

HB22-1355 be amended as follows:

1 Amend printed bill, page 50, after line 20 insert:

2 **"25-17-616. Producer responsibility program for statewide**
3 **recycling administration fund - creation - purpose.** (1) THERE IS
4 HEREBY CREATED IN THE STATE TREASURY THE PRODUCER RESPONSIBILITY
5 PROGRAM FOR STATEWIDE RECYCLING ADMINISTRATION FUND, REFERRED
6 TO IN THIS SECTION AS THE "FUND". THE FUND CONSISTS OF ALL PRODUCER
7 RESPONSIBILITY DUES TRANSFERRED TO THE FUND PURSUANT TO THIS
8 SECTION AND MONEY THAT THE GENERAL ASSEMBLY TRANSFERS TO THE
9 FUND FOR USE BY THE DEPARTMENT. THE ORGANIZATION SHALL TRANSMIT
10 A PORTION OF THE PRODUCER RESPONSIBILITY DUES TO THE STATE
11 TREASURER FOR DEPOSIT IN THE FUND FOR PURPOSES OF REIMBURSING:

12 (a) THE DEPARTMENT, INCLUDING THE ADVISORY BOARD, FOR THE
13 REASONABLE COSTS INCURRED IN ADMINISTERING AND IMPLEMENTING
14 ANY PORTION OF THIS PART 6; AND

15 (b) THE DEPARTMENT FOR THE REASONABLE COSTS INCURRED IN
16 ENFORCING THIS PART 6 PURSUANT TO SECTION 25-17-610.

17 (2) (a) BY JUNE 30, 2026, THE DEPARTMENT SHALL NOTIFY THE
18 ORGANIZATION OF THE COSTS IN ADMINISTERING, IMPLEMENTING, AND
19 ENFORCING THIS PART 6 SINCE THE EFFECTIVE DATE OF THIS PART 6.

20 (b) BY JUNE 30 OF EACH YEAR AFTER JUNE 30, 2026, THE
21 DEPARTMENT SHALL NOTIFY THE ORGANIZATION OF THE COSTS OF
22 ADMINISTERING, IMPLEMENTING, AND ENFORCING THIS PART 6 DURING THE
23 IMMEDIATELY PRECEDING YEAR.

24 (c) UPON RECEIPT OF THE DEPARTMENT'S COST ACCOUNTING, THE
25 ORGANIZATION SHALL TRANSMIT TO THE STATE TREASURER, FOR DEPOSIT
26 IN THE FUND, AN AMOUNT OF PRODUCER RESPONSIBILITY DUES NECESSARY
27 TO REIMBURSE THE DEPARTMENT FOR ITS COSTS.

28 (3) THE GENERAL ASSEMBLY SHALL ANNUALLY APPROPRIATE
29 MONEY FROM THE FUND TO THE DEPARTMENT FOR THE PURPOSES SET
30 FORTH IN SUBSECTION (1) OF THIS SECTION.

31 (4) ALL UNEXPENDED AND UNENCUMBERED MONEY IN THE FUND
32 AT THE END OF ANY STATE FISCAL YEAR REMAINS IN THE FUND AND SHALL
33 NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANY OTHER
34 FUND. ALL INTEREST DERIVED FROM THE DEPOSIT AND INVESTMENT OF
35 MONEY IN THE FUND REMAINS IN THE FUND AND DOES NOT REVERT TO THE
36 GENERAL FUND."

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