

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.

HB22-1355 be amended as follows:

- 1 Amend reengrossed bill, page 14, line 1, strike "OR".
- 2 Page 14, line 6, after "STATE;" insert "OR
- 3 (III) IF THERE IS NO PERSON DESCRIBED IN SUBSECTION (30)(a)(I)
- 4 OR (30)(a)(II) OF THIS SECTION WITHIN THE UNITED STATES, THE PERSON
- 5 THAT IMPORTS THE PRODUCT USING COVERED MATERIALS INTO THE
- 6 UNITED STATES FOR USE IN A COMMERCIAL ENTERPRISE THAT SELLS OR
- 7 DISTRIBUTES THE ITEM IN THE STATE;"
- 8 Page 15, line 3, strike "(4)(h)(II)" and substitute "(4)(i)(II)".
- 9 Page 24, line 3, strike "(4)(i)" and substitute "(4)(j)".
- 10 Page 27, line 5, strike "(4)(y)" and substitute "(4)(z)".
- 11 Page 28, after line 1 insert:
- 12 "(d) DESCRIBE HOW THE ORGANIZATION WILL NOTIFY AFFECTED
- 13 PRODUCERS OF THEIR OBLIGATIONS UNDER THIS PART 6;"
- 14 Reletter succeeding paragraphs accordingly.
- 15 Page 28, line 20, strike "NEWSPAPERS" and substitute "NEWSPAPERS,
- 16 MAGAZINES, AND PERIODICALS".
- 17 Page 29, line 1, strike "(4)(i)" and substitute "(4)(j)".
- 18 Page 33, line 18, strike "(4)(o)" and substitute "(4)(p)".
- 19 Page 37, line 1, after "(2)(c)." insert "AT LEAST SIXTY DAYS PRIOR TO THE
- 20 DEADLINE TO SUBMIT THE ANNUAL REPORT, THE DEPARTMENT MAY
- 21 REQUEST THAT THE ORGANIZATION SUBMIT AN AMENDMENT TO THE
- 22 ANNUAL PLAN TO ADDRESS A SPECIFIC CONCERN OR ASPECT OF THE PLAN."
- 23 Page 39, line 21, strike "(4)(o)." and substitute "(4)(p)."
- 24 Page 40, line 24, strike "(4)(o)." and substitute "(4)(p)."
- 25 Page 42, line 5, strike "(4)(o)" and substitute "(4)(p)".
- 26 Page 46, line 16, strike "(4)(h)." and substitute "(4)(i)."

1 Page 48, strike lines 9 and 10 and substitute "PROGRAM AND ANY
2 PRODUCERS THAT MAY BE OUT OF COMPLIANCE WITH ONE OR MORE
3 OBLIGATIONS IMPOSED BY THIS PART 6;"

4 Page 48, line 17, strike "MATERIAL;" and substitute "MATERIAL AND ANY
5 ANNUAL INCREASES OR DECREASES IN THE DUES SCHEDULE AND THE
6 REASONS FOR THESE ADJUSTMENTS;"

7 Page 49, line 5, strike "(4)(o);" and substitute "(4)(p);"

8 Page 51, line 19, after "REPORT." insert "ADDITIONALLY, AT LEAST EVERY
9 THREE YEARS STARTING IN 2028, THE EXECUTIVE DIRECTOR SHALL
10 INCLUDE IN THE GENERAL REPORT THE OUTCOME OF THE CONSUMER COST
11 IMPACT REVIEW CONDUCTED BY THE DEPARTMENT PURSUANT TO
12 SUBSECTION (4) OF THIS SECTION."

13 Page 51, line 20, strike "WEBSITE" and substitute "WEBSITE AND SUBMIT
14 THE REPORT TO THE GOVERNOR"

15 Page 51, lines 23 and 24, strike "AND THE GOVERNOR." and substitute
16 "DURING THE "STATE MEASUREMENT FOR ACCOUNTABLE, RESPONSIVE,
17 AND TRANSPARENT (SMART) GOVERNMENT ACT" HEARINGS HELD
18 PURSUANT TO PART 2 OF ARTICLE 7 OF TITLE 2."

19 Page 52, after line 11 insert:

20 "(4) NO LESS THAN EVERY THREE YEARS, STARTING IN 2028, THE
21 DEPARTMENT SHALL CONDUCT A REVIEW OF CONSUMER COST IMPACTS
22 RESULTING FROM THE PROGRAM, INCLUDING ASSESSMENTS OF INCREASED
23 PRICES FOR COVERED MATERIALS RELATIVE TO THE PRICES FOR THOSE
24 MATERIALS IN OTHER STATES, AS WELL AS LOCAL GOVERNMENT
25 EXPENDITURES AND CONSUMER SPENDING ON RECYCLING SERVICES AND
26 TRASH COLLECTION AND DISPOSAL."

27 Page 57, after line 27, insert:

28 "**25-17-616. No obligation to provide recycling services.**
29 NOTWITHSTANDING ANY LAW TO THE CONTRARY, A PRIVATE SERVICE
30 PROVIDER IS NOT REQUIRED TO PROVIDE RECYCLING SERVICES UNDER THE
31 PROGRAM OR ANY OTHER PLAN APPROVED BY THE EXECUTIVE DIRECTOR
32 PURSUANT TO THIS PART 6."

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