

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

REVISED

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

LLS NO. 23-0970.02 Christopher McMichael x4775

HOUSE BILL 23-1265

HOUSE SPONSORSHIP

Lukens and Velasco, Bird, Joseph, Kipp, Lindsay, Sharbini, Snyder, Soper, Story

SENATE SPONSORSHIP

Marchman and Will,

House Committees

Finance
Appropriations

Senate Committees

Finance
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A "BORN TO BE WILD" SPECIAL**
102 **LICENSE PLATE TO RAISE FUNDS FOR NONLETHAL MEANS OF**
103 **MITIGATING CONFLICT WITH GRAY WOLVES, AND, IN**
104 **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://leg.colorado.gov>.)

The bill creates the "Born to Be Wild" special license plates for certain motorcycles, passenger cars, trucks, or noncommercial or recreational motor vehicles. An applicant qualifies for the issuance of the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
2nd Reading Unamended
May 5, 2023

HOUSE
3rd Reading Unamended
April 26, 2023

HOUSE
Amended 2nd Reading
April 24, 2023

special license plates if the applicant pays all required taxes and fees. The department shall collect 3 separate fees as follows:

- A one-time \$25 fee that is credited to the highway users tax fund;
- An annual \$50 fee that is credited to the wildlife cash fund in the division of parks and wildlife; and
- A one-time \$25 fee that is credited to the Colorado DRIVES vehicle services account.

The division of parks and wildlife is directed to use the money collected and credited to the wildlife cash fund for implementing nonlethal means of mitigating and preventing conflict with gray wolves.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds and declares that:

4 (a) The people of Colorado voted to restore gray wolves to the
5 state;

6 (b) The deployment of programs, training, and equipment to
7 support nonlethal means of reducing conflicts with gray wolves will
8 protect the state's agricultural producers, sportspersons, and rural
9 communities; and

10 (c) The "Born to Be Wild" license plate will generate significant
11 funding to support the programs, training, and equipment needed to
12 ensure the success of the gray wolf restoration program, mitigate and
13 prevent conflicts with gray wolves, and support the will of Colorado
14 citizens.

15 **SECTION 2.** In Colorado Revised Statutes, **add** 42-3-267 as
16 follows:

17 **42-3-267. Special plates - Born to Be Wild - gray wolf conflict**
18 **mitigation and prevention.** (1) ON OR BEFORE JANUARY 1, 2024, OR
19 WHEN THE DEPARTMENT IS ABLE TO ISSUE THE PLATES, THE DEPARTMENT

1 SHALL ISSUE SPECIAL LICENSE PLATES TO QUALIFIED APPLICANTS IN
2 ACCORDANCE WITH THIS SECTION FOR MOTORCYCLES, PASSENGER CARS,
3 TRUCKS, OR NONCOMMERCIAL OR RECREATIONAL MOTOR VEHICLES THAT
4 DO NOT EXCEED SIXTEEN THOUSAND POUNDS EMPTY WEIGHT.

5 (2) (a) THERE IS ESTABLISHED THE "BORN TO BE WILD" LICENSE
6 PLATE.

7 (b) FOR THE "BORN TO BE WILD" LICENSE PLATE ESTABLISHED
8 PURSUANT TO THIS SECTION, THE DEPARTMENT SHALL USE A DESIGN
9 APPROVED BY THE DEPARTMENT, WHICH DESIGN MUST CONFORM TO
10 STANDARDS SET BY THE DEPARTMENT.

11 (3) A PERSON MAY APPLY FOR THE "BORN TO BE WILD" LICENSE
12 PLATES IF THE PERSON PAYS THE TAXES AND FEES REQUIRED UNDER THIS
13 SECTION.

14 (4) (a) THE AMOUNT OF TAXES AND FEES FOR SPECIAL LICENSE
15 PLATES ISSUED PURSUANT TO THIS SECTION IS THE SAME AS THE AMOUNT
16 OF THE TAXES AND FEES FOR REGULAR MOTOR VEHICLE LICENSE PLATES;
17 EXCEPT THAT THE DEPARTMENT SHALL COLLECT THE FOLLOWING
18 ADDITIONAL FEES:

19 (I) A ONE-TIME FEE OF TWENTY-FIVE DOLLARS FOR THE ISSUANCE
20 OR REPLACEMENT OF THE "BORN TO BE WILD" LICENSE PLATES. THE
21 DEPARTMENT SHALL TRANSMIT THE MONEY FROM THE FEE COLLECTED
22 PURSUANT TO THIS SUBSECTION (4)(a) TO THE STATE TREASURER, WHO
23 SHALL CREDIT THE FEE TO THE HIGHWAY USERS TAX FUND CREATED IN
24 SECTION 43-4-201.

25 (II) AN ANNUAL FIFTY DOLLAR FEE FOR THE ISSUANCE OR
26 REPLACEMENT OR CONTINUED USE OF THE "BORN TO BE WILD" LICENSE
27 PLATES. THE DEPARTMENT SHALL TRANSMIT THE MONEY FROM THE FEE

1 COLLECTED PURSUANT TO THIS SUBSECTION (4)(b) TO THE STATE
2 TREASURER, WHO SHALL CREDIT THE FEE TO THE WILDLIFE CASH FUND
3 CREATED IN SECTION 33-1-112.

4 (III) A ONE-TIME SPECIAL LICENSE PLATE ISSUANCE FEE AS
5 SPECIFIED IN SECTION 42-3-312.

6 (b) THE DIVISION OF PARKS AND WILDLIFE SHALL USE THE MONEY
7 FROM FEES PAID PURSUANT TO SUBSECTION (4)(a) OF THIS SECTION FOR
8 NONLETHAL METHODS OF MITIGATING AND PREVENTING CONFLICT WITH
9 GRAY WOLVES AS DESCRIBED IN SECTION 33-1-112 (1)(c).

10 (5) AN APPLICANT FOR THE "BORN TO BE WILD" LICENSE PLATES
11 MAY APPLY FOR PERSONALIZED "BORN TO BE WILD" LICENSE PLATES.
12 UPON PAYMENT OF THE ADDITIONAL FEE REQUIRED BY SECTION 42-3-211
13 (6)(a) FOR PERSONALIZED LICENSE PLATES, THE DEPARTMENT MAY ISSUE
14 THE PLATES IF THE APPLICANT COMPLIES WITH SECTION 42-3-211. IF AN
15 APPLICANT HAS EXISTING PERSONALIZED LICENSE PLATES FOR A MOTOR
16 VEHICLE, THE APPLICANT MAY TRANSFER THE COMBINATION OF LETTERS
17 OR NUMBERS TO A NEW SET OF "BORN TO BE WILD" LICENSE PLATES FOR
18 THE VEHICLE UPON PAYING THE FEE REQUIRED BY SECTION 42-3-211 (6)(a)
19 AND UPON TURNING IN THE EXISTING PLATES TO THE DEPARTMENT. A
20 PERSON WHO HAS OBTAINED PERSONALIZED LICENSE PLATES UNDER THIS
21 SUBSECTION (5) MUST PAY THE ANNUAL FEE IMPOSED BY SECTION
22 42-3-211 (6)(b) TO RENEW THE PERSONALIZED PLATES. THE FEES UNDER
23 THIS SUBSECTION (5) ARE IN ADDITION TO ALL OTHER APPLICABLE TAXES
24 AND FEES.

25 **SECTION 3.** In Colorado Revised Statutes, 33-1-112, **amend**
26 (1)(a); and **add** (1)(c) as follows:

27 **33-1-112. Funds - cost accounting - definition - repeal.**

1 (1) (a) Except as provided in subsections (7) and (8) of this section,
2 sections 33-1-112.5 and 33-6-105, and in part 7 of article 22 of title 39,
3 ~~C.R.S.~~, all ~~moneys~~ MONEY received from wildlife license fees, and all
4 ~~moneys~~ MONEY from all other wildlife sources, ALL MONEY FROM FEES
5 COLLECTED PURSUANT TO SECTION 42-3-267 (4)(a)(II), and all interest
6 earned on such ~~moneys~~ MONEY shall be deposited in the state treasury and
7 credited to the wildlife cash fund, which fund is hereby created. ~~and such~~
8 ~~moneys~~ EXCEPT AS PROVIDED IN SUBSECTION (1)(c) OF THIS SECTION, THE
9 MONEY IN THE WILDLIFE CASH FUND shall be utilized for expenditures
10 authorized or contemplated by and not inconsistent with the provisions of
11 articles 1 to 6 of this ~~title~~ TITLE 33 for wildlife activities and functions and
12 for the financing of impact assistance grants pursuant to part 3 of article
13 25 of title 30. ~~C.R.S.~~ All ~~moneys~~ MONEY so deposited in the wildlife cash
14 fund shall remain in ~~such~~ THE fund to be used for the purposes set forth
15 in the provisions of articles 1 to 6 of this ~~title~~ TITLE 33 and shall not be
16 deposited in or transferred to the general fund of the state of Colorado or
17 any other fund.

18 (c) (I) THE DIVISION SHALL USE THE MONEY FROM FEES PAID
19 PURSUANT TO SECTION 42-3-267 (4)(a)(II) AND DEPOSITED IN THE
20 WILDLIFE CASH FUND FOR ANY OF THE FOLLOWING PURPOSES RELATED TO
21 THE RESTORATION AND MANAGEMENT OF GRAY WOLVES PURSUANT TO
22 SECTION 33-2-105.8:

23 (A) PROGRAMS, TRAINING, PERSONNEL, CONTRACTORS, AND
24 COMMUNITY OUTREACH EVENTS RELATED TO NONLETHAL MEANS OF
25 MITIGATING AND PREVENTING CONFLICT WITH GRAY WOLVES;

26 (B) THE PURCHASE AND DEPLOYMENT OF EQUIPMENT,
27 TECHNOLOGY, AND TRAINING MATERIALS RELATED TO NONLETHAL MEANS

1 OF MITIGATING AND PREVENTING CONFLICT WITH GRAY WOLVES;

2 (C) TO SUPPORT RESEARCH RELATED TO DEVELOPING MORE
3 EFFECTIVE TOOLS, TECHNOLOGY, AND METHODS FOR MITIGATING AND
4 PREVENTING CONFLICT WITH GRAY WOLVES BY NONLETHAL MEANS;

5 (D) TO SUPPORT THE OBSERVATION, MONITORING, AND
6 NONLETHAL MANAGEMENT OF GRAY WOLF POPULATIONS;

7 (E) FOR PROMOTION OF THE "BORN TO BE WILD" LICENSE PLATE,
8 FOR WHICH THE DIVISION SHALL SOLICIT GRANT APPLICATIONS ANNUALLY
9 FROM, AND MAY AWARD GRANTS TO, ORGANIZATIONS IN ORDER TO
10 PROMOTE AND MARKET THE "BORN TO BE WILD" LICENSE PLATE; OR

11 (F) OTHER NONLETHAL MEANS FOR REDUCING CONFLICT WITH
12 GRAY WOLVES, AS DETERMINED BY THE DIVISION.

13 (II) THE DIVISION SHALL NOT USE ANY MONEY FROM FEES PAID
14 PURSUANT TO SECTION 42-3-267 (4)(a)(II) AND DEPOSITED IN THE
15 WILDLIFE CASH FUND FOR THE LETHAL CONTROL OF WOLVES OR FOR
16 COMPENSATION FOR WOLF DEPREDATION.

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

19 **42-3-312. Special license plate surcharge.** In addition to any
20 other fee imposed by this article 3, an applicant for a special license plate
21 created by rule in accordance with section 42-3-207, as the section existed
22 when the plate was created, or special license plates issued pursuant to
23 sections 42-3-211 to 42-3-214, sections 42-3-217 to 42-3-218, sections
24 42-3-221 to 42-3-234, sections 42-3-237 to 42-3-258, **and** sections
25 42-3-260 to 42-3-265, AND SECTION 42-3-267 shall pay an issuance fee
26 of twenty-five dollars; except that the fee is not imposed on special
27 license plates exempted from additional fees for the issuance of a military

1 special license plate by section 42-3-213 (1)(b)(II). The department shall
2 transfer the MONEY FROM THE fee to the state treasurer, who shall credit
3 it to the Colorado DRIVES vehicle services account created in section
4 42-1-211 (2).

5 **SECTION 5. Appropriation.** (1) For the 2023-24 state fiscal
6 year, \$99,642 is appropriated to the department of revenue for use by the
7 division of motor vehicles. This appropriation consists of \$11,054 from
8 the Colorado DRIVES vehicle services account in the highway users tax
9 fund created in section 42-1-211 (2), C.R.S., and \$88,588 from the license
10 plate cash fund created in section 42-3-301 (1)(b), C.R.S. To implement
11 this act, the division may use this appropriation as follows:

12 (a) \$ 11,054 from the Colorado DRIVES vehicle services account
13 for DRIVES maintenance and support; and

14 (b) \$88,588 from the license plate cash fund for use by vehicle
15 services for license plate ordering.

16 2) For the 2023-24 state fiscal year, \$548,000 is appropriated to
17 the department of natural resources for use by the division of parks and
18 wildlife. This appropriation is from the wildlife cash fund created in
19 section 33-1-112 (1)(a), C.R.S. To implement this act, the department
20 may use this appropriation for wildlife operations.

21 **SECTION 6. Act subject to petition - effective date.** This act
22 takes effect at 12:01 a.m. on the day following the expiration of the
23 ninety-day period after final adjournment of the general assembly; except
24 that, if a referendum petition is filed pursuant to section 1 (3) of article V
25 of the state constitution against this act or an item, section, or part of this
26 act within such period, then the act, item, section, or part will not take
27 effect unless approved by the people at the general election to be held in

- 1 November 2024 and, in such case, will take effect on the date of the
- 2 official declaration of the vote thereon by the governor.