

HOUSE COMMITTEE OF REFERENCE REPORT

Chair of Committee

Date

April 13, 2022

Committee on Energy & Environment.

After consideration on the merits, the Committee recommends the following:

HB22-1355 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 6, strike lines 8 through 18.
- 2 Renumber succeeding subsections accordingly.
- 3 Page 7, after line 18 insert:
 - 4 "(9) "COMPOSTABLE" MEANS A COVERED MATERIAL ASSOCIATED
 - 5 WITH ORGANIC WASTE STREAMS THAT IS CAPABLE OF UNDERGOING
 - 6 AEROBIC BIOLOGICAL DECOMPOSITION IN A CONTROLLED COMPOSTING
 - 7 SYSTEM AS DEMONSTRATED BY MEETING ASTM D6400 OR ASTM
 - 8 D6868."
- 9 Renumber succeeding subsections accordingly.
- 10 Page 7, lines 25 and 26, strike "THAT ARE PROCESSED BY A MATERIALS
- 11 RECOVERY FACILITY OR SIMILAR FACILITY".
- 12 Page 8, line 8 strike "(15)(b)" and substitute "(13)(b)".
- 13 Page 8, line 9 strike "(15)(b)" and substitute "(13)(b)".
- 14 Page 8, after line 20 insert:
 - 15 "(V) PACKAGING MATERIAL USED FOR COLORADO AGRICULTURAL
 - 16 PRODUCTS SOLD UNDER THE NAME OF THE FARMER, GROWER, OR GROWER
 - 17 COOPERATIVE;"
- 18 Renumber succeeding subparagraphs accordingly.

1 Page 9, line 14, strike "AND".

2 Page 9, after line 18 insert:

3 "(XII) PACKAGING MATERIAL USED TO CONTAIN A PORTABLE
4 ELECTRONIC DEVICE, AS DEFINED IN SECTION 10-4-1501, THAT HAS BEEN
5 REPAIRED AND RECONDITIONED TO BE SOLD AS A REFURBISHED PRODUCT;

6 (XIII) PAPER PRODUCTS USED FOR LOCAL NEWSPAPERS. AS USED
7 IN THIS SUBSECTION (13)(b)(XIII), "LOCAL NEWSPAPER" MEANS A
8 PUBLICATION THAT:

9 (A) PRIMARILY SERVES THE NEEDS OF THE STATE OR A REGIONAL
10 OR LOCAL COMMUNITY;

11 (B) PRIMARILY HAS CONTENT DERIVED FROM PRIMARY SOURCES
12 RELATED TO NEWS AND CURRENT EVENTS;

13 (C) EMPLOYS AT LEAST ONE JOURNALIST WHO RESIDES IN THE
14 STATE AND WHO REGULARLY GATHERS, COLLECTS, PHOTOGRAPHS,
15 RECORDS, WRITES, OR REPORTS NEWS AND INFORMATION THAT CONCERNS
16 LOCAL EVENTS OR OTHER MATTERS OF LOCAL INTEREST;

17 (D) HAS A MAJORITY OF ITS EMPLOYEES RESIDING IN THE STATE;

18 (E) IS COVERED BY MEDIA LIABILITY INSURANCE;

19 (F) DISCLOSES ITS OWNERSHIP TO THE PUBLIC; AND

20 (G) IS NEITHER A DISQUALIFIED ORGANIZATION NOR AN
21 ORGANIZATION THAT HAS RECEIVED MORE THAN FIFTY PERCENT OF ITS
22 GROSS REVENUE IN THE PREVIOUS TAX YEAR FROM DISQUALIFIED
23 ORGANIZATIONS. AS USED IN THIS SUBSECTION (13)(b)(XIII)(G),
24 "DISQUALIFIED ORGANIZATION" MEANS ANY ORGANIZATION THAT IS
25 DESCRIBED IN SECTION 501 (c)(4) OF THE FEDERAL "INTERNAL REVENUE
26 CODE OF 1986", AS AMENDED, AND IS EXEMPT FROM TAXATION UNDER
27 SECTION 501 (a) OF THE FEDERAL "INTERNAL REVENUE CODE OF 1986",
28 AS AMENDED; THAT IS DESCRIBED IN SECTION 501 (c)(6) OF THE FEDERAL
29 "INTERNAL REVENUE CODE OF 1986", AS AMENDED, AND IS EXEMPT FROM
30 TAXATION UNDER SECTION 501 (a) OF THE FEDERAL "INTERNAL REVENUE
31 CODE OF 1986", AS AMENDED; THAT IS DESCRIBED IN SECTION 527 OF THE
32 FEDERAL "INTERNAL REVENUE CODE OF 1986", AS AMENDED; OR THAT IS
33 OWNED OR CONTROLLED BY ONE OR MORE ORGANIZATIONS DESCRIBED
34 UNDER THIS SUBSECTION (13)(b)(XIII)(G).

35 (XIV) ANY OTHER MATERIAL THAT, BASED ON AN ANALYSIS BY
36 THE ORGANIZATION OF THE OPERATIONAL AND FINANCIAL IMPACTS OF THE
37 PROPOSED CHANGES AND AFTER CONSULTATION WITH THE ADVISORY
38 BOARD, THE COMMISSION DETERMINES BY RULE TO NOT BE A COVERED
39 MATERIAL."

40 Page 10, strike lines 11 through 17.

- 1 Renumber succeeding subsections accordingly.
- 2 Page 13, after line 4 insert:
- 3 "(b) "POSTCONSUMER RECYCLED MATERIAL" INCLUDES RETURNS
4 OF MATERIAL FROM THE DISTRIBUTION CHAIN."
- 5 Reletter succeeding paragraph accordingly.
- 6 Page 14, line 3, strike "OR".
- 7 Page 14, after line 3 insert:
- 8 "(d) FOR THE PURPOSES OF PAPER PRODUCTS NOT DESCRIBED IN
9 SUBSECTION (30)(c) OF THIS SECTION:
- 10 (I) THE PERSON THAT MANUFACTURES THE PAPER PRODUCT UNDER
11 THE MANUFACTURER'S OWN BRAND; OR
- 12 (II) IF THE PAPER PRODUCT IS MANUFACTURED BY A PERSON OTHER
13 THAN THE BRAND OWNER, THE PERSON THAT IS THE OWNER OR LICENSEE
14 OF THE BRAND OR TRADEMARK UNDER WHICH THE PAPER PRODUCT IS USED
15 IN A COMMERCIAL ENTERPRISE, SOLD, OFFERED FOR SALE, OR DISTRIBUTED
16 IN OR INTO THE STATE, WHETHER OR NOT THE TRADEMARK IS REGISTERED
17 IN THE STATE; OR".
- 18 Reletter succeeding paragraph accordingly.
- 19 Page 15, line 26, strike "PROCESSED AND ARE READY" and substitute
20 "PREPARED".
- 21
- 22 Page 16, line 2, strike "ESTABLISHMENT." and substitute "ESTABLISHMENT
23 THAT SELLS DIRECTLY TO RECLAIMERS OR END MARKETS."
- 24 Page 16, line 3, strike "(I)".
- 25 Page 16, line 7, strike "(II)" and substitute "(b)".
- 26 Page 16, strike lines 9 and 10.
- 27 Page 18, line 11, strike "PRODUCER;" and substitute "PRODUCER, WITH THE
28 MEMBER ROTATING TO A PACKAGING MATERIAL SUPPLIER OF A DIFFERENT
29 TYPE OF PACKAGING MATERIAL AFTER EACH NEW TERM;".
- 30 Page 20, line 15, strike "RECOMMEND" and substitute "CONSULT WITH

- 1 THE ORGANIZATION ON".
- 2 Page 21, line 22, before "AND" insert "BY SIZE AND TYPE".
- 3 Page 21, lines 24 and 25, strike "A DIVERSITY OF MATERIAL TRADE
4 ASSOCIATIONS." and substitute "TRADE ASSOCIATIONS FOR TYPES OF
5 COVERED MATERIALS."
- 6 Page 22, line 21, strike "AVAILABILITY" and substitute "AVAILABILITY,
7 CAPACITY, PERFORMANCE,".
- 8 Page 22, line 22, before "TO" insert "PROVIDED".
- 9 Page 23, strike lines 14 and 15 and substitute:
- 10 "(VI) THE PROCESSING CAPACITY OF EXISTING INFRASTRUCTURE
11 AND THE ADDITIONAL INFRASTRUCTURE NEEDED TO MEET OR EXCEED THE
12 CONVENIENCE STANDARDS, REDUCE CONTAMINATION, AND IMPROVE THE
13 QUALITY OF RECYCLABLE MATERIALS".
- 14 Page 23, line 18, strike "SUBSECTION (3)(a)(XII)" and substitute
15 "SUBSECTION (3)(a)(XIII)".
- 16 Page 23, after line 18 insert:
- 17 "(VII) AN EVALUATION OF THE OPPORTUNITIES AND COSTS OF
18 VARIOUS SERVICE METHODS TO INCREASE RECYCLING RATES OVERALL FOR
19 SPECIFIC COVERED MATERIAL TYPES;".
- 20 Renumber succeeding subparagraphs accordingly.
- 21 Page 23, strike line 22 and substitute "SERVICES, DROP-OFF CENTERS, OR
22 OTHER MEANS;".
- 23 Page 23, line 25, strike "STATE;" and substitute "STATE, INCLUDING THE
24 TRANSPORTATION GAPS AND OPPORTUNITIES AFFECTING ACCESS TO
25 MARKETS;".
- 26 Page 23, line 27, strike "TECHNOLOGIES" and substitute "TECHNOLOGIES,
27 INCLUDING ARTIFICIAL INTELLIGENCE TECHNOLOGIES,".
- 28 Page 24, line 10, strike "SCENARIO." and substitute "SCENARIO; AND".

- 1 Page 24, after line 10 insert:
- 2 "(XIV) THE CAPACITY, COSTS, AND GAPS FOR COMPOST FACILITIES
3 TO PROCESS AND RECOVER COMPOSTABLE MATERIALS."
- 4 Page 24, line 14, strike "SUBSECTION (3)(a)(XII)" and substitute
5 "SUBSECTION (3)(a)(XIII)".
- 6 Page 24, line 26, strike "SUBSECTION (3)(a)(XII)" and substitute
7 "SUBSECTION (3)(a)(XIII)".
- 8 Page 27, line 8, after "PUBLISHERS" insert "AND MAGAZINE AND
9 PERIODICAL PUBLISHERS".
- 10 Page 27, strike lines 25 through 27.
- 11 Page 28, strike lines 1 through 5 and substitute "PRODUCER
12 RESPONSIBILITY DUES MUST VARY BY THE TYPE OF COVERED MATERIAL,
13 WHETHER OR NOT THE MATERIAL IS READILY RECYCLABLE, AND BE BASED
14 ON THE NET RECYCLING SERVICES COSTS FOR EACH COVERED MATERIAL
15 IN THE STATE."
- 16 Page 28, line 13, strike "INCENTIVIZES:" and substitute "INCLUDES
17 ECO-MODULATION FACTORS THAT LOWER PRODUCER RESPONSIBILITY DUES
18 TO INCENTIVIZE:".
- 19 Page 28, lines 18 through 20, strike "USE IN A MANNER THAT DOES NOT
20 DISRUPT THE RECYCLING OF OTHER MATERIALS;" and substitute "USE;".
- 21 Page 28, line 24, strike "DISINCENTIVIZES:" and substitute "INCLUDES
22 ECO-MODULATION FACTORS THAT INCREASE PRODUCER RESPONSIBILITY
23 DUES TO DISCOURAGE:".
- 24 Page 29, line 27, strike "AND".
- 25 Page 29, after line 27 insert:
- 26 "(F) THE AMOUNT OF INBOUND CONTAMINATION AND OTHER
27 FACTORS AFFECTING THE QUALITY OF COVERED MATERIALS; AND".
- 28 Reletter succeeding sub-sub paragraph accordingly.
- 29 Page 30, line 4, strike "FORMULA" and substitute "FORMULAS".

- 1 Page 30, line 14, strike "DUES;" and substitute "DUES, INCLUDING A DE
2 MINIMIS LEVEL IN WHICH NO DUES ARE CHARGED AND AN OPTIONAL FLAT
3 RATE FOR PRODUCERS BELOW A CERTAIN SIZE TO MINIMIZE THE
4 ADMINISTRATIVE AND REPORTING COSTS OF THE PRODUCERS AND THE
5 ORGANIZATION;".
- 6 Page 31, line 8, strike "METRICS;" and substitute "METRICS, AND DESCRIBE
7 ANY WAIVERS FROM MINIMUM POSTCONSUMER-RECYCLED-CONTENT
8 RATES GRANTED TO A TYPE OR SUBCATEGORY OF COVERED MATERIALS
9 AND THE CRITERIA FOR EVALUATING SUCH WAIVERS, INCLUDING FOOD
10 SAFETY REQUIREMENTS, TECHNOLOGICAL FEASIBILITY, OR INADEQUATE
11 SUPPLY, AND HOW OFTEN THE WAIVERS WILL BE REVIEWED;".
- 12 Page 32, line 7, strike "CONTAMINATION;" and substitute
13 "CONTAMINATION AND TO PROCESS AND RECOVER COMPOSTABLE
14 PACKAGING MATERIALS;".
- 15 Page 32, strike line 15.
- 16 Page 32, line 16, strike "MATERIALS;" and substitute "MATERIALS IN THE
17 STATE; AND".
- 18 Page 32, after line 16 insert:
- 19 "(VII) INCREASE THE RECYCLING OF COLLECTED COVERED
20 MATERIALS;".
- 21 Page 32, line 23, strike "POST-CONSUMER" and substitute
22 "POSTCONSUMER".
- 23 Page 33, line 27, strike "SIXTY" and substitute "ONE HUNDRED TWENTY".
- 24 Page 34, line 27, strike "THE ADVISORY".
- 25 Page 35, strike lines 1 through 4 and substitute "AT LEAST THIRTY DAYS
26 PRIOR TO SUBMITTING THE ANNUAL REPORT PURSUANT TO SECTION
27 25-17-609 (2)(a), THE ORGANIZATION SHALL CONSULT WITH THE
28 ADVISORY BOARD ON ANY PROPOSED AMENDMENTS TO THE FINAL PLAN.
29 THE ADVISORY BOARD SHALL SUBMIT ANY PROPOSED AMENDMENTS TO
30 THE EXECUTIVE DIRECTOR. THE EXECUTIVE DIRECTOR SHALL".
- 31 Page 35, after line 18 insert:

1 "(8) (a) ON JANUARY 1, 2025, AND EACH JANUARY 1 THEREAFTER,
2 AS AN ALTERNATIVE TO PARTICIPATING IN THE PROGRAM, A PRODUCER
3 MAY SUBMIT TO THE ADVISORY BOARD AN INDIVIDUAL PROGRAM PLAN
4 PROPOSAL. A PRODUCER MUST NOTIFY THE DEPARTMENT OF ITS INTENT TO
5 SUBMIT AN INDIVIDUAL PROGRAM PLAN PROPOSAL BY JANUARY 1, 2024.
6 THE INDIVIDUAL PROGRAM PLAN PROPOSAL MUST:
7 (I) COMPLY WITH THE REQUIREMENTS OF SECTION 25-17-605 (4),
8 AS APPLICABLE;
9 (II) DESCRIBE HOW THE PRODUCER PARTICIPATING IN THE
10 INDIVIDUAL PROGRAM PLAN PROPOSAL WILL CONTRIBUTE TO THE COSTS
11 OF THE DEPARTMENT IN OVERSEEING THE PROGRAM;
12 (III) DESCRIBE HOW THE PRODUCER WILL REIMBURSE SERVICE
13 PROVIDERS THAT PROVIDE RECYCLING SERVICES FOR THE COVERED
14 MATERIALS COVERED BY THE INDIVIDUAL PROGRAM PLAN PROPOSAL; AND
15 (IV) DESCRIBE ANY ALTERNATIVE COLLECTION PROGRAMS RUN BY
16 THE PRODUCER AND ITS RECYCLING RATES.
17 (b) THE ADVISORY BOARD SHALL REVIEW AND MAKE
18 RECOMMENDATIONS ON, AND THE EXECUTIVE DIRECTOR SHALL APPROVE
19 OR REJECT, ANY INDIVIDUAL PROGRAM PLAN PROPOSALS IN ACCORDANCE
20 WITH THE PROCEDURES SET FORTH IN SUBSECTION (5) OF THIS SECTION.
21 AFTER THE EXECUTIVE DIRECTOR APPROVES THE INDIVIDUAL PROGRAM
22 PLAN PROPOSAL, THE EXECUTIVE DIRECTOR SHALL DESIGNATE THE
23 INDIVIDUAL PROGRAM PLAN PROPOSAL AS THE PLAN THAT THE PRODUCER
24 IS AUTHORIZED TO IMPLEMENT AND ADMINISTER AS AN ALTERNATIVE TO
25 PARTICIPATING IN THE PROGRAM.
26 (c) THE PRODUCER IMPLEMENTING A PLAN DESCRIBED IN
27 SUBSECTION (8)(b) OF THIS SECTION SHALL SUBMIT ANY AMENDMENTS TO
28 THE PLAN TO THE ADVISORY BOARD IN ACCORDANCE WITH SUBSECTION (6)
29 OF THIS SECTION. THE ADVISORY BOARD SHALL REVIEW AND MAKE
30 RECOMMENDATIONS ON, AND THE EXECUTIVE DIRECTOR SHALL APPROVE
31 OR REJECT, ANY AMENDMENTS TO THE PLAN IN ACCORDANCE WITH
32 SUBSECTION (6) OF THIS SECTION."

33 Page 36, line 8, strike "MATERIALS." and substitute "MATERIALS IN A
34 MANNER THAT FACILITATES ATTAINING THE RATE TARGETS ESTABLISHED
35 IN THE FINAL PLAN UNDER SECTION 25-17-605 (4)(o)."

36 Page 36, line 13, after "SERVICES" insert "OR MEET THE CONVENIENCE
37 STANDARDS".

38 Page 36, line 16, strike "REGION" and substitute "REGIONS".

39 Page 36, strike lines 17 through 19 and substitute "WHERE THE

1 ORGANIZATION HAS ESTABLISHED A REASONABLE COST FOR THE
2 SUPPLEMENTAL COLLECTION OF COVERED MATERIALS THAT ARE NOT
3 READILY RECYCLABLE AND A RESPONSIBLE END MARKET HAS BEEN
4 ESTABLISHED. THE SERVICES DESCRIBED IN THIS SUBSECTION (2)(c) ARE
5 NOT SUBJECT TO THE CONVENIENCE STANDARDS."

6 Page 38, line 18, after "OF" insert "INBOUND".

7 Page 39, line 4, strike "**program plan**" and substitute "**producer**
8 **responsibility organization - coordination plan - rules**".

9 Page 39, lines 9 and 10, strike " AN ADDITIONAL PROGRAM PLAN." and
10 substitute "THE FINAL PLAN OR ANY OTHER PLAN APPROVED BY THE
11 EXECUTIVE DIRECTOR PURSUANT TO THIS PART 6. A PRODUCER MUST
12 REPORT THE DATA NECESSARY TO MEET ITS PLAN OBLIGATIONS AND MAY
13 USE PRORATED NATIONAL DATA IF STATE-SPECIFIC DATA IS NOT
14 AVAILABLE OR FEASIBLE TO GENERATE."

15 Page 39, strike lines 25 through 27.

16 Page 40, strike lines 1 through 15 and substitute:

17 "(c) IF THE EXECUTIVE DIRECTOR DESIGNATES AN ADDITIONAL
18 PRODUCER RESPONSIBILITY ORGANIZATION PURSUANT TO SUBSECTION
19 (2)(b) OF THIS SECTION, THE ADDITIONAL PRODUCER RESPONSIBILITY
20 ORGANIZATION SHALL SUBMIT A COORDINATION PLAN TO THE EXECUTIVE
21 DIRECTOR FOR APPROVAL IN ACCORDANCE WITH THE RULES
22 PROMULGATED PURSUANT TO THIS SECTION (2)(c). WITHIN ONE HUNDRED
23 TWENTY DAYS AFTER THE DESIGNATION OF THE FIRST ADDITIONAL
24 PRODUCER RESPONSIBILITY ORGANIZATION, THE EXECUTIVE DIRECTOR
25 SHALL PROMULGATE BY RULE STANDARDS AND REQUIREMENTS FOR A
26 COORDINATION PLAN AND FOR COORDINATION BETWEEN THE
27 ORGANIZATION AND ANY ADDITIONAL PRODUCER RESPONSIBILITY
28 ORGANIZATIONS DESIGNATED BY THE EXECUTIVE DIRECTOR. A
29 COORDINATION PLAN APPROVED OR ORDERED BY THE EXECUTIVE
30 DIRECTOR SHALL BE IMPLEMENTED BY THE ORGANIZATION AND ANY
31 ADDITIONAL PRODUCER RESPONSIBILITY ORGANIZATIONS DESIGNATED BY
32 THE EXECUTIVE DIRECTOR. IF THE COORDINATION PLAN CONFLICTS WITH
33 THE FINAL PLAN OR ANY OTHER PLAN APPROVED BY THE EXECUTIVE
34 DIRECTOR PURSUANT TO THIS PART 6, THE PROVISIONS OF THE
35 COORDINATION PLAN PREVAIL. A COORDINATION PLAN APPROVED OR
36 ORDERED BY THE EXECUTIVE DIRECTOR IS VALID UNTIL REVOKED OR UNTIL
37 A NEW COORDINATION PLAN IS APPROVED OR ORDERED BY THE EXECUTIVE

1 DIRECTOR.

2 (3) THE EXECUTIVE DIRECTOR, THE ADVISORY BOARD, THE
3 ORGANIZATION, AN ADDITIONAL PRODUCER RESPONSIBILITY
4 ORGANIZATION, AND ANY OTHER PERSON ADMINISTERING A PLAN
5 APPROVED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PART 6:".

6 Page 40, strike lines 20 through 22 and substitute "PROPOSAL, THE FINAL
7 PLAN, ANY OTHER PLAN APPROVED BY THE EXECUTIVE DIRECTOR
8 PURSUANT TO THIS PART 6, OR ANY AMENDMENT TO THE FINAL PLAN OR
9 OTHER PLAN APPROVED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS
10 PART 6."

11 Page 40, strike lines 23 and 24 and substitute:

12 "(4) (a) THE PROGRAM AND ANY OTHER PLAN APPROVED BY THE
13 EXECUTIVE DIRECTOR PURSUANT TO THIS PART 6 MUST COMPLY WITH ANY
14 FIRE, SOLID WASTE,".

15 Page 41, line 3, strike "OR AN ADDITIONAL PRODUCER RESPONSIBILITY
16 PROGRAM." and substitute "OR ANY OTHER PLAN APPROVED BY THE
17 EXECUTIVE DIRECTOR PURSUANT TO THIS PART 6."

18 Page 41, lines 5 and 6, strike "AN ADDITIONAL PRODUCER RESPONSIBILITY
19 PROGRAM," and substitute "ANY OTHER PLAN APPROVED BY THE
20 EXECUTIVE DIRECTOR PURSUANT TO THIS PART 6,".

21 Page 41, lines 6 and 7, strike "ORGANIZATION OR ANY ADDITIONAL
22 PRODUCER RESPONSIBILITY ORGANIZATION" and substitute
23 "ORGANIZATION, ADDITIONAL PRODUCER RESPONSIBILITY ORGANIZATION,
24 OR OTHER PERSON RESPONSIBLE FOR ADMINISTERING A PLAN APPROVED BY
25 THE EXECUTIVE DIRECTOR UNDER THIS PART 6".

26 Page 41, lines 9 and 10, strike "ADDITIONAL PROGRAM PLAN." and
27 substitute "ANY OTHER PLAN APPROVED BY THE EXECUTIVE DIRECTOR
28 PURSUANT TO THIS PART 6."

29 Page 41, line 11, strike "ORGANIZATION AND" and substitute
30 "ORGANIZATION,".

31 Page 41, line 12, strike "ORGANIZATION" and substitute "ORGANIZATION,
32 AND ANY PERSON ADMINISTERING A PLAN APPROVED BY THE EXECUTIVE
33 DIRECTOR PURSUANT TO THIS PART 6".

- 1 Page 41, lines 13 and 14, strike "ADDITIONAL PRODUCER RESPONSIBILITY
2 PROGRAM" and substitute "ANY OTHER PLAN APPROVED BY THE
3 EXECUTIVE DIRECTOR PURSUANT TO THIS PART 6".
- 4 Page 41, lines 15 and 16, strike "OR ADDITIONAL PRODUCER
5 RESPONSIBILITY PROGRAM'S" and substitute "OR PLAN'S".
- 6 Page 41, lines 19 and 20, strike "AN ADDITIONAL PROGRAM PLAN" and
7 substitute "A PLAN".
- 8 Page 41, line 20, after "DIRECTOR" insert "PURSUANT TO THIS PART 6".
- 9 Page 41, line 22, strike "2025," and substitute "2026,".
- 10 Page 42, line 8, strike "ANNUALLY ON" and substitute "BY" and after "31"
11 insert "EACH YEAR THEREAFTER".
- 12 Page 43, strike lines 17 and 18 and substitute:
- 13 "(VII) THE RECYCLING RATE, COLLECTION RATE, AND
14 POSTCONSUMER-RECYCLED-CONTENT RATE FOR EACH TYPE".
- 15 Page 43, line 20, strike "TARGET" and substitute "TARGETS".
- 16 Page 44, line 6, strike "SERVICES AND DROP-OFF CENTERS" and substitute
17 "SERVICES, DROP-OFF CENTERS, AND OTHER ENTITIES".
- 18 Page 44, line 12, strike "AND IF" and substitute "AND, IF".
- 19 Page 45, line 7, strike "AND".
- 20 Page 45, line 9, strike "(1)(b)." and substitute "(1)(b);".
- 21 Page 45, after line 9 insert:
- 22 "(XVII) A DESCRIPTION OF THE IMPACT OF THE EXEMPTION
23 DESCRIBED IN SECTION 25-17-613 (3) ON THE AMOUNT OF PRODUCER
24 RESPONSIBILITY DUES BEING COLLECTED BY THE ORGANIZATION; AND
25 (XVIII) A DESCRIPTION OF THE ADVISORY BOARD'S FEEDBACK ON
26 ANY AMENDMENTS TO THE FINAL PLAN PURSUANT TO SECTION 25-17-605
27 (6)(a).".
- 28 Page 45, strike lines 10 through 12 and substitute:

- 1 "(b) BEFORE MARCH 31 OF THE SECOND YEAR OF ANY PLAN
2 APPROVED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PART 6 THAT
3 IS NOT THE FINAL PLAN, AND BY MARCH 31 EACH YEAR THEREAFTER, AN
4 ADDITIONAL PRODUCER RESPONSIBILITY ORGANIZATION OR OTHER PERSON
5 RESPONSIBLE FOR ADMINISTERING A PLAN APPROVED BY THE EXECUTIVE
6 DIRECTOR PURSUANT TO THIS PART 6 SHALL SUBMIT A".
- 7 Page 45, line 14, strike "ADDITIONAL PROGRAM".
- 8 Page 45, lines 19 and 20, strike "ADDITIONAL PRODUCER RESPONSIBILITY
9 PROGRAM" and substitute "PLAN".
- 10 Page 45, line 27, strike "AND ANY ADDITIONAL PRODUCER".
- 11 Page 46, line 1, strike "RESPONSIBILITY PROGRAMS." and substitute "AND
12 ANY OTHER PLANS APPROVED BY THE EXECUTIVE DIRECTOR PURSUANT TO
13 THIS PART 6".
- 14 Page 46, lines 10 and 11, strike "ANY ADDITIONAL PRODUCER
15 RESPONSIBILITY PROGRAM" and substitute "ANY OTHER PLAN APPROVED
16 BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PART 6".
- 17 Page 46, lines 13 and 14, strike "IN THE FINAL PLAN OR ANY ADDITIONAL
18 PROGRAM PLAN," and substitute "IN THE PROGRAM OR PLAN,".
- 19 Page 46, line 16, strike "ORGANIZATION," and substitute "ORGANIZATION
20 OR OTHER PERSON RESPONSIBLE FOR ADMINISTERING THE PLAN,".
- 21 Page 46, line 17, strike "AN ADDITIONAL PRODUCER RESPONSIBILITY
22 PROGRAM," and substitute "ANY OTHER PLAN APPROVED BY THE
23 EXECUTIVE DIRECTOR PURSUANT TO THIS PART 6,".
- 24 Page 46, line 21, after "ORGANIZATION," insert "A PERSON ADMINISTERING
25 A PLAN APPROVED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PART
26 6,".
- 27 Page 46, line 23, after "ORGANIZATION," insert "PERSON ADMINISTERING
28 A PLAN APPROVED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PART
29 6,".
- 30 Page 47, line 13, after "ORGANIZATION," insert "A PERSON ADMINISTERING
31 A PLAN APPROVED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PART
32 6,".

1 Page 47, line 17, after "ORGANIZATION," insert "PERSON ADMINISTERING
2 A PLAN APPROVED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PART
3 6,".

4 Page 47, line 19, after "ORGANIZATION," insert "PERSON ADMINISTERING
5 A PLAN APPROVED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PART
6 6,".

7 Page 48, line 2, before "OR" insert "PERSON ADMINISTERING A PLAN
8 APPROVED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PART 6,".

9 Page 48, line 9, after "ORGANIZATION," insert "PERSON ADMINISTERING A
10 PLAN APPROVED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PART
11 6,".

12 Page 48, line 20, "ORGANIZATION," insert "A PERSON ADMINISTERING A
13 PLAN APPROVED BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PART
14 6,".

15 Page 48, lines 22 and 23, strike "AN ADDITIONAL PRODUCER
16 RESPONSIBILITY PROGRAM" and substitute "ANY OTHER PLAN APPROVED
17 BY THE EXECUTIVE DIRECTOR PURSUANT TO THIS PART 6".

18 Page 48, line 25, strike "ADDITIONAL PRODUCER RESPONSIBILITY
19 PROGRAM" and substitute "PLAN".

20 Page 49, line 10, strike "REVENUE" and substitute "REVENUE, NOT
21 INCLUDING ON-PREMISES ALCOHOL SALES,".

22 Page 49, strike lines 16 through 21 and substitute:

23 "(e) AN INDIVIDUAL BUSINESS OPERATING A RETAIL FOOD
24 ESTABLISHMENT THAT IS LOCATED AT A PHYSICAL BUSINESS LOCATION
25 AND THAT IS LICENSED UNDER SECTION 25-4-1607 (1)(a) OR SECTION
26 32-106.5 (1) TO SECTION 32-106.5 (5) OF THE DENVER CODE OF
27 ORDINANCES; OR".

28 Page 50, lines 9 and 10, strike "ORGANIZATION OR AN ADDITIONAL
29 PRODUCER RESPONSIBILITY ORGANIZATION" and substitute
30 "ORGANIZATION, AN ADDITIONAL PRODUCER RESPONSIBILITY
31 ORGANIZATION, OR A PERSON ADMINISTERING A PLAN APPROVED BY THE
32 EXECUTIVE DIRECTOR PURSUANT TO THIS PART 6".

- 1 Page 50, line 12, after "ORGANIZATION" insert "OR OTHER PERSON".

- 2 Page 50, lines 15 and 16, strike "ORGANIZATION'S OR ADDITIONAL
3 PRODUCER RESPONSIBILITY ORGANIZATION'S" and substitute
4 "ORGANIZATION'S, ADDITIONAL PRODUCER RESPONSIBILITY
5 ORGANIZATION'S, OR OTHER PERSON'S".

- 6 Page 50, lines 18 and 19, strike "ORGANIZATION OR ADDITIONAL
7 PRODUCER RESPONSIBILITY ORGANIZATION" and substitute
8 "ORGANIZATION, ADDITIONAL PRODUCER RESPONSIBILITY ORGANIZATION,
9 OR OTHER PERSON".

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