

493 the statewide average rack price of a gallon of motor fuel per gallon upon all motor fuel that is  
494 sold, used, or received for sale or used in this state.

495 ~~[(ii)(A)]~~ (b) (i) Until December 31, 2018, and subject to the requirements under  
496 Subsection ~~[(1)(b)(iii)]~~ (1)(c), the statewide average rack price of a gallon of motor fuel under  
497 Subsection ~~[(1)(b)(i)]~~ (1)(a) shall be determined by calculating the previous fiscal year  
498 statewide average rack price of a gallon of regular unleaded motor fuel, excluding federal and  
499 state excise taxes, for the 12 months ending on the previous June 30 as published by an oil  
500 pricing service.

501 ~~[(B)]~~ (ii) Beginning on January 1, 2019, and subject to the requirements under  
502 Subsection ~~[(1)(b)(iii)]~~ (1)(c), the statewide average rack price of a gallon of motor fuel under  
503 Subsection ~~[(1)(b)(i)]~~ (1)(a) shall be determined by calculating the previous three fiscal years  
504 statewide average rack price of a gallon of regular unleaded motor fuel, excluding federal and  
505 state excise taxes, for the 36 months ending on the previous June 30 as published by an oil  
506 pricing service.

507 ~~[(iii)(A)]~~ (c) (i) Subject to the requirement in Subsection ~~[(1)(b)(iii)(B)]~~ (1)(c)(ii), the  
508 statewide average rack price of a gallon of motor fuel determined under Subsection (1)(b)~~[(iii)]~~  
509 may not be less than ~~[\$2.45]~~ \$1.78 per gallon.

510 ~~[(B)]~~ (ii) **\$→ (A) For the calendar year beginning on January 1, 2018, only, the**  
510a **commission shall, on January 1, adjust the minimum statewide average rack price of a gallon**  
510b **of motor fuel described in Subsection (1)(c)(i) by taking the minimum statewide average rack**  
510c **price of a gallon of motor fuel described in Subsection (1)(c)(i) and adding an amount equal to**  
510d **the greater of: ←\$**

510e **\$→ (I) an amount calculated by multiplying the statewide minimum average rack price of a**  
510f **gallon of motor fuel described in Subsection (1)(c)(i) by the actual percent change during the**  
510g **previous fiscal year in the Consumer Price Index; and ←\$**

510h **\$→ (II) 0. ←\$**

510i **\$→ (B) ←\$** Beginning on ~~[a calendar year following the year that the actual statewide~~  
511 ~~average rack price of a gallon of motor fuel reaches \$2.45 before applying the minimum under~~  
512 ~~Subsection (1)(b)(iii)(A)]~~ **January 1, \$→ [2018] 2019 ←\$**, the commission shall, on January 1,  
512a annually adjust

513 the minimum statewide average rack price of a gallon of motor fuel described in Subsection  
514 ~~[(1)(b)(iii)(A)]~~ (1)(c)(i) by taking the minimum statewide average rack price of a gallon of  
515 motor fuel for the previous calendar year and adding an amount equal to the greater of:

516 **\$→ [f] ←\$ (I) \$→ [1(A)] ←\$** an amount calculated by multiplying the minimum

516a ~~§~~ **→** statewide ~~←~~ ~~§~~ average rack price of a  
517 gallon of motor fuel for the previous calendar year by the actual percent change during the  
518 previous fiscal year in the Consumer Price Index; and  
519 ~~§~~ **→** [f] ~~←~~ ~~§~~ (II) ~~§~~ **→** [~~(B)~~] ~~←~~ ~~§~~ 0.  
520 [~~(C)~~] (iii) The statewide average rack price of a gallon of motor fuel determined by the  
521 commission under Subsection (1)(b)[~~(ii)~~] may not exceed [~~\$3.33~~] \$2.43 per gallon.  
522 [~~(iv)~~] (d) (i) The commission shall annually:  
523 (A) determine the statewide average rack price of a gallon of motor fuel in accordance