAIN THE RIGHT TO DECIDE ANY DECISION THAT AFFECTS  
3 THE POLICY OF THE STATE OF COLORADO, WHICH RIGHT MUST BE  
4 EXPRESSED IN THE AGREEMENT WITH THE CONTRACT ENTITY; AND

5 (f) DELEGATE TO THE CONTRACT ENTITY:

6 (I) THE DUTY TO SELL REGISTRATION NUMBERS IN ACCORDANCE  
7 WITH THE AGREEMENT; AND

8 (II) ALL BUSINESS DECISIONS CONCERNING THE MARKETING AND  
9 SALE OF REGISTRATION NUMBERS.

10 (8) The attorney general is the legal counsel for the committee.

11 (9) THE COMMITTEE, COMMITTEE MEETINGS, AND COMMITTEE  
12 ACTIONS ARE SUBJECT TO OPEN MEETINGS LAW IN PART 4 OF ARTICLE 6 OF  
13 TITLE 24, C.R.S.; THE "COLORADO OPEN RECORDS ACT", PART 2 OF  
14 ARTICLE 72 OF TITLE 24, C.R.S.; AND ETHICS IN GOVERNMENT IN ARTICLE  
15 XXIX OF THE COLORADO CONSTITUTION.

16 (10) (a) THE COMMITTEE SHALL STUDY FEASIBILITY AND BENEFITS  
17 OF CONTRACTING TO MANAGE AND MAKE GRANTS AND CONTRACTS FOR  
18 OTHER ENTITIES AND ISSUE A REPORT TO THE GENERAL ASSEMBLY BY  
19 OCTOBER 1, 2017, CONCERNING THE COMMITTEE'S CONCLUSIONS.

20 (b) THIS SUBSECTION (10) IS REPEALED, EFFECTIVE JULY 1, 2018.

21 **26-23-104. [Formerly 42-1-402] License to buy and sell**  
22 **selected registration numbers for license plates.** (1) The state or a  
23 person may sell, and the state or a person may purchase, the exclusive  
24 right to use a registration number selected by the ~~group~~ COMMITTEE under  
25 section ~~42-1-404, C.R.S.~~ 26-23-105 for the purpose of registering a  
26 vehicle under article 3 of ~~this~~ title 42, C.R.S.

27 (2) The right to use a registration number is a license, the use of

1 which is subject to compliance with this ~~part 4~~ ARTICLE. The duration of  
2 the license is determined by the ~~group~~ COMMITTEE.

3 **26-23-105. [Formerly 42-1-404] Sale of registration numbers.**

4 (1) The ~~group~~ COMMITTEE shall raise money by ~~auctioning to a buyer~~  
5 ENTERING INTO AN AGREEMENT WITH A CONTRACT ENTITY TO SELL the  
6 right to use valuable letter and number combinations for a registration  
7 number. THE COMMITTEE SHALL REQUIRE THE CONTRACT ENTITY TO  
8 AUCTION REGISTRATION NUMBERS THAT ARE LIKELY TO BE WORTH  
9 SUBSTANTIALLY MORE THAN THE AVERAGE VALUE OF A REGISTRATION  
10 NUMBER.

11 (2) (a) The ~~group~~ COMMITTEE shall study the market and  
12 determine which registration numbers are the most valuable, including  
13 both the types of plates currently issued and any type of plate that has  
14 been historically issued. Based on the study, the ~~group~~ COMMITTEE shall  
15 select ~~the most~~ valuable registration numbers and request the department  
16 OF REVENUE to verify whether plates with ~~the~~ THOSE registration numbers  
17 are currently issued. ~~The group shall not send the request to the~~  
18 ~~department more than once every six months.~~ THE COMMITTEE AND THE  
19 DEPARTMENT OF REVENUE SHALL ENTER INTO AN AGREEMENT  
20 ESTABLISHING A PROCESS FOR REQUESTING REGISTRATION NUMBERS THAT  
21 SPECIFIES THE FREQUENCY OF THESE REQUESTS.

22 (b) Upon receiving the ~~group's~~ COMMITTEE'S request, the  
23 department OF REVENUE shall verify whether the plates are currently  
24 issued. If the plate is not currently issued, the department OF REVENUE  
25 shall reserve the registration number until the ~~group~~ COMMITTEE notifies  
26 the department OF REVENUE to release the registration number.

27 (c) If a registration number is not currently issued, the ~~group~~

1 COMMITTEE may ~~auction~~ SELL the right to use the registration number in  
2 a manner calculated to bring the highest price; except that the department  
3 OF REVENUE may deny the sale or use of a registration number that is  
4 offensive or inappropriate.

5 (3) THE CONTRACT ENTITY SHALL TRANSFER TO THE FUND ANY  
6 PROCEEDS FROM THE SALE OF REGISTRATION NUMBERS UNDER THIS  
7 SECTION OR ADDITIONAL LICENSE PLATE OPTIONS AUTHORIZED UNDER  
8 SECTION 26-23-103.

9 **26-23-106. [Formerly 42-1-405] Private market - registration**  
10 **numbers - fee.** (1) The ~~group~~ COMMITTEE shall raise money by ~~creating~~  
11 CONTRACTING WITH AN ENTITY TO DEVELOP a market, which may include  
12 an on-line auction OR SALE site, for registration numbers using methods  
13 that are commercially reasonable, account for expenditures, and ensure  
14 the collection of the state's approval and transfer ~~royalty~~ FEES.

15 (2) The ~~royalty~~ COMMITTEE SHALL DETERMINE AN APPROPRIATE  
16 THE FEE for the state's approval and transfer of the right to use a  
17 registration number. ~~is twenty-five percent of the sale price of the~~  
18 ~~transfer. At the time of sale, the purchaser shall pay the royalty to the~~  
19 ~~group. This~~ Payment OF THE FEE IS IN ADDITION TO, AND not in lieu of, the  
20 normal registration fees or specific ownership tax.

21 (3) A person shall not sell a registration number, and the  
22 department OF REVENUE shall not assign a registration number TO A  
23 VEHICLE as a result of the SALE OF THE right to use the number, ~~being sold~~  
24 ~~to a vehicle~~ unless the registration number was sold using the ~~market~~  
25 ~~created by the group~~ SALES PROCESS USED BY THE CONTRACT ENTITY.

26 **26-23-107. [Formerly 42-1-406] Registration number -**  
27 **department of revenue - administration.** (1) The ~~group~~ CONTRACT

1 ENTITY shall notify the department OF REVENUE when the right to use a  
2 registration number has been sold and the ~~group~~ COMMITTEE has collected  
3 the state's sale proceeds or approval and transfer ~~royalty~~ FEE. THE NOTICE  
4 MUST CONTAIN ANY INFORMATION REQUIRED BY THE DEPARTMENT OF  
5 REVENUE, INCLUDING THE REGISTRATION NUMBER AND THE DURATION OF  
6 THE LICENSE. Upon receiving the notice, the department OF REVENUE shall  
7 create a record in the Colorado state titling and registration system,  
8 created in section 42-1-211, C.R.S., containing the name of the buyer; the  
9 vehicle identification number, if applicable; and the corresponding  
10 registration number.

11 (2) If the registration number consists of a combination of letters  
12 and numbers that is not within the normal format of A license plate  
13 currently produced for the department OF REVENUE, the department OF  
14 REVENUE shall issue the plates as personalized plates under section  
15 42-3-211, C.R.S.; except that, notwithstanding section 42-3-211, C.R.S.,  
16 the ~~auction group~~ COMMITTEE may AUTHORIZE THE CONTRACTING ENTITY  
17 TO sell, and the buyer or any subsequent buyer may use:

18 (a) A registration number or letter of one position; or

19 (b) Any symbol on the standard American keyboard or approved  
20 by the ~~group~~ COMMITTEE IF THE SYMBOL IS ALSO APPROVED BY THE  
21 DEPARTMENT OF REVENUE AND THE COLORADO STATE PATROL.

22 ~~(3) The group shall transfer the moneys collected under this part~~  
23 ~~4 to the state treasurer, who shall credit them to the registration number~~  
24 ~~fund created in section 42-1-407.~~

25 ~~(4)~~ (3) The ~~group~~ COMMITTEE may contract with one or more  
26 public or private entities to implement this ~~part 4~~ ARTICLE.

27 ~~(5) Any moneys received by the group shall be deposited in the~~

1 registration number fund.

2 **26-23-108. [Formerly 24-30-2204] Program to assist persons**  
3 **to obtain disability benefits - repeal.** (1) ~~Within six months after the~~  
4 ~~first transfer to the disability-benefit support fund from the registration~~  
5 ~~number fund created in section 42-1-407, C.R.S.,~~ WHEN ADEQUATE  
6 MONEY IS AVAILABLE, the committee shall invite nonprofit entities to  
7 submit a proposal for a program to aid persons with disabilities in  
8 accessing disability benefits. To qualify, the nonprofit organization must  
9 be based in Colorado and governed by a board that:

10 (a) Is composed of persons with a demonstrated commitment to  
11 improving the lives of recipients with disabilities;

12 (b) Contains members who understand a range of significant  
13 disabilities, including physical and mental; and

14 (c) Contains a majority of either:

15 (I) Recipients with disabilities; or

16 (II) Family members of recipients with disabilities who have  
17 experience in representing the interests of a person with a disability.

18 (2) (a) (I) The committee shall review the proposed programs and  
19 shall award a contract to the nonprofit entity that best meets the  
20 requirements of this section in accordance with the "Procurement Code",  
21 articles 101 to 112 of ~~this~~ title 24, C.R.S.

22 (II) The term of the contract is one year. Before the contract  
23 expires, the committee shall evaluate whether the nonprofit entity and the  
24 contract are reasonably meeting the requirements of this section,  
25 including objective and quantitative evaluations, whenever possible, of  
26 the satisfaction of program applicants and participants, the program's  
27 success in obtaining disability benefits for program participants, the

1 program's effectiveness at helping program participants obtain jobs, and  
2 improvements in the quality of life of program participants. The  
3 committee shall include the evaluation criteria in the contract.

4 (III) The committee may renew the contract annually for up to five  
5 years. After five years, the committee shall reopen the contract to a  
6 competitive bid process.

7 (b) The committee shall not award the contract unless the proposal  
8 includes:

9 (I) A system for evaluating whether a person with a disability is  
10 reasonably able to navigate the application process to obtain disability  
11 benefits, health care, and employment;

12 (II) A system for prioritizing the need of applicants based upon  
13 the evaluations;

14 (III) A plan for assisting persons with disabilities in navigating the  
15 processes of obtaining and retaining disability benefits, health care, and  
16 employment;

17 (IV) A plan for ~~establishment of~~ ESTABLISHING working  
18 relationships with state agencies, county departments of human services,  
19 health care providers, the United States social security administration, and  
20 the business community;

21 (V) A policy of preferential hiring of persons with disabilities;

22 (VI) Reasonable standards for accounting control of expenditures;

23 (VII) Metrics to evaluate the program's quality and  
24 cost-effectiveness;

25 (VIII) ~~Effective July 1, 2016, the ability to serve persons with~~  
26 ~~disabilities statewide~~ A PLAN TO PROVIDE INFORMATION AND REFERRALS  
27 TO OTHER PROGRAMS THAT ASSIST APPLICANTS WITH DISABILITIES; and

1 (IX) A plan for serving persons with disabilities statewide within  
2 five years. ~~This subparagraph (IX) is repealed, effective July 1, 2016.~~

3 (c) The committee shall not discriminate against a contracting  
4 entity for advocacy concerning persons with disabilities.

5 (3) The entity awarded a contract under this section shall make  
6 quarterly reports of expenditures to the ~~department of personnel, which~~  
7 ~~shall make the reports available to the~~ committee. The committee shall  
8 include in the contract a method and format for making the reports.

9 **26-23-109. [Formerly 24-30-2204.5] Program to investigate,**  
10 **fund, and pilot projects or programs to benefit persons with**  
11 **disabilities.** (1) The committee shall accept and review proposals to fund  
12 projects or programs that study or pilot new and innovative ideas that will  
13 lead to an improved quality of life or increased independence for persons  
14 with disabilities. Proposals may be accepted throughout the year, and  
15 grants or loans may be made by the committee at its regular meetings.  
16 ~~The disability investigational and pilot support fund created in section~~  
17 ~~24-30-2205.5 shall be the sole source to fund any grants or loans made~~  
18 ~~pursuant to this section.~~

19 (2) To be eligible for funding pursuant to this section, a project or  
20 program must:

21 (a) ~~(f)~~ Demonstrate a capability to be self-sustaining or otherwise  
22 be able to develop long-term independent funding; and

23 ~~(H)~~ (b) Have a governing body or board that is composed of  
24 persons with a demonstrated commitment to improving the lives of  
25 persons with disabilities and have a majority be persons with disabilities  
26 or family members of persons with disabilities. ~~or~~

27 ~~(b) Be the license plate auction group established in section~~

1 ~~42-1-403, C.R.S.~~

2 **26-23-110. [Formerly 24-30-2205] Disability support fund.**

3 (1) The disability ~~benefit~~ support fund is hereby created in the state  
4 treasury. The moneys in the fund consist of amounts transferred UNDER  
5 THIS ARTICLE to the fund, ~~under section 42-1-407, C.R.S., or transferred~~  
6 ~~to the fund under section 24-30-2203 (5)~~ MONEYS TRANSFERRED TO THE  
7 FUND UNDER SECTION 25.5-5-308 (8), C.R.S., MONEYS APPROPRIATED TO  
8 THE FUND BY THE GENERAL ASSEMBLY, THE PROCEEDS FROM THE SALE OF  
9 REGISTRATION NUMBERS AND ADDITIONAL OPTIONS, THE FEES FROM  
10 PRIVATE SALES OF REGISTRATION NUMBERS, AND ANY GIFTS, GRANTS, OR  
11 DONATIONS RECEIVED BY THE COMMITTEE TO IMPLEMENT THIS ARTICLE.

12 (2) The committee shall use the moneys in the fund to implement  
13 this ~~part 22~~; ~~except that the committee may direct the state treasurer to~~  
14 ~~transfer moneys in the fund to the registration number fund created in~~  
15 ~~section 42-1-407, C.R.S., to fund the implementation of part 4 of article~~  
16 ~~1 of title 42, C.R.S. The committee shall not use more than five percent~~  
17 ~~of the money in the fund to administer this part 22~~ ARTICLE. THE  
18 COMMITTEE SHALL USE THE MONEYS FROM THE PROCEEDS OF  
19 REGISTRATION NUMBER SALES TO FULLY IMPLEMENT SECTION 26-23-108  
20 BEFORE USING THE MONEYS TO IMPLEMENT SECTION 26-23-109.

21 (3) The state treasurer shall credit all interest earned on the  
22 investment of moneys in the fund to the fund. At the end of each fiscal  
23 year, the moneys in the fund, including income earned from investment,  
24 remain in the fund. The general assembly shall appropriate the moneys in  
25 the fund to ~~the department of personnel or governor's office to implement~~  
26 this ~~part 22~~ ARTICLE.

27 (4) ANY MONEYS USED TO IMPLEMENT ADDITIONAL LICENSE PLATE



1 OPTIONS SHALL NOT BE TRANSFERRED TO THE DEPARTMENT OF REVENUE.  
2 THE COMMITTEE OR CONTRACT ENTITY SHALL TRANSFER THE MONEYS  
3 DIRECTLY TO THE DIVISION OF CORRECTIONAL INDUSTRIES.

4 **26-23-111. [Formerly 24-30-2206] Implementation.** ~~(1) Except~~  
5 ~~as provided for in subsection (2) of this section,~~ The general assembly  
6 ~~does not intend to require~~ INTENDS the STATE department of personnel to  
7 ~~expend~~ BE REIMBURSED FROM THE FUND FOR ANY moneys THE STATE  
8 DEPARTMENT EXPENDS to implement this ~~part 22~~ ARTICLE.  
9 ~~Notwithstanding any other section of this part 22, the department of~~  
10 ~~personnel and the committee need not implement this part 22 until the~~  
11 ~~disability-benefit support fund contains enough money to implement this~~  
12 ~~part 22.~~

13 ~~(2) The department of personnel shall begin implementation of~~  
14 ~~section 24-30-2204.5 at such time as the disability investigational and~~  
15 ~~pilot support fund contains sufficient funds for implementation, as~~  
16 ~~determined by the committee.~~

17 **26-23-112. Accounting - fiscal year spending - legislative**  
18 **declaration.** THE GENERAL ASSEMBLY HEREBY DECLARES THAT THE SALE  
19 OF REGISTRATION NUMBERS UNDER THIS ARTICLE IS A PROPERTY SALE IN  
20 THE FORM OF AN INTANGIBLE RIGHT AS DEFINED BY SECTION 24-77-102,  
21 C.R.S., AND, THEREFORE, ANY MONEYS EXPENDED UNDER THIS ACT FROM  
22 A PROPERTY SALE DO NOT CONSTITUTE STATE FISCAL YEAR SPENDING AS  
23 DEFINED BY SECTION 24-77-102, C.R.S.

24 **26-23-113. Department of human services - creation.** (1) THE  
25 POWERS, DUTIES, AND FUNCTIONS OF THE COMMITTEE CREATED IN  
26 SECTION 26-23-103 ARE TRANSFERRED BY A **TYPE 1** TRANSFER TO THE  
27 DEPARTMENT OF HUMAN SERVICES.

1           (2) EXCEPT AS AUTHORIZED BY THIS ARTICLE, THE DEPARTMENT  
2 OF HUMAN SERVICES SHALL NOT BE INVOLVED IN THE APPROVAL OF  
3 COMMITTEE DECISIONS, MEMBERS, OR POLICIES. THE DEPARTMENT OF  
4 HUMAN SERVICES SHALL PROVIDE ADMINISTRATIVE SUPPORT, NOT  
5 INCLUDING HIRING OR PROVIDING EMPLOYEES, FOR THE COMMITTEE AND  
6 PAY ANY AMOUNTS DIRECTED BY THE COMMITTEE WITHIN SIXTY DAYS.

7           **26-23-114. Administration - transfers - repeal.** (1) WITHIN  
8 SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS ARTICLE, THE TREASURER  
9 SHALL TRANSFER THE MONEYS IN THE REGISTRATION NUMBER FUND  
10 CREATED BY SECTION 42-1-407, C.R.S., BEFORE ITS REPEAL IN 2015, AND  
11 IN THE DISABILITY INVESTIGATIONAL AND PILOT SUPPORT FUND CREATED  
12 BY SECTION 24-30-2205.5, C.R.S., AS THESE FUNDS EXISTED BEFORE THE  
13 EFFECTIVE DATE OF THIS ARTICLE, TO THE FUND.

14           (2) (a) NOTWITHSTANDING THE REPEAL OF PART 4 OF ARTICLE 1 OF  
15 TITLE 42, THE REGISTRATION NUMBER FUND AND THE LICENSE PLATE  
16 AUCTION GROUP CREATED IN SECTION 42-1-403, C.R.S., BEFORE ITS  
17 REPEAL IN 2015, CONTINUE IN EXISTENCE FOR SIXTY DAYS AFTER THE  
18 EFFECTIVE DATE OF THIS ARTICLE TO WIND UP AFFAIRS AND MAKE OR  
19 FACILITATE THE TRANSFERS REQUIRED BY THIS SECTION.

20           (b) ANY REGISTRATION NUMBERS RESERVED BY THE LICENCE  
21 PLATE AUCTION GROUP BEFORE THE EFFECTIVE DATE OF THIS ARTICLE  
22 CONTINUE TO BE RESERVED BY THE COMMITTEE FOR THE PURPOSES OF THIS  
23 SECTION.

24           (c) WITHIN SIXTY DAYS AFTER THE EFFECTIVE DATE OF THIS  
25 ARTICLE, THE LICENSE PLATE AUCTION GROUP SHALL TRANSFER ALL  
26 RECORDS, PROPERTY, AND INFORMATION TO THE COMMITTEE.

27           (3) THE STATE DEPARTMENT SHALL ASSIST THE LICENSE PLATE

1 AUCTION GROUP IN IMPLEMENTING THIS SECTION.

2 (4) BY JULY 1, 2015, THE GOVERNOR SHALL APPOINT OR  
3 REAPPOINT THE MEMBERS OF THE COMMITTEE TO THE NEW TERMS  
4 ESTABLISHED IN ACCORDANCE WITH SECTION 26-23-103.

5 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2016.

6 **26-23-115. [Formerly 24-30-2207] Sunset review - repeal of**  
7 **article.** (1) This ~~part 22~~ ARTICLE is repealed, effective September 1,  
8 2021.

9 (2) Prior to ~~such~~ THE repeal, the department of regulatory agencies  
10 shall review the assistance program for disability benefits as provided for  
11 in section 24-34-104, C.R.S.

12 **SECTION 3. Repeal of relocated and nonrelocated provisions**  
13 **in this act.** In Colorado Revised Statutes, **repeal** part 4 of article 1 of title  
14 42; except that sections 42-1-401 (1), 42-1-403, and 42-1-407 are not  
15 relocated.

16 **SECTION 4. Repeal of relocated and nonrelocated provisions**  
17 **in this act.** In Colorado Revised Statutes, **repeal** part 22 of article 30 of  
18 title 24; except that section 24-30-2205.5 is not relocated.

19 **SECTION 5.** In Colorado Revised Statutes, 24-34-104, **amend**  
20 (52.5) (a) as follows:

21 **24-34-104. General assembly review of regulatory agencies**  
22 **and functions for termination, continuation, or reestablishment.**

23 (52.5) The following agencies, functions, or both, terminate on  
24 September 1, 2021:

25 (a) The assistance program for disability benefits under ~~part 22 of~~  
26 ~~article 30 of this title~~ ARTICLE 23 OF TITLE 26, C.R.S.;

27 **SECTION 6.** In Colorado Revised Statutes, 25-1-801, **amend** (5)

1 (c) (II) (A) as follows:

2 **25-1-801. Patient records in custody of health care facility -**  
3 **definitions.** (5) As used in this part 8, unless the context otherwise  
4 requires:

5 (c) (II) Notwithstanding any other provision of this part 8:

6 (A) If a patient record is requested by a third-party entity THAT IS  
7 PERFORMING DUTIES under the "Laura Hershey ~~Disability-Benefit~~  
8 ~~DISABILITY~~ Support Act", ~~part 22 of article 30 of title 24~~ ARTICLE 23 OF  
9 TITLE 26, C.R.S., the third party may obtain one free copy of the record  
10 for the application process or for an appeal or reapplication when required  
11 by the disability benefit administrator;

12 **SECTION 7.** In Colorado Revised Statutes, 25.5-5-308, **amend**  
13 (8) (b.5) as follows:

14 **25.5-5-308. Breast and cervical cancer prevention and**  
15 **treatment program - creation - legislative declaration - definitions -**  
16 **funds - repeal.** (8) (b.5) Until section ~~24-30-2204.5~~ 26-23-110, C.R.S.,  
17 is repealed, the state treasurer shall transfer any interest or income earned  
18 on moneys in the fund to the ~~disability investigational and pilot~~  
19 ~~DISABILITY~~ support fund, created in section ~~24-30-2205.5~~ 26-23-110,  
20 C.R.S.

21 **SECTION 8.** In Colorado Revised Statutes, **repeal** 39-22-535 as  
22 follows:

23 **39-22-535. Credit for purchase of uniquely valuable motor**  
24 **vehicle registration numbers.** ~~(1) For tax years commencing on or after~~  
25 ~~January 1, 2013, a person who buys a registration number under section~~  
26 ~~42-1-402, C.R.S., is allowed a credit against the income taxes imposed by~~  
27 ~~this article for twenty percent of the portion of the purchase price that the~~

1 ~~license plate auction group, created in section 42-1-403, C.R.S., certifies~~  
2 ~~exceeds the registration number's fair market value. This is the value the~~  
3 ~~license plate auction group expects from the sale of the registration~~  
4 ~~number, not the cost of registering the vehicle.~~

5 ~~(2) If the credit allowed by this section exceeds the tax otherwise~~  
6 ~~due, the taxpayer may carry it forward for up to five years but shall claim~~  
7 ~~it on the earliest possible subsequent tax return.~~

8 **SECTION 9.** In Colorado Revised Statutes, 42-3-211, **amend** (3)  
9 (a) as follows:

10 **42-3-211. Issuance of personalized plates authorized.**

11 (3) (a) Personalized license plates shall be the same color and design as  
12 regular motor vehicle license plates, shall consist of any combination of  
13 numbers or letters not exceeding seven positions and not less than two  
14 positions except as otherwise provided in section ~~42-1-406(2)~~ 26-23-107,  
15 C.R.S., and shall not conflict with existing passenger, commercial, trailer,  
16 motorcycle, or other special license plates series; except that personalized  
17 license plates bearing the words "street rod" shall be of a design  
18 determined by the executive director of the department, which design  
19 shall be different from those used by the state for regular motor vehicle  
20 license plates.

21 **SECTION 10. Safety clause.** The general assembly hereby finds,  
22 determines, and declares that this act is necessary for the immediate  
23 preservation of the public peace, health, and safety.