

26 AMENDS:

27 19-6-807, as last amended by Laws of Utah 2020, Fifth Special Session, Chapter 20

28 ENACTS:

29 19-6-808.5, Utah Code Annotated 1953

30 19-6-816.5, Utah Code Annotated 1953

31

32 *Be it enacted by the Legislature of the state of Utah:*

33 Section 1. Section 19-6-807 is amended to read:

34 **19-6-807. Special revenue fund -- Creation -- Deposits.**

35 (1) There is created an expendable special revenue fund entitled the "Waste Tire
36 Recycling Fund."

37 (2) The fund shall consist of:

38 (a) the proceeds of the fee imposed under Section 19-6-805; [~~and~~]

39 (b) penalties collected under this part[~~;~~]; and

40 (c) money paid into the account under Section 19-6-808.5.

41 (3) Money in the fund shall be used for:

42 (a) partial reimbursement of the costs of transporting, processing, recycling, or
43 disposing of waste tires as provided in this part; [~~and~~]

44 (b) payment of administrative costs of local health departments as provided in Section
45 19-6-817[~~;~~]; and

46 (c) payment to a county pursuant to Section 19-6-808.5.

47 (4) The Legislature may appropriate money from the fund to pay for:

48 (a) the costs of the Department of Environmental Quality in administering and
49 enforcing this part; and

50 (b) other operational costs of the Department of Environmental Quality, if the
51 Legislature estimates there is a deficit in the Department of Environmental Quality's budget for
52 the current or next fiscal year.

53 Section 2. Section 19-6-808.5 is enacted to read:

54 **19-6-808.5. Municipal landfill deposits.**

55 **Ĥ→ (1) As used in this section, "municipal landfill operator" means a municipality:**

55a **(a) in a county of the third class;**

55b **(b) that contains a land grant university within the municipality's jurisdictional**
55c **boundaries; and**

55d **(c) that owns or operates a landfill that has its permitted boundary more than 10 miles**↻

- 55e ~~from the municipality's jurisdictional boundaries.~~ ←H
- 55f H→ [(1)] (2) ←H Beginning on July 1, 2023, a H→ [~~municipality that owns or operates a~~
- 55g ~~landfill that has~~
- 56 ~~its permitted boundary more than 10 miles from the municipality's jurisdictional boundaries]~~
- 56a ~~municipal landfill operator~~ ←H

57 shall pay to Division of Finance for deposit into the fund:

58 (a) all reimbursements that the municipality receives under Section 19-6-812; and

59 (b) all revenue collected by the municipality in relation to the landfill.

60 ~~H→ [(2)] (3) ←H~~ A municipality's payment under Subsection ~~H→ [(1)] (2) ←H~~ shall be
60a accompanied by a form
61 prescribed by the Division of Finance.

62 ~~H→ [(3)] (4) ←H~~ The Division of Finance shall pay amounts received from a landfill under
62a this
63 section quarterly to the county in whose jurisdictional boundaries the landfill is located.

64 Section 3. Section **19-6-816.5** is enacted to read:

65 **19-6-816.5. Fund balance maintenance.**

66 (1) As used in this section:

67 (a) "Qualified recycler" means a recycler who is qualified to receive a partial
68 reimbursement under Section 19-6-809 during a fiscal year for which there are surplus funds.

69 (b) "Surplus funds" means, at the end of a fiscal year, money in the fund in excess of
70 \$2,000,000 after all partial reimbursements and payments to local health departments, and all
71 payments to a county as provided in this part have been paid.

72 (2) At the end of a fiscal year, the Division of Finance shall use surplus funds to make
73 payments to qualified recyclers equal to \$10 for each ton of waste tires, material derived from
74 waste tires, or chipped tires, for which the recycler received a partial reimbursement under
75 Subsection 19-6-809(2).

76 (3) If the surplus funds are insufficient to make the payments described in Subsection
77 (2), the Division of Finance shall prorate the amount per ton that is paid to each qualified
78 recycler.

79 (4) The Division of Finance may not make any payment under this section that would
80 cause the balance of the fund to be less than \$2,000,000.