

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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