

**S.B. 243**  
**AIR QUALITY PROGRAMS**

Representative **James A. Dunnigan** proposes the following amendments:

1. *Page 1, Line 23:*

23           ▶       permits a customer of a program utility to opt in to or subsequently opt out of the charge;

2. *Page 4, Lines 98 through 99:*

98           (3) The alternative fuel vehicle interlocal entity :

(a) may collect a charge equal to or less

99 than \$1 per month from each customer of a program utility who opts in to the charge; and

(b) may not collect a charge described in this section from a customer who does not opt in to the charge or who subsequently opts out of the charge .

3. *Page 4, Lines 107 through 109:*

107           (iii) inform each program utility that the program utility shall collect the charge in

108 accordance with Subsection (5) from each customer {~~unless the customer opts out of~~} who opts in  
to the charge

109 in accordance with Subsection (10); and

4. *Page 4, Lines 110 through 113:*

110           (iv) prepare and distribute to each program utility marketing information about:

111           (A) the purpose of the charge, including a general description of the types of air quality  
112 programs and research funded by the charge; and

113           (B) the opportunity for a customer to opt in to or subsequently opt out of the charge; and

5. *Page 4, Lines 115a through 116:*

115a in its billing statements:

115b (A) of the creation and purpose of the program for which the charge is imposed;

115c (B) potential use of the money collected from the charge;

115d (C) ←\$ that the customer may opt {~~out of~~} in to the charge in

116 accordance with Subsection (10); and

6. *Page , Line 116a through Page 4a, Line 116b:*

116a ~~§~~→ (D) the method by which the customer may opt in to or subsequently opt out of the charge in accordance with Subsection (10); and ~~←~~§

7. Page 4a, Line 120:

120 (i) pass through to its customers in the state and who opt in to the charge an amount equal to the charge the

8. Page 5, Lines 125 through 128:

125 (b) A program utility subject to Subsection (5)(a) may retain each month from the  
126 amount the seller is required to remit to the alternative fuel vehicle interlocal entity a portion  
127 for the program utility's administration of the charge collection and ~~{the collection}~~ administration of the customer opt-in and opt-out as  
128 described in Subsection (10).

9. Page 6, Lines 178 through 182:

178 (10) (a) A program utility customer may opt in to or subsequently opt out of the charge described in Subsection  
179 (3) by contacting, in accordance with Subsection (10)(c), the program utility.  
180 (b) Before collecting a charge under this section, a program utility shall:  
181 (i) allow a customer to opt in to or subsequently opt out of the charge at least annually;  
182 (ii) adopt a policy designating when, at least annually, a customer may opt in to or subsequently opt out of the

10. Page 7, Lines 184 through 189:

184 (iii) notify in writing each customer at least 30 days before and no more than 45 days  
185 before the beginning of the respective opt-in and opt-out period described in Subsection (10)(b)(ii) that the customer  
186 may opt in to or subsequently opt out of the charge and how, in accordance with Subsection (10)(c), the customer may  
187 contact the program utility to opt in to the charge or subsequently opt out of the charge .  
188 (c) A program utility shall allow a customer to opt in to and subsequently opt out of the charge in accordance with  
189 Subsection (10)(b) by: