

SB0203S01 compared with SB0203

~~{deleted text}~~ shows text that was in SB0203 but was deleted in SB0203S01.

inserted text shows text that was not in SB0203 but was inserted into SB0203S01.

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Representative Casey Snider proposes the following substitute bill:

TIRE RECYCLING FUND AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Scott D. Sandall

House Sponsor: ~~{ }~~ Joel Ferry

LONG TITLE

General Description:

This bill makes changes related to the administration and composition of the Waste Tire Recycling Fund.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a municipality that owns or operates a landfill more than 10 miles outside the municipality's jurisdictional boundaries to deposit all revenue from the landfill into the Waste Tire Recycling Fund;
- ▶ requires the Division of Finance to disburse revenue received from municipal landfill operators to the county within whose boundary the landfill is located; and
- ▶ provides for the disbursement of surplus amounts in the Waste Tire Recycling Fund

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to qualified recyclers.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

ENACTS:

19-6-808.5, Utah Code Annotated 1953

19-6-816.5, Utah Code Annotated 1953

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

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

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

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

(2) The fund shall consist of:

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

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

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

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

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

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

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

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

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

(b) other operational costs of the Department of Environmental Quality, if the

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Legislature estimates there is a deficit in the Department of Environmental Quality's budget for the current or next fiscal year.

Section ~~{1}~~2. Section ~~{19-6-816}~~19-6-808.5 is enacted to read:

19-6-808.5. Municipal landfill deposits.

(1) Beginning on July 1, 2023, a municipality that owns or operates a landfill that has its permitted boundary more than 10 miles from the municipality's jurisdictional boundaries shall pay to Division of Finance for deposit into the fund:

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

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

(2) A municipality's payment under Subsection (1) shall be accompanied by a form prescribed by the Division of Finance.

(3) The Division of Finance shall pay amounts received from a landfill under this section quarterly to the county in whose jurisdictional boundaries the landfill is located.

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

19-6-816.5. Fund balance maintenance.

(1) As used in this section:

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

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

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

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

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