



30 (2) The fund shall consist of:

31 (a) the proceeds of:

32 (i) a fee imposed under Section 19-6-805; and

33 (ii) a fee imposed under Section 19-6-806; and

34 (b) penalties collected under this part~~[, and]~~.

35 ~~[(c) money paid into the account under Section 19-6-808.5.]~~

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

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

39 (b) payment of administrative costs of local health departments as provided in Section  
40 19-6-817~~[, and]~~.

41 ~~[(c) payment to a county pursuant to Section 19-6-808.5.]~~

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

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

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

48 Section 2. Section 19-6-816.5 is amended to read:

49 **19-6-816.5. Fund balance maintenance.**

50 (1) As used in this section:

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

53 (b) "Surplus funds" means, at the end of a fiscal year, money in the fund in excess of  
54 \$2,000,000 after all partial reimbursements and payments to local health departments~~[, and all~~  
55 ~~payments to a county]~~ as provided in this part have been paid.

56 (2) At the end of a fiscal year, the Division of Finance shall use surplus funds to make  
57 payments to qualified recyclers equal to \$10 for each ton of waste tires, material derived from

58 waste tires, or chipped tires, for which the recycler received a partial reimbursement under  
59 Subsection 19-6-809(2).

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

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

65 Section 3. **Repealer.**

66 This bill repeals:

67 Section 19-6-808.5, **Municipal landfill deposits.**