

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Appropriations.

SB24-123 be amended as follows:

1 Amend the Finance Committee Report, dated February 29, 2024, page 1,
2 line 12, strike "line".

3 Page 1 of the report, line 16, strike "BENEFITS RECEIVED" and substitute
4 "COST OF PROVIDING THE SERVICES NEEDED".

5 Page 3 of the report, after line 30 insert:

6 "Page 9 of the printed bill, after line 11 insert:

7 "(h) (I) THE DEPARTMENT MAY TRANSFER MONEY FROM ANY
8 LEGALLY AVAILABLE SOURCE TO THE ENTERPRISE FOR THE PURPOSE OF
9 DEFRAYING EXPENSES INCURRED BY THE ENTERPRISE BEFORE IT RECEIVES
10 FEE REVENUE. THE ENTERPRISE MAY ACCEPT AND EXPEND ANY MONEY SO
11 TRANSFERRED, AND, NOTWITHSTANDING ANY STATE FISCAL RULE OR
12 GENERALLY ACCEPTED ACCOUNTING PRINCIPLE THAT COULD OTHERWISE
13 BE INTERPRETED TO REQUIRE A CONTRARY CONCLUSION, SUCH A
14 TRANSFER IS A LOAN FROM THE DEPARTMENT TO THE ENTERPRISE THAT IS
15 REQUIRED TO BE REPAYED AND IS NOT A GRANT FOR PURPOSES OF SECTION
16 20 (2)(d) OF ARTICLE X OF THE STATE CONSTITUTION OR AS DEFINED IN
17 SECTION 24-77-102 (7).

18 (II) ALL MONEY TRANSFERRED AS A LOAN TO THE ENTERPRISE
19 MUST BE CREDITED TO THE WASTE TIRE ADMINISTRATION, ENFORCEMENT,
20 MARKET DEVELOPMENT, AND CLEANUP FUND, CREATED IN SECTION
21 30-20-1404 (1)(a). LOAN LIABILITIES THAT ARE RECORDED IN THE WASTE
22 TIRE ADMINISTRATION, ENFORCEMENT, MARKET DEVELOPMENT, AND
23 CLEANUP FUND BUT THAT ARE NOT REQUIRED TO BE PAID IN THE CURRENT
24 STATE FISCAL YEAR SHALL NOT BE CONSIDERED WHEN CALCULATING
25 SUFFICIENT STATUTORY FUND BALANCE FOR PURPOSES OF SECTION
26 24-75-109.

27 (III) AS THE ENTERPRISE RECEIVES SUFFICIENT REVENUE IN EXCESS
28 OF EXPENSES, IT SHALL REIMBURSE THE DEPARTMENT FOR THE PRINCIPAL
29 AMOUNT OF ANY LOAN MADE BY THE DEPARTMENT, PLUS INTEREST AT A
30 RATE AGREED UPON BY THE DEPARTMENT AND THE ENTERPRISE.".

31 Page 4 of the report, lines 26 and 27, strike "AND CONTINUING THROUGH
32 DECEMBER 31, 2040,".

33 Page 5 of the report, line 35, strike "FROM JULY 1, 2025, THROUGH
34 JANUARY 31, 2041," and substitute "BEGINNING ON JULY 1, 2025,".

35 Page 6 of the report, line 13, strike "FROM JULY 1, 2025, THROUGH
36 JANUARY 31, 2041," and substitute "BEGINNING ON JULY 1, 2025,".

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